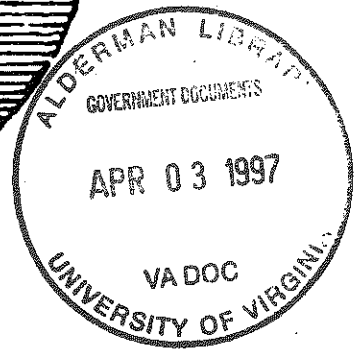
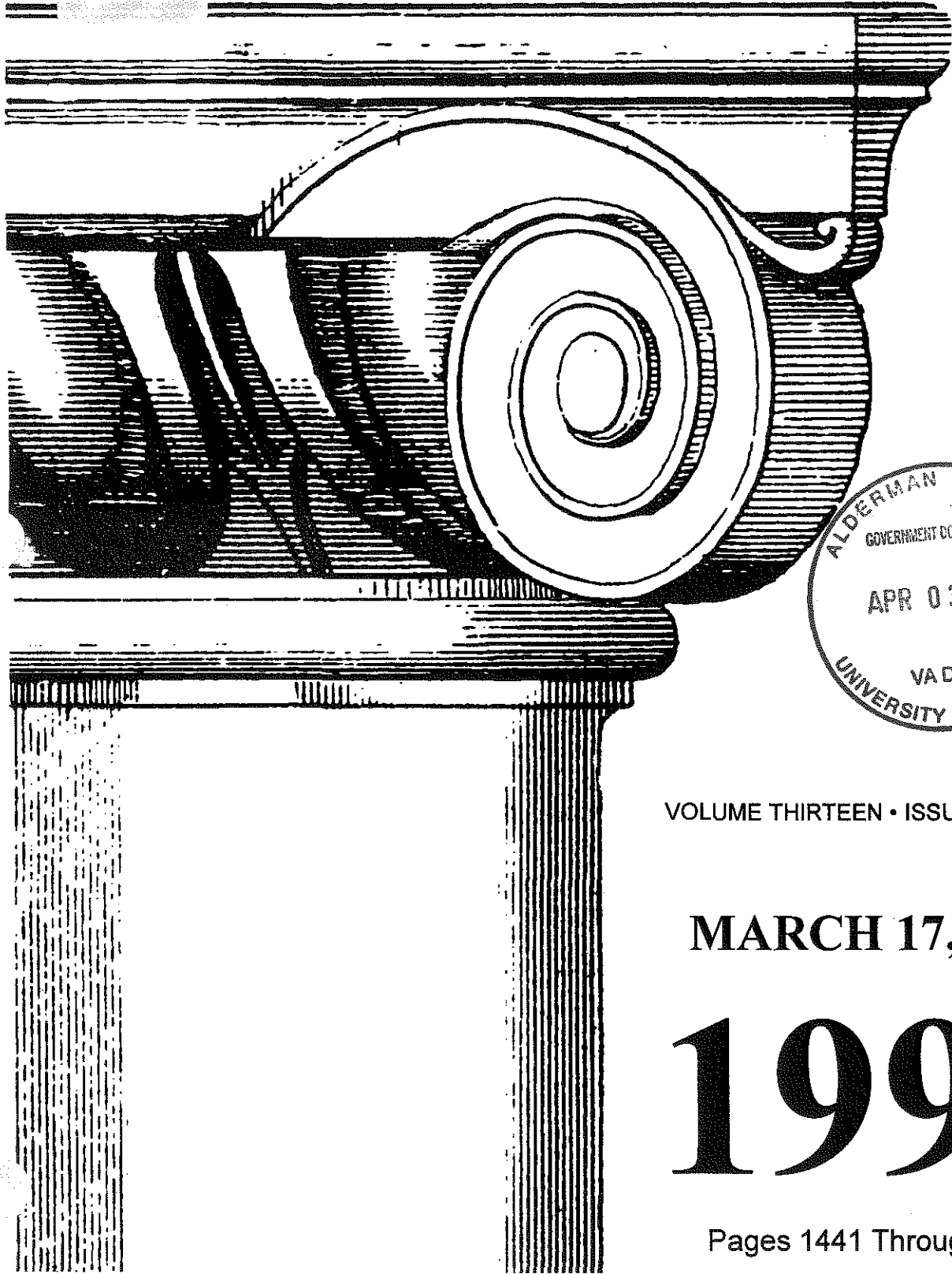


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THE VIRGINIA REGISTER

OF REGULATIONS

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MARCH 17, 1997

1997

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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) deliver the Notice of Intended Regulatory Action to the Registrar in time to be published within 60 days of the effective date of the emergency regulation; and (ii) deliver the proposed regulation to the Registrar in time to be published 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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Members of the Virginia Code Commission: **Joseph V. Gartlan, Jr.**, Chairman; **W. Tayloe Murphy, Jr.**, Vice Chairman; **Robert L. Calhoun**; **Russell M. Carneal**; **Bernard S. Cohen**; **Jay W. DeBoer**; **Frank S. Ferguson**; **E. M. Miller, Jr.**; **Jackson E. Reasor, Jr.**; **James B. Wilkinson.**

Staff of the Virginia Register: **E. M. Miller, Jr.**, Acting Registrar of Regulations; **Jane D. Chaffin**, Deputy Registrar of Regulations.

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Symbol Key

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

BOARD FOR ACCOUNTANCY

† 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 Accountancy intends to consider amending regulations entitled: **18 VAC 5-20-10 et seq. Board for Accountancy Regulations**. The purpose of the proposed action is to eliminate overly restrictive and unnecessary licensure requirements recommended by the board's committees under Executive Order 15(94), and to review all provisions of current regulations to implement the least burdensome alternatives. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 54.1-201 and 54.1-2002 of the Code of Virginia.

Public comments may be submitted until April 17, 1997, at 5 p.m.

Contact: Nancy Taylor Feldman, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474, or (804) 367-9753/TDD ☎

VA.R. Doc. No. R97-323; Filed February 26, 1997, 11:39 a.m.

STATE AIR POLLUTION CONTROL 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 State Air Pollution Control Board intends to consider amending regulations entitled: **9 VAC 5-40-10 et seq. Applicability of and Compliance with Air Quality Standards**. The purpose of the proposed action is to develop a regulation for existing municipal solid waste landfills that meets the requirements of Section 111(d) of the federal Clean Air Act, and 40 CFR Part 60 Subpart Cc of federal regulations.

Public Meeting: A public meeting will be held by the department in the Training Room, First Floor, Department of Environmental Quality, 629 E. Main Street, Richmond, Virginia, at 10 a.m. on April 3, 1997, to discuss the intended action. Unlike a public hearing, which is intended only to receive testimony, this meeting is being held to discuss and exchange ideas and information relative to regulation development.

Ad Hoc Advisory Group: The department is soliciting comments on the advisability of forming an ad hoc advisory group, utilizing a standing advisory committee or consulting with groups or individuals registering interest in working with the department to assist in the drafting and formation of any

proposal. The primary function of any group, committee or individuals that may be utilized is to develop recommended regulation amendments for department consideration through the collaborative approach of regulatory negotiation and consensus. Any comments relative to this issue must be submitted in accordance with the procedures described under the above procedures.

Public Hearing Plans: After publication in the Virginia Register of Regulations, the department will hold at least one public hearing to provide opportunity for public comment on any regulation amendments drafted pursuant to this notice.

Need: The contemplated regulation is essential (i) to protect the health, safety or welfare of citizens and (ii) for the efficient and economical performance of an important governmental function. The reasoning for this conclusion is set forth below.

MSW landfills emit many substances of concern to the atmosphere: methane, carbon dioxide, and more than 100 nonmethane organic compounds (NMOCs), such as vinyl chloride, toluene, and benzene. Studies indicate that MSW landfill emissions can at certain levels have adverse effects on both public health and welfare. Failure to develop an adequate program to control MSW landfill emissions would therefore have adverse impacts on public health and welfare. For example, NMOCs contribute to ozone formation; some NMOCs are known or suspected carcinogens, or cause other noncancer health effects; NMOCs can cause an odor nuisance; methane emissions present a well-documented danger of fire and explosion, and contribute to global climate change as a major greenhouse gas.

Finally, failure to develop an adequate regulation will result in imposition of a federal program. Meeting the basic requirements of the law and its associated regulations will ensure that Virginia retains its rights to govern Virginia sources.

Alternatives: Alternatives to the proposed regulation were considered by the department. The department determined that the first alternative is appropriate, as it is the least burdensome and least intrusive alternative that fully meets the purpose of the regulation. The alternatives considered by the department are discussed below.

1. Amend the regulations to satisfy the provisions of the law and associated regulations and policies. This option is being considered because it meets the stated purpose of the regulation: to bring the regulations into compliance with federal law and regulation.
2. Make alternative regulatory changes to those required by the provisions of the law and associated regulations and policies. This option is not being considered because it does not necessarily meet the stated purpose of the regulation. Further, alternative regulatory changes could also go beyond the stated purpose by imposing requirements that may not be consistent with federal statutory and regulatory requirements.

Notices of Intended Regulatory Action

3. Take no action to amend the regulations. This option is not being considered because it would not accomplish the goals of federal statutory and regulatory requirements or the stated purpose of the regulation. Furthermore, not taking any action would lead to the imposition of a federal program on Virginia.

As provided in the public participation procedures of the State Air Pollution Control Board, the department will include, in the subsequent Notice of Intended Regulatory Action, a description of the above alternatives and a request for comments on other alternatives and the costs and benefits of the above alternatives or the other alternatives that the commenters may provide.

Costs and Benefits: The department is soliciting comments on the costs and benefits of the alternatives stated above or other alternatives.

Applicable Statutory Requirements: The contemplated regulation is mandated by federal law or regulation. A succinct statement of the source (including legal citation) and scope of the mandate may be found below.

MSW landfill emissions are a "designated" pollutant under Section 111(d) of the Clean Air Act. Designated pollutants are pollutants which are not included on a list published under Section 108(a) of the Act ("criteria" pollutants), or Section 112(b)(1)(A) ("hazardous" pollutants), but for which standards of performance for new sources have been established under Section 111(b). When the U.S. Environmental Protection Agency (EPA) establishes a new source performance standard, states are required to develop standards for existing facilities based on EPA emission guidelines. Designated pollutant controls are critical for two reasons. First, only a limited number of air pollutants potentially harmful to human health are regulated at the federal level. Second, health risks from small exposures to designated air pollutants can be high, depending on the substances involved.

EPA has determined that MSW landfills should be regulated under Section 111 (New Source Performance Standards) of the Clean Air Act because:

1. MSW landfill emissions may be reasonably anticipated to contribute to the endangerment of public health and welfare.
2. The range of health and welfare effects and the range and uncertainties of estimated cancer risks do not warrant listing MSW landfill emissions as a hazardous pollutant under Section 112 of the Act.
3. Section 112 of the Act could not be used to address particular constituents or subgroups of emissions.
4. Section 111(d) of the Act would permit a more thorough evaluation of existing MSW landfills at the state level than would be feasible in a general rulemaking at the federal level.

The 1990 Clean Air Act amendments and its associated standards were promulgated because EPA determined that MSW landfill emissions cause or contribute significantly to air pollution which may reasonably be expected to endanger public health and welfare. The intended effect of the

standards and guidelines is to form a basis for state action to develop state regulations controlling MSW landfill emissions to the level achievable by the best demonstrated system of continuous emission reduction, considering costs, nonair quality health and environmental impacts, and energy requirements.

Regulating MSW landfill emissions for new sources under Section 111(b) of the Act (New Source Performance Standards) establishes MSW landfill emissions as a designated pollutant, and requires the EPA to promulgate guidelines under Section 111(d) for states to use in developing regulations to control pollutants from existing MSW landfills. Emissions guidelines for existing MSW landfills have been promulgated under Section 111(d) of the Act. In order for Section 111 to be effected, the specific guidelines are promulgated in the Code of Federal Regulations (CFR) (subpart Cc 40 CFR Part 60). State regulations must be at least as stringent as the guidelines.

The final rule published by EPA in the Federal Register of March 12, 1996 (61 FR 9905), applies to existing MSW landfills as follows. An existing MSW landfill is a landfill for which construction commenced prior to May 30, 1991. An existing MSW landfill may be active (currently accepting waste), or may be closed, (no longer accepting waste nor having available capacity for future waste deposition). The designated facility under the emissions guidelines is each existing MSW landfill that has accepted waste since November 8, 1987.

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m., April 4, 1997, to the Director, Office of Air Program Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia 23240.

Contact: Karen G. Sabastanski, Policy Analyst, Office of Air Program Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4426, FAX (804) 698-4510, toll-free 1-800-592-5492, or (804) 698-4021/TDD ☎

VA.R. Doc. No. R97-296; Filed February 12, 1997, 10:38 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 State Air Pollution Control Board intends to consider promulgating regulations entitled: **9 VAC 5-510-10 et seq. General Permit for Nonmetallic Mineral Mining**. The purpose of the proposed action is to develop a general permit that will provide terms and conditions that form the legally enforceable basis for the implementation of all regulatory and statutory requirements applicable to new and existing emissions units in the nonmetallic mineral mining facilities.

Public Meeting: A public meeting will be held by the Department of Environmental Quality, 629 East Main Street, First Floor, Training Room, Richmond, Virginia, at 10 a.m. on March 20, 1997, to discuss the intended action. Unlike a public hearing, which is intended only to receive testimony,

Notices of Intended Regulatory Action

this meeting is being held to discuss and exchange ideas and information relative to regulation development.

Technical Advisory Committee: The department will form a technical advisory committee to assist in the development of the regulation. If you desire to be on the committee, notify the agency contact in writing by 4:30 p.m. on March 21, 1997, and provide your name, address, phone number and the organization you represent, if any. Notification of the composition of the technical advisory committee will be sent to all applicants. If you wish to be on the committee, you are encouraged to attend the public meeting mentioned above. The primary function of the committee is to develop a recommended regulation for department consideration through the collaborative approach of regulatory negotiation and consensus.

Public Hearing Plans: After publication in the Virginia Register of Regulations, the department will hold at least one public hearing to provide opportunity for public comment on any regulation drafted pursuant to this notice.

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Public comments may be submitted until 4:30 p.m. on March 21, 1997.

Contact: Robert A. Mann, Director, Office of Air Program Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4419, FAX (804) 698-4510, toll-free 1-800-592-5492, or (804) 698-4021.

VA.R. Doc. No. R97-258; Filed January 29, 1997, 11:36 a.m.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

† 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 Medical Assistance Services intends to consider amending regulations entitled: **12 VAC 30-50-10 et seq. Amount, Duration and Scope of Medical and Remedial Care and Services (amending 12 VAC 30-50-100 and 12 VAC 30-50-140) and 12 VAC 30-60-10 et seq. Standards Established and Methods Used to Assure High Quality Care (amending 12 VAC 30-60-20, 12 VAC 30-60-25 and 12 VAC 30-60-60).** The purpose of the proposed action is to promulgate permanent regulations, essentially like the current emergency regulations, which provide for the required prior authorization of all inpatient hospital services before the Department of Medical Assistance Services will reimburse for such services. These permanent regulations will also permit the denial of claims for inpatient hospital services which have not met the appropriate prior authorization requirements. The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until April 16, 1997.

Contact: Victoria P. Simmons or Roberta J. Jonas, Regulatory Coordinators, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850 or FAX (804) 371-4981.

VA.R. Doc. No. R97-325; Filed February 26, 1997, 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 of Medical Assistance Services intends to consider amending regulations entitled: **12 VAC 30-50-10 et seq. Amount, Duration, and Scope of Medical and Remedial Care and Services (amending 12 VAC 30-50-220 through 12 VAC 30-50-229, and 12 VAC 30-50-510) and 12 VAC 30-60-10 et seq. Standards Established and Methods Used to Assure High Quality Care (amending 12 VAC 30-60-140 through 12 VAC 30-60-149 and 12 VAC 30-130-540 through 12 VAC 30-130-590).** The purpose of the proposed action is to promulgate permanent regulations, substantially like the preceding emergency regulations, which provide for additional mental health and mental retardation services than those already covered in the state plan and to add several new substance abuse treatment services to the plan. Minor revisions and technical corrections in the original 1990 existing mental health/mental retardation services will also be proposed. The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until April 16, 1997.

Contact: Victoria P. Simmons or Roberta J. Jonas, Regulatory Coordinators, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850 or FAX (804) 371-4981.

VA.R. Doc. No. R97-324; Filed February 26, 1997, 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 of Medical Assistance Services intends to consider amending regulations entitled: **12 VAC 30-120-400. Medallion II: Quality Control and Utilization Review.** The purpose of the proposed action is to promulgate federal requirements regarding monitoring HMOs under contract to Medicaid. The agency does not intend to hold a public hearing on the proposed regulation after publication.

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

Public comments may be submitted until March 19, 1997.

Contact: Victoria P. Simmons or Roberta J. Jonas, Regulatory Coordinators, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8850 or FAX (804) 371-4981.

VA.R. Doc. No. R97-254; Filed January 29, 1997, 11:39 a.m.

Notices of Intended Regulatory Action

BOARD OF MEDICINE

† 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 of Medicine intends to consider amending regulations entitled: **18 VAC 85-20-10 et seq. Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, Chiropractic, Clinical Psychology, and Acupuncture.** The purpose of the proposed action is to simplify and clarify regulations and to eliminate unnecessary or redundant regulations according to recommendations of Executive Order 15(94). The board will also consider less burdensome requirements for applicants seeking limited licensure and for those wanting to take the USMLE, Part III. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Public comments may be submitted until April 16, 1997.

Contact: Warren K. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

VA.R. Doc. No. R97-309; Filed February 14, 1997, 2:09 p.m.

BOARD OF OPTOMETRY

† 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 of Optometry intends to consider amending regulations entitled: **18 VAC 105-20-10 et seq. Regulations of the Board of Optometry.** The purpose of the proposed action is to simplify and clarify regulations and to eliminate unnecessary or redundant regulations according to recommendations of Executive Order 15(94). The board will also consider amendments to alleviate the costs and time expended for course approval and recordkeeping for continuing education. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Public comments may be submitted until April 16, 1997.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Optometry, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910 or FAX (804) 662-9943.

VA.R. Doc. No. R97-306; Filed February 14, 1997, 2:08 p.m.

BOARD OF PHARMACY

† 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 of Pharmacy intends to consider amending regulations entitled: **18 VAC 110-20-10 et seq. Virginia Board of Pharmacy Regulations.** The purpose of the proposed action is to simplify and clarify regulations and to eliminate unnecessary or redundant regulations according to recommendations of Executive Order 15(94). The board will also consider amendments to update regulations to current pharmacy practices and technology. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 54.1-2400 and 54.1-3307 of the Code of Virginia.

Public comments may be submitted until April 16, 1997.

Contact: Elizabeth Scott Russell, R.Ph., Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9911 or FAX (804) 662-9943.

VA.R. Doc. No. R97-308; Filed February 14, 1997, 2:08 p.m.

DEPARTMENT OF SOCIAL SERVICES (STATE BOARD OF)

† 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 Social Services intends to consider amending regulations entitled: **22 VAC 40-60-10 et seq. Standards and Regulations for Licensed Adult Day Care Centers.** The purpose of the proposed amendments is to amend the regulation for clarity and understandability and to bring it up to date with Code of Virginia mandates. The agency does not intend to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 63.1-194.1 of the Code of Virginia.

Public comments may be submitted until April 16, 1997.

Contact: Kathryn Thomas, Program Development Supervisor, Department of Social Services, 730 E. Broad St., 7th Floor, Richmond, VA 23219, telephone (804) 692-1793 or FAX (804) 692-2370.

VA.R. Doc. No. R97-326; Filed February 26, 1997, 11:07 a.m.

BOARD OF VETERINARY MEDICINE

† 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 of Veterinary Medicine intends to consider amending regulations entitled: **18 VAC 150-20-10 et seq. Regulations Governing the Practice of**

Veterinary Medicine. The purpose of the proposed action is to simplify and clarify regulations and to eliminate unnecessary or redundant regulations according to recommendations of Executive Order 15(94). The board will also amend its regulations pursuant to § 54.1-3804 of the Code of Virginia as amended by the 1996 General Assembly. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: §§ 54.1-2400 and 54.1-3804 of the Code of Virginia.

Public comments may be submitted until April 16, 1997.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Veterinary Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9915 or FAX (804) 662-9943.

VA.R. Doc. No. R97-307; Filed February 14, 1997, 2:08 p.m.

VIRGINIA RACING COMMISSION

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 Racing Commission intends to consider amending regulations entitled: **11 VAC 10-20-260 et seq. Part III: Pari-Mutuel Wagering.** The purpose of the proposed action is to amend the regulations pertaining to pari-mutuel wagering to incorporate a popular wager and include the latest language from the model rules of the Association of Racing Commissioners International. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 59.1-369 of the Code of Virginia.

Public comments may be submitted until March 19, 1997.

Contact: William H. Anderson, Policy Analyst, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23218, telephone (804) 371-7363 or FAX (804) 371-6127.

VA.R. Doc. No. R97-249; Filed January 28, 1997, 9:34 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 Virginia Racing Commission intends to consider amending regulations entitled: **11 VAC 10-60-10 et seq. Regulations Pertaining to Horse Racing with Pari-Mutuel Wagering: Participants.** The purpose of the proposed action is to amend the regulations pertaining to participants to allow the commission to participate fully in the new multi-state licensing system. The agency intends to hold a public hearing on the proposed regulation after publication.

Statutory Authority: § 59.1-369 of the Code of Virginia.

Public comments may be submitted until March 19, 1997.

Contact: William H. Anderson, Policy Analyst, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23218, telephone (804) 371-7363 or FAX (804) 371-6127.

VA.R. Doc. No. R97-249; Filed January 28, 1997, 9:34 a.m.

PUBLIC COMMENT PERIODS - PROPOSED REGULATIONS



PUBLIC COMMENT PERIODS REGARDING STATE AGENCY REGULATIONS

Effective July 1, 1995, publication of notices of public comment periods in a newspaper of general circulation in the state capital is no longer required by the Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia). Chapter 717 of the 1995 Acts of Assembly eliminated the newspaper publication requirement from the Administrative Process Act. In *The Virginia Register of Regulations*, the Registrar of Regulations has developed this section entitled "Public Comment Periods - Proposed Regulations" to give 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.

DEPARTMENT OF EDUCATION (STATE BOARD OF)

March 25, 1997 - 7 p.m. -- Public Hearing
Patrick County High School, Route 5, Stuart, Virginia.

March 26, 1997 - 7 p.m. -- Public Hearing
West Point High School, 2700 Mattaponi Avenue, West Point, Virginia.

April 1, 1997 - 7 p.m. -- Public Hearing
Rural Retreat High School, Rural Retreat, Virginia.

April 8, 1997 - 7 p.m. -- Public Hearing
Robert E. Lee High School, 1200 North Coalter Street, Staunton, Virginia.

April 9, 1997 - 7 p.m. -- Public Hearing
Landstown Middle School, 2204 Recreation Drive, Virginia Beach, Virginia.

April 15, 1997 - 7 p.m. -- Public Hearing
Highland Springs High School, 15 South Oak Avenue, Highland Springs, Virginia.

April 16, 1997 - 7 p.m. -- Public Hearing
Loudoun County High School, 340 North Maple Avenue, Leesburg, Virginia.

May 17, 1997 -- 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 repeal regulations entitled: **8 VAC 20-130-10 et seq. Regulations Establishing Standards for Accrediting Public Schools in Virginia** and adopt regulations entitled: **8 VAC 20-131-10 et seq. Regulations Establishing Standards for Accrediting Public Schools in Virginia**. The proposed regulations establish standards for accreditation of public schools to ensure an effective educational program is maintained in Virginia's public schools. Registration for those wishing to speak at a public hearing begins at 6:30 p.m. Speakers are requested to limit their remarks to three minutes each. In the event of a large number of persons signing up to speak, the hearing chairman may request that the time limit for each speaker be shortened to less

than three minutes. A written copy of remarks is requested, but not required.

Statutory Authority: §§ 22.1-16, 22.1-19 and 22.1-353.13:3 of the Code of Virginia.

Contact: Charles W. Finley, Policy Analyst, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2092, toll-free 1-800-292-3820, or e-mail cfinley@pen.k12.va.us

DEPARTMENT OF MOTOR VEHICLES

May 19, 1997 -- 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 Department of Motor Vehicles intends to repeal regulations entitled: **24 VAC 20-20-10 et seq. Privacy Protection Act Rules and Regulations**. The purpose of the proposed action is to repeal the existing regulation, which was originally promulgated in 1977 and last amended in 1984. Changes adopted by the 1994 Session of the General Assembly to §§ 46.2-204 through 46.2-210 have made these regulations obsolete. The Department of Motor Vehicles does not intend to hold a public hearing on the proposed repeal of these regulations. The purpose of this notice is to solicit input and comments from the public and any other interested parties. The Department of Motor Vehicles encourages you to share this information with others you feel may have an interest in this action. Any industry or professional association or other group receiving this notice is requested to publish this information in newsletters or journals or use any other means available to them to disseminate this notice to their memberships.

Statutory Authority: §§ 46.2-203 and 46.2-208 of the Code of Virginia.

Public comments may be submitted until May 19, 1997, to Marc Copeland, Legislative Analyst, Department of Motor Vehicles, Room 724, P. O. Box 34712, Richmond, Virginia 23269-0001.

Public Comment Periods - Proposed Regulations

Contact: Karen Chappell, Administrator, Motorist Record Services, Department of Motor Vehicles, Room 311, P.O. Box 24712, Richmond, VA 23269-0001, telephone (804) 367-0146, FAX (804) 367-6631, or toll-free 1-800-272-9268/TDD ☎

May 19, 1997 -- 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 Department of Motor Vehicles intends to repeal regulations entitled: **24 VAC 20-130-10 et seq. International Registration Plan Virginia Rules and Regulations.** The purpose of the proposed action is to repeal the regulation. This regulation was first published in 1975 when Virginia and 13 other jurisdictions were members of the International Registration Plan (Plan). The regulation was used by Virginia primarily as a tool to educate the motor carrier industry to the workings of the plan. Today, there are 49 jurisdictions that are members of the International Registration Plan. The plan has been changed many times in the intervening years, making the regulation published in 1975 obsolete. The current plan, along with various other related national policies and procedures, provides the necessary guidance to the member jurisdictions and the motor carrier industry alike. The agency does not intend to hold a public hearing on the proposed regulation after publication. The purpose of this notice is to solicit input and comments from the public and any other interested parties. The Department of Motor Vehicles encourages you to share this information with others you feel may have an interest in this action. Any industry or professional association or other group receiving this notice is requested to publish this information in newsletters or journals or use any other means available to them to disseminate this notice to their memberships.

Statutory Authority: §§ 46.2-203 and 46.2-703 of the Code of Virginia.

Public comments may be submitted until May 19, 1997, to Marc Copeland, Legislative Analyst, Department of Motor Vehicles, Room 724, P. O. Box 34712, Richmond, Virginia 23269-0001.

Contact: Jerry Fern, Manager, IRP and Tax Licensing, Department of Motor Vehicles, Room 607, P.O. Box 24712, Richmond, VA 23269-0001, telephone (804) 367-8487, FAX (804) 367-6631, or toll-free 1-800-272-9268/TDD ☎

May 19, 1997 -- 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 Department of Motor Vehicles intends to repeal regulations entitled: **24 VAC 20-30-10 et seq. Virginia Driver Improvement Rules**

and Regulations. The purpose of the proposed action is to repeal the existing regulation, which was originally promulgated in 1975 and last amended in 1978. As such, the regulation has no substantive relationship to either the current statute or program. The Department of Motor Vehicles does not intend to hold a public hearing on the proposed repeal of these regulations. The purpose of this notice is to solicit input and comments from the public and any other interested parties. The Department of Motor Vehicles encourages you to share this information with others you feel may have an interest in this action. Any industry or professional association or other group receiving this notice is requested to publish this information in newsletters or journals or use any other means available to them to disseminate this notice to their memberships.

Statutory Authority: §§ 46.2-203 and 46.2-489 of the Code of Virginia.

Contact: Marc Copeland, Legislative Analyst, Department of Motor Vehicles, Room 724, P.O. Box 24712, Richmond, VA 23269-0001, telephone (804) 367-1875, FAX (804) 367-6631, or toll-free 1-800-272-9268.

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.

DEPARTMENT OF EDUCATION (STATE BOARD OF)

Title of Regulation: **8 VAC 20-130-10 et seq. Regulations Establishing Standards for Accrediting Public Schools in Virginia (REPEALING).**

Title of Regulation: **8 VAC 20-131-10 et seq. Regulations Establishing Standards for Accrediting Public Schools in Virginia.**

Statutory Authority: §§ 22.1-16, 22.1-19 and 22.1-253.13:3 of the Code of Virginia.

Public Hearing Dates:

March 25, 1997 - 7 p.m. (Stuart, VA)
March 26, 1997 - 7 p.m. (West Point, VA)
April 1, 1997 - 7 p.m. (Rural Retreat, VA)
April 8, 1997 - 7 p.m. (Staunton, VA)
April 9, 1997 - 7 p.m. (Virginia Beach, VA)
April 15, 1997 - 7 p.m. (Highland Springs, VA)
April 16, 1997 - 7 p.m. (Leesburg, VA)

Public comments may be submitted until May 17, 1997.
(See Calendar of Events section
for additional information)

Basis: Section 22.1-19 of the Code of Virginia requires that the board provide for the accreditation of public elementary, middle, and high schools in accordance with standards prescribed by it. Further, § 22.1-253.13:3 F of the Code of Virginia, Standards of Quality for Public Schools in Virginia (SOQ), requires that local school boards maintain schools which meet the standards of accreditation prescribed by the Board of Education. These regulations form the basis for the day-to-day operation of the educational program in each public school in Virginia.

Purpose: The purpose of these regulations is to define the requirements for accrediting public schools in Virginia. The regulations are beneficial to the health, welfare and safety of citizens of the Commonwealth in that they set minimum standards for schools to prepare children to become self-sufficient and well-informed citizens.

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; instructional programs; school and community communications; facilities and student safety and instructional support services; school and instructional leadership; and procedures for accreditation. The regulations have been revised to help schools focus attention and place emphasis on student academic performance as opposed to a series of inputs or process-oriented standards as are found in the current regulations. Specific requirements for instructional time devoted to the core academic subjects of English, mathematics, science, and history have been included. Requirements for graduation have been increased and proficiency on the Standards of Learning (SOL) tests

have been specified. Those requirements will be phased in beginning with the ninth grade class of 1997. Schools that are unable to implement the new graduation requirements will be granted a one-year waiver upon request to the Board of Education.

Issues: The regulations require that the accreditation status of schools be determined primarily on the basis of student academic performance. Other measures of school effectiveness including programs of instruction, staffing, and safety, have been included as prerequisites to accreditation. Student performance will be measured using the new statewide Standards of Learning (SOL) assessment program. Local school boards, principals and superintendents will certify compliance with instructional program, facilities and student safety, and instructional support services requirements. A school improvement model will be used to help schools improve their performance when they fail to meet the minimum standard set by the Board of Education to be fully accredited. Schools and local boards will set their level of improvement with approval by the board. The regulations provide an advantage to the public in that the regulation provides for an evaluation of the effectiveness of schools that is useful to the public in making educational choices for their children. There is no disadvantage to the public. The regulations provide an advantage to the agency in that they provide a consistent method of evaluating the effectiveness of schools across the state. Absent such consistency, evaluating the effectiveness of the instructional programs offered in the school and the level of student academic achievement would be spotty and subject to criticism. There are no disadvantages to the agency.

Impact: One of the objectives of the Board of Education when the revision process began was to keep the new standards budget neutral (i.e., implementation of the standards would not impose additional costs to localities. No provisions that would increase the cost of administering the regulations have been added. The 1996 General Assembly provided funding for the assessment that is to be used as the primary basis of evaluating schools and there is no cost to administer the requirements of the section relating to building and student safety and instructional support services. Funding for the staffing levels defined in the instructional support services section of the regulations is provided through state basic aid to support the requirements of the Standards of Quality.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 9-6.14:7.1 G of the Administrative Process Act and Executive Order Number 13 (94). Section 9-6.14:7.1 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the

projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic effects.

Summary of the Proposed Regulation. The proposed regulation amends current regulations governing standards for accrediting public schools in Virginia. The primary amendments contained in the proposed regulation are:

- a general shift in focus toward performance, as measured by student achievement on the Standards of Learning (SOL) tests, and away from inputs, as measured by the resources schools are required to provide;
- the units of credit required for a Standard Diploma would be increased from 21 to 23, for an Advanced Studies Diploma from 23 to 24-27, and specific courses would be required in each case;
- a new system in which schools would be accredited primarily on the basis of student achievement on the SOL tests; and
- students would be required to "achieve a score of proficient or better on the appropriate high school SOL tests as a condition of graduation."

Estimated Economic Impact. The proposed regulation is likely to have two primary economic consequences: a change in the mix of resources used to educate students in Virginia's public schools and an increase in the basic academic skills exhibited by graduates of Virginia's public school system.

Educational Resources. The proposed increases in the units of credit required for graduation, and the amendment stipulating that those units of credit include specific courses, will likely necessitate changes in the mix of educational resources employed in Virginia public schools and in the course taking patterns of Virginia public school students. Although it is conceivable that these changes could cause some short-term misallocation of resources, information provided by DOE, and based on surveys of school district personnel, indicates that it is probable that the proposed amendments can be accommodated with a combination of existing educational resources and already projected enrollment based increases to those resources. As a result, DOE anticipates that the systemwide impact of the proposed changes in graduation requirements will be budget neutral.

It is important to note, however, that DOE's expectation of budget neutrality is based in part on the assumption that additional resources already in the pipeline due to projected enrollment increases could be used to relieve any additional resource needs encountered in implementing the new regulatory provisions. Although this assumption is likely to hold true for the majority of Virginia's public school districts, 43 of Virginia's 137 public school districts are projected to experience declining enrollments between the 1996-97 and

1997-98 school years.¹ Because these school districts are less likely to receive additional resources, they are more likely to experience a short-term mismatch between existing resources and the resources required to accommodate the proposed regulatory amendments. In such cases, the proposed new regulatory requirements could have a non-neutral budget impact.

The proposed emphasis on student achievement on the SOL tests as a criteria for student grade advancement, and for school accreditation, also has the potential to impact educational resource needs because these proposed regulatory changes could induce an increase in the remedial education services provided to students who fail to pass the SOL tests. There are three reasons to believe that such an impact would be either short-term or even non-existent however. First, adequate school-level implementation of the SOLs should insure positive student results on the SOL tests, thereby mitigating the need for remedial educational services. Second, the proposed regulation contains provisions that allow schools to obtain temporary waivers from some requirements of the regulation. These waivers could be used to allow schools additional time to overcome any problems encountered in implementing the SOLs. Third, the proposed new high school SOL tests will be phased in over a period of several years thereby allowing schools and students time to adequately prepare for the new standards.

Academic Skills. One of the primary features of the proposed regulation is that it makes students and educators accountable for educational performance. Such accountability serves to align individual incentives in a way that will encourage positive results. Basing student grade advancement and school accreditation on student achievement on the SOL tests insures that both students and educators have an incentive to focus, not on the amount of time that a student spends in class, but rather what they learn while they are there.

Another advantage to basing student grade advancement and school accreditation on student achievement on the SOL tests is that it increases the value of a Virginia high school diploma. The primary purpose of a high school diploma is to certify to prospective employers, college admissions officers, and others that the holder of the diploma possesses certain basic skills in verbal communication, reading, writing, and mathematics. Making the demonstration of these skills through standardized testing a condition of high school graduation in Virginia, reduces the uncertainty that employers and others face when assessing a Virginia high school graduate's skills and, thereby, enhances the value of a Virginia high school diploma.

Perhaps the ultimate advantage of basing student grade advancement and school accreditation on student

¹ According to information provided by DOE, the School Districts of Alleghany, Bland, Buchanan, Dickenson, Giles, Halifax, Henry, Highland, King and Queen, Lancaster, Lee, Lunenburg, Mecklenburg, Nelson, Northhampton, Orange, Prince Edward, Pulaski, Richmond, Russell, Scott, Smyth, Tazewell, Washington, Westmoreland, Wise, Wythe, Bristol, Charlottesville, Clifton Forge, Covington, Danville, Hopewell, Martinsville, Norton, Petersburg, Portsmouth, Staunton, Lexington, Emporia, and Poquoson are projected to experience declines in average daily membership between the 1996-97 and 1997-98 school years.

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achievement on the SOL tests is the eventual positive effect that such criteria are likely to have on the quality of Virginia's workforce. A generation of high school graduates who have been reliably certified to have obtained proficiency in certain basic academic skills will constitute a high quality workforce that is likely to be instrumental in attracting new economic enterprise to Virginia.

Businesses and Entities Particularly Affected. The proposed regulation particularly affects all public elementary, middle, secondary, and special education schools; the employees and students of those schools; and the general public.

Localities Particularly Affected. No localities are particularly affected by the proposed regulation.

Projected Impact on Employment. The proposed regulation is not anticipated to have a significant effect on current levels of employment.

Effects on the Use and Value of Private Property. The proposed regulation is not anticipated to have a significant effect on the use and value of private property.

Summary of Analysis. DPB anticipates that the proposed amendments to the current regulation governing public school accreditation standards will have two primary economic consequences. First, they will likely necessitate a change in the mix of educational resources employed in Virginia public schools and in the course taking patterns of Virginia public school students. It is anticipated that in most instances these changes can be accommodated using existing or already anticipated increases in educational resources. As a result, although some schools (particularly in districts anticipating declining enrollments) may experience short-term resource misallocations, it is anticipated that the overall system-wide impact of the proposed regulation will be largely budget neutral.

The second economic consequence of the proposed regulation is that it will likely increase the basic academic skills exhibited by graduates of Virginia's public school system. The proposed regulation largely bases student grade advancement and school accreditation on educational performance, as measured by student achievement on the SOL tests. This encourages positive results by insuring that both students and educators have an incentive to focus, not on the amount of time that a student spends in class, but rather what they learn while they are there. The ultimate result of such an incentive structure is likely to be a higher quality workforce.

Agency Response to Department of Planning and Budget's Economic Impact Analysis: The agency agrees with the economic analysis except where it indicates that "The proposed regulation largely bases student grade advancement and school accreditation on educational performance...". The permissive language in 8 VAC 20-131-30 of the regulation only requires local schools to consider student academic performance on the SOL tests as one criterion when consideration is given to promoting or retaining students in grade. The student's performance is only a barrier to promotion or moving on when it comes to graduating from high school.

CHAPTER 130. REGULATIONS ESTABLISHING STANDARDS FOR ACCREDITING PUBLIC SCHOOLS IN VIRGINIA.

~~8 VAC 20-130-10. Reports and accreditation status.~~

~~A. Schools shall be accredited biennially. In the interim year following one in which a full accreditation process is conducted, the principal and superintendent shall certify to the Department of Education that each school continues to meet standards reported as met in the previous year and shall submit information on actions taken to correct any warnings or advisements cited in the previous year. The principal of each school shall submit as required school accreditation reports, through the division superintendent, to the Department of Education. Report forms will be provided by the Department of Education. Failure to submit the reports on time will constitute grounds for withholding accreditation.~~

~~B. Information included in the reports, as well as that obtained through other records and through visits by Department of Education personnel or other designated representatives of the Board of Education, will be used to determine the accreditation status of each school in accordance with tolerances approved by the Board of Education. Schools will be accredited, accredited with advisement, or accredited with a warning, depending on the extent of existing deficiencies. Each school division shall develop by July 1 of the next school year a written corrective action plan, acceptable to the Board of Education, for any school that is accredited with a warning. A school division not implementing the approved corrective action plan as specified for any such school will lose accreditation status for that school and will be in violation of state law. No school in the warned category shall be permitted to maintain accreditation for more than one year.~~

~~C. The Board of Education may require immediate corrective action or change of accreditation status whenever significant deficiencies are reported by representatives of the Department of Education. Schools that lose their accredited status shall be considered for reaccreditation when subsequent reports and visits by Department of Education personnel reveal that prescribed standards are being met. The local school board shall review annually in public session the implementation of accreditation standards.~~

~~D. A school with the number of deficiencies that would place it in the warned status will not be accepted for initial accreditation.~~

~~8 VAC 20-130-20. Application of the standards.~~

~~A. These standards shall become effective October 7, 1992. Graduation requirements for students shall be those in effect at the time the student entered the ninth grade. The last high school attended by the student during regular session shall award the diploma or certificate unless otherwise agreed by the principals of the two schools.~~

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

~~1. Schools with grades K-5 shall meet elementary school standards;~~

2. Schools with grades 6-8 shall meet the middle school standards; and

3. Schools with grades 9-12 shall meet the secondary school standards.

C. Schools with grade patterns other than those listed above shall meet elementary, middle, or secondary school standards as determined by the Department of Education.

D. Standards that are not appropriate to special education or to vocational and alternative programs housed in separate facilities will not be applied so long as state regulations governing services to the students enrolled are met.

E. 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 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.

F. Experimental and innovative programs that are not congruent with accreditation standards shall be submitted to the Department of Education for approval prior to implementation. The request must include the purpose, objectives, anticipated outcomes, outline, length, and evaluation procedures for the programs which have been recommended by representatives of faculty, staff, administration, and parents and approved by the local school board. However, no program may be approved which violates the provisions of Standards of Quality.

8-VAC-20-130-30. Interaction with parents and community.

Each school shall promote interaction with the community and foster mutual understanding in providing a quality educational program through:

1. Involving parents, citizens, community agencies and representatives from business and industry in developing, disseminating and explaining the biennial school plan, and through participating on advisory committees, in curriculum studies, and in evaluating the educational program.

2. Maintaining a close working relationship between the school and other community agencies that provide services to students.

3. Cooperating with business and industry in formulating educational programs and conducting joint enterprises involving personnel, facilities, training programs, and other resources which shall be included in the biennial school plan.

4. Encouraging and supporting the establishment of a parent-teacher association or other organization and working cooperatively with it.

8-VAC-20-130-40. Requirements for philosophy, goals, and objectives.

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 shall serve as a basis for the biennial school plan.

2. The school's philosophy, goals and objectives shall be consistent with the Standards of Quality and those of the school division.

3. The philosophy, goals, and objectives shall be based on a current needs assessment.

4. Among the objectives, those for students shall be stated in terms of student outcomes including knowledge, skills, abilities, and attitudes.

5. The school staff and community representatives shall review biennially the philosophy, goals, and objectives of the school and shall revise them as needed.

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

8-VAC-20-130-50. Program of instruction.

Each school shall provide a program of instruction that is in keeping with abilities, interests, and educational needs of students and that promotes individual student achievement. Instruction shall be designed to accommodate all students, including those with disabilities, those identified as gifted/talented or those who have limited English proficiency, or both. Students with disabilities shall have the opportunity to receive a full continuum of education services, in accordance with the "Regulations Governing Special Education Programs for Handicapped Children and Youth in Virginia" and other pertinent federal/state regulations.

8-VAC-20-130-60. Instructional program in elementary schools.

A. Each elementary school shall provide each student a program of learning experiences organized to meet the needs of early childhood and shall provide instruction in the following disciplines:

- Art _____ Music
- Health _____ Physical Education
- Language Arts _____ Science
- Mathematics _____ History and Social Sciences

B. In grades K-3, communication (reading, writing, spelling, listening, and speaking), and mathematics shall be the core of the program.

C. Students who are unable to read the materials necessary for instruction with comprehension shall receive additional instruction in reading.

8-VAC-20-130-70. Instructional program in middle schools.

A. Each middle level school shall provide each student a program of learning experiences organized to meet the needs of early adolescence and each school shall provide instruction in the following disciplines:

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Art	Foreign Language
Health	Music
Language Arts	Physical Education
Mathematics	Science (Laboratory)
Career and Vocational	History and
Exploration	Social Sciences

8. The eighth grade shall provide a minimum of eight offerings: five in academic areas (language arts, mathematics, science, history and the social sciences, and foreign language), one in health and physical education, one in fine arts, and one in career and vocational exploration. Level one of a foreign language shall be available to all eighth grade students.

8-VAC 20-130-80. Instructional program in secondary schools.

A. Each secondary school shall provide each student a program of learning experiences organized to meet the needs of adolescence and shall offer opportunities for students to pursue a program of studies in several academic and vocational areas. These shall include the following:

1. Vocational education choices that prepare the student as a vocational program completer in one of three or more occupational areas and that prepare the student for technical or preprofessional post secondary 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 tests.

B. Minimum course offerings for each secondary school, grades 9-12, shall provide that students can meet the graduation requirements stated in this document and must include:

Academic Subjects	23
English	(4)
Mathematics	(4)
Science (Laboratory)	(4)
History and Social Sciences	(4)
Foreign Language	(3)
Electives	(4)
Vocational Education	11
Fine Arts	2
Health and Physical Education	2
Total Units	38

C. When health and physical education are taught as a combination class, at least 40% of the instructional time shall be devoted to health education. Classroom driver education may count for 36 class periods of health education. Students shall not be removed from classes in required courses other than health and physical education for the in-car phase of driver education.

D. The social sciences offering shall include at least one half unit in economics.

8-VAC 20-130-90. Standard unit of credit.

The standard unit of credit for graduation shall be based on a minimum of 150 clock hours of instruction. When credit is awarded in less than whole units, the increment awarded must be no greater than the fractional part of the 150 hours of instruction provided. If a school division elects to award credit on a basis other than the standard unit of credit, the locality 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 150 clock hours of instruction; and
2. That upon completion, the student will have met the aims and objectives of the course.

8-VAC 20-130-100. Summer school program.

The summer school program shall be equal in quality to the program offered during the regular school term.

1. Credit for repeated work ordinarily will be granted on the same basis as that for new work. With prior approval of the principal, certain students may be allowed to enroll in two repeat subjects to be completed in not less than 75 clock hours of instruction per unit of credit.
2. Summer school instruction which is provided as part of a remedial program shall be designed to improve specific identified student deficiencies.

8-VAC 20-130-110. Elective courses.

Locally developed elective courses offered for credit toward high school graduation shall be approved by the division superintendent and school board. When suitable course code numbers for reporting purposes cannot be found in the School Administrators Handbook of Course Codes and Endorsement Codes, they will be assigned, upon request, through the Accreditation Service of the Department of Education.

8-VAC 20-130-120. Opportunities for postsecondary credit.

Students who begin postsecondary education prior to high school graduation shall receive credit toward high school graduation when the following conditions are met: Beginning in the middle school years, students shall be counseled as to 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, under the following conditions:

1. Prior written approval of the high school principal for the cross registration must be obtained;
2. The college must accept the student for admission to the courses; and
3. The course 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 20-130-130. College preparation program.~~

~~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~~

~~8-VAC 20-130-140. Standard school year and school day.~~

~~A. The standard school year shall be 180 days. The standard school day for students in grades 1-12 shall average at least 5 1/2 hours, excluding intermissions 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 900 hours of instructional time is provided for grades 1-12 and 540 hours for kindergarten. Such alternative plans shall be approved by the local school board and by the Board of Education under guidelines established by the Board of Education.~~

~~B. All students in grades 1-12 shall maintain a full day schedule of classes (5 1/2 hours), unless a waiver is granted by the local superintendent of schools.~~

~~8-VAC 20-130-150. Additional reading instruction.~~

~~Each school shall ensure that students who are unable to read with comprehension the materials necessary for instruction receive additional instruction in reading, which may include summer school.~~

~~8-VAC 20-130-160. Writing instruction.~~

~~Each school shall teach appropriate writing skills at every grade level culminating with a research paper in grades 11 or 12. Further, each student shall be required to make an oral presentation on the research paper before an adult or student audience.~~

~~8-VAC 20-130-170. Teachers of gifted programs.~~

~~Each school shall provide students identified as gifted with instructional programs taught by teachers with special training or experience in working with gifted students.~~

~~8-VAC 20-130-180. Computer literacy.~~

~~By graduation, each student shall receive instruction designed to help him achieve computer literacy as outlined in Computer Literacy for Students in Virginia issued by the Department of Education.~~

~~8-VAC 20-130-190. Family life education.~~

~~Each school shall implement the Standards of Learning for the family life education program promulgated by the Board of Education or a family life education program consistent with the guidelines developed by the Board of Education.~~

~~8-VAC 20-130-200. Homebound instruction.~~

~~Homebound instruction shall be made available to students who are confined 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 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.~~

~~8-VAC 20-130-210. Correspondence courses.~~

~~Students may enroll in and receive 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 work is done under the supervision of a certified teacher, or a person eligible to hold a Virginia certificate, approved by local school authorities.~~

~~8-VAC 20-130-220. Homework policy.~~

~~Homework shall be governed by a written school board policy developed with the advice of parents and teachers.~~

~~8-VAC 20-130-230. Materials and equipment.~~

~~Each school shall provide a variety of materials and equipment to support the instructional program.~~

~~8-VAC 20-130-240. Extracurricular activities.~~

~~School-sponsored extracurricular activities shall be under the direct supervision of the staff and shall contribute to the educational objectives of the school. Extracurricular activities shall be organized to avoid interrupting the instructional program. Extracurricular activities shall not be permitted to interfere with the student's required instructional activities. Extracurricular activities and eligibility requirements shall be established and approved by the superintendent and the school board. Activities which help a student meet the objectives of the course may be considered part of the instructional program and thus they are not considered extracurricular activities; however, these activities must not interfere with instruction in other courses.~~

~~8-VAC 20-130-250. Varsity sports at the elementary level.~~

~~Competitive sports of a varsity nature (scheduled league games) shall be prohibited as a part of the elementary school program.~~

~~8-VAC 20-130-260. Role of principal.~~

~~The principal shall be responsible for instructional leadership and effective school management that promotes positive student outcomes, including achievement of individual students. As part of this responsibility, the principal shall ensure the development and implementation of the biennial school plan, approved by the superintendent. The principal shall:~~

- ~~1. Work to create an atmosphere of mutual respect and courtesy and the staff shall make every effort to achieve it;~~
- ~~2. Establish and include in the teachers' handbook procedures to protect instructional time from interruptions and intrusions;~~
- ~~3. Include in the biennial plan the use of teacher assistants, volunteers, part-time instructors, and technology to assist teachers;~~

Proposed Regulations

~~4. Limit the regular school day to teaching and learning activities;~~

~~5. Monitor and evaluate the quality of instruction and provide for in-service training, professional assistance and support designed to improve instruction;~~

~~6. Analyze information on student outcomes, including achievement, and incorporate plans for improvement into the biennial school plan;~~

~~7. Be responsible for using the resources of the community and for involving parents and citizens in the educational program;~~

~~8. Recognize and reward the scholastic achievements of students;~~

~~9. Maintain records of dropouts, including actions taken to prevent students from dropping out of school and their reasons for leaving school, and be responsible for the development and implementation of a program as a part of the biennial school plan designed to reduce the number of students who drop out of school which shall include:~~

~~a. Alternative programs with emphasis on basic skills for students who are not successful in regular instructional programs;~~

~~b. Interviews with potential dropouts and with students who are dropping out of school and counseling services that motivate students to stay in school;~~

~~c. Contact with parents of potential dropouts; and~~

~~d. Other activities deemed appropriate by local school authorities.~~

~~10. Develop, with the advice of parents and appropriate professionals, a written procedure for referring for treatment students identified as involved in substance abuse;~~

~~11. Maintain and disseminate 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;~~

~~12. 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; and~~

~~13. Maintain a current record of certification, endorsement, and in-service training of the staff.~~

~~8-VAC 20-130-270. Role of staff.~~

~~The 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 staff shall:~~

~~1. Serve as models for effective oral and written communication with special attention to 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;~~

~~b. Inform students of the learning expected and keep them engaged in learning tasks; and~~

~~c. Enable the teacher to spend the maximum time possible in the teaching/learning process by keeping to a minimum disruptions, clerical responsibilities, and the time students are out of class.~~

~~4. Provide for individual differences of students through the use of 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 20-130-280. Acceptable student behavior.~~

~~The staff shall define acceptable student behavior and develop a system of discipline that minimizes disruption without demeaning the student responsible for the behavior, consistent with the policies of the local school board. These school-level policies shall be distributed to each student and their parent or guardian.~~

~~8-VAC 20-130-290. Guidance and counseling.~~

~~Staff shall establish a broad-based process for determining the particular guidance and counseling needs of students and for planning how best to meet these needs. Guidance and counseling programs shall be provided for all students in grades K-12, to achieve the following:~~

~~1. Ensure that individual curriculum planning is provided at the middle and secondary level to assist each student in selecting appropriate and challenging courses;~~

~~2. Provide opportunities for parents, teachers, and other adults to participate in planned activities that encourage the personal, social, educational, and career development of students;~~

~~3. Provide employment counseling and placement services to furnish information about employment opportunities available to students graduating from or leaving school;~~

~~4. Provide for the coordination of a testing program that includes orientation to test-taking, use of test data, and the interpretation and use of student records data;~~

~~5. Provide for the evaluation of the guidance program by the principal, counselors, staff, and parents;~~

~~6. Ensure that at least 60% of the time of each member of the guidance staff shall be devoted to counseling of students; and~~

~~7. Ensure that each student has a balanced program of studies each year.~~

~~8-VAC 20-130-300. Library media services.~~

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The staff shall organize the library media center as the resource center of the school and provide a unified program of media services and activities for students and teachers before, during, and after school. The library media center shall have the following:

1. An average monthly circulation of print and nonprint materials equal to at least 70% of the school membership;
2. A schedule that provides for library media center use by all students;
3. A written policy for the selection, evaluation, withdrawal, and disposal of all instructional materials purchased by the school division, with clearly stated procedures for handling challenged, controversial materials;
4. Cataloging of all library media in the school, which promotes accessibility and ease of retrieval, including a functional loan system, an annual inventory of materials and equipment, and a procedure for screening and discarding media;
5. An information file that reflects curriculum needs and contains pamphlets, clippings, pictures, and information about local resources;
6. A minimum of two complete sets of encyclopedias, one of which has been copyrighted within the last five years;
7. An unabridged dictionary and abridged dictionaries;
8. Newspaper subscriptions providing daily, local, state, and national news;
9. Fifteen subscriptions to periodicals for elementary schools and 25 subscriptions for middle and secondary schools that are pertinent to the school program;
10. A current and accessible professional library in each school, or in a centralized instructional media center in the school division;
11. Materials such as prints, charts, posters, recordings (disc and tape), filmstrips, multimedia kits, models, study prints, slides, transparencies, videotapes, videodiscs, computer software, and maps and globes that are carefully selected to meet the needs of the instructional program;
12. Collection requirements (20% of which may be nonprint instructional material) for each library media center shall be as follows:
 - a. Ten books per student in elementary schools;
 - b. In middle and secondary schools, a basic collection of 1,000 well-selected titles. In schools with more than 150 students there shall be a minimum of seven books per student; and
 - c. Fifty percent of the minimum basic collection shall be available for circulation during the first semester in a new school.

13. Library media specialists involved with teachers and administrators in planning the school curriculum; and
14. Functional equipment to support the use of audiovisual materials.

8-VAC-20-130-310. Learning goals.

Each school shall provide learning goals to be achieved by students at successive levels of development and shall continually assess the progress of each student in relation to these goals and the goals of education in Virginia as promulgated by the Board of Education.

8-VAC-20-130-320. Literacy tests.

Students shall 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 identified handicapped students who are progressing according to the objectives of their individualized education program (IEP). 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;
2. High school graduation;
3. General Educational Development (GED) Certificate;
4. Certificate of program completion; and
5. Job entry skills.

8-VAC-20-130-330. Credit requirements for graduation.

A. This chapter elaborates the credit requirements of Standards of Quality Standard 4-C which gives full diploma requirements.

B. To graduate from high school, 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 the 21-credit diploma outlined below for grades 9-12. Students who graduate with an average grade of "B" or better will receive a Board of Education seal on the diploma.

Discipline Areas	Units of Credit
English	4
Mathematics **	2
Laboratory Science **	2
Math or Science **	1
History and Social Sciences:	
Virginia and United States History,	1
Virginia and United States Government,	1
World Studies (World Culture, World History, World Geography)	1
Health and Physical Education	2
Fine Arts or Practical Arts **	1
Electives	6
Total Units of Credit	21

C. ** Math, lab science and fine arts and practical arts courses must be selected from a list of courses approved for graduation requirements by the Board of Education. Only

Proposed Regulations

~~one year of a course in general mathematics may be used to meet the mathematics requirements. The single credit in math or science must be selected from a list of courses approved for graduation requirements by the Board of Education or, as an alternative, this requirement may be met by completing an appropriate sequence of courses in vocational education or Junior Reserve Officer Training Corp (JROTC).~~

~~D. Each secondary school shall offer as an elective for students, an advanced studies program which requires a minimum of 23 units of credit as outlined below for grades 9-12. Students who graduate 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.~~

Discipline Areas	Units of Credit
English	4
Mathematics	3
Laboratory Science	3
History and Social Sciences:	
Virginia and United States History	1
Virginia and United States Government	1
World Studies (World Cultures, World History or World Geography)	1
Foreign Language	3
(3 years of one language or 2 years each of 2 languages)	
Health and Physical Education	2
Fine Arts or Practical Arts *	1
Electives	4
Total Units of Credit	23

~~1. To earn an advanced studies diploma, students shall complete a mathematics sequence that includes Algebra I and two courses above the level of Algebra I, and a science sequence that includes units of credit in at least three of the following subjects: the earth sciences, biology, chemistry, and physics.~~

~~2. * Fine arts or practical arts courses must be selected from a list of courses approved for graduation requirements by the Board of Education.~~

~~E. When students below the ninth grade successfully complete courses offered in grades 9-12, credit shall be counted toward meeting the units required for graduation.~~

~~F. Students who are graduating from a secondary school, and do not intend to continue their education shall have identified marketable skills. Effective 1994-95, students who are graduating from a secondary school, and do not intend to continue their education shall have completed a vocational program.~~

~~G. Students completing graduation requirements in a summer school accredited under these standards 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.~~

~~8-VAC 20-130-340. Transfer of credits.~~

~~A. 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 Commonwealth. Credit also shall be accepted for courses satisfactorily completed in accredited colleges and universities when prior written approval of the principal has been granted.~~

~~B. 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 "Management of the Student's Scholastic Records in Virginia" (8 VAC 20-150-10 et seq.).~~

~~C. The transcript of a student who graduates or transfers from a Virginia secondary school shall show that a minimum of 21 units of credit courses in grades 9-12 are required for graduation.~~

~~D. Students transferring into a Virginia School division shall be required to earn 21 units of credit or the equivalent for graduation. Each student's prior record shall be evaluated to determine the number and content 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 he transferred. Students transferring from states not giving credit for health and physical education shall not be required to repeat these courses.~~

~~8-VAC 20-130-350. Staff required.~~

~~A. Each school shall have the required staff with proper certification and endorsement. The following shall be the minimum staffing according to type of school and student enrollment:~~

~~Position: principal; elementary: one half time to 200, one full time at 300; Middle: one full time; secondary: one full time.~~

~~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.~~

~~Position: librarian; elementary: part time to 200, one full time at 300; middle: one half time to 200, one full time at 300, two full time at 1000; secondary: one half time to 200, one full time at 300, two full time at 1000.~~

~~Position: guidance counselors; elementary: * one hour per day per 100, * one full time at 500, * one hour per day additional time per 100 or major fraction; 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.~~

~~Position: clerical; elementary: part time to 200, 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-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. The principal of each middle and secondary school shall be employed on a 12-month basis.

D. 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.

E. Middle school teachers with a seven period day may teach 30 class periods per week, provided all teachers with more than 25 class periods per week have one period per day unencumbered of all teaching or supervisory duties.

F. 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 (120 in block programs) an appropriate contractual arrangement and compensation shall be provided.

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

I. The number of students in special and vocational education classrooms shall comply with regulations of the Board of Education.

J. Pupil personnel services, including visiting teachers/school social workers, school psychologists, and guidance counselors, shall be available to all students as necessary to promote academic achievement and provide assistance in preventing dropouts and substance abuse.

8-VAC-20-130-360. Alternative staffing plan.

At the discretion of local school authorities, an alternative staffing plan may be developed which ensures that the services set forth in these standards 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-20-130-370. School plant.

The school building shall accommodate an educational program that will meet the needs of the students and ensure the health and safety of students and staff as follows:

1. The school site and physical plant shall be accessible, barrier-free, safe, clean, and free from excessive noise

and other distractions, and shall be adequate in size to meet the needs of the students enrolled.

2. Each school shall prepare and adhere to a written procedure for vehicular traffic control designed to ensure safe and prompt movement of students, staff, and visitors.

3. Each school shall have a written procedure to follow in emergencies. The plan shall be outlined in the student handbook and discussed with staff and students during the first week of each school year.

4. All exit doors in a school shall be equipped with panic bars that are usable while the building is occupied.

5. Records shall be maintained to show that fire drills are held 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.

6. The principal shall be responsible for providing a safe environment to include:

a. Conducting one fire inspection during each semester in accordance with regulations contained in the Fire Inspection Guide for Schools.

b. Prohibiting fund raising activities that involve elementary students in door-to-door solicitation and so state in the student handbook.

c. Implementing a written procedure to be followed when students or staff are injured or become ill and keep documentation of all injuries that occur at school and on school buses.

d. Ensuring that staff knowledgeable in safety procedures such as cardiopulmonary resuscitation (CPR), Heimlich maneuver, and basic first aid are available.

e. Implementing a written procedure for responding to violent, disruptive or illegal behavior by students including possession of a weapon or illegal substance on school property or during a school sponsored activity.

f. Implementing a written procedure for ensuring the integrity of the building against unauthorized intruders.

7. Each school shall have provisions for the proper outdoor display of the flags of the United States and of the Commonwealth of Virginia.

8. Each school plant shall have a maintenance and housekeeping program designed to ensure a healthful and pleasant learning environment.

9. The administrative unit shall have space for a principal's office, secretarial assistance, and record storage.

10. Suitable space shall be made available for student personnel services.

Proposed Regulations

~~11. The library media center shall have adequate space to provide for the collection and circulation of instructional materials, and adequate seating for group activities.~~

~~12. Adequate, safe, and properly equipped laboratories shall be provided to meet the needs of instruction in the sciences, computers, vocational, and fine arts.~~

~~13. Each school shall have appropriate areas and facilities for the physical education program offered. Secondary schools shall have locker rooms and showers.~~

~~14. Adequate and properly equipped classroom space shall be provided.~~

~~15. The school plant and grounds shall be kept safe and clean with the responsibility for the care of buildings and grounds shared by staff and the students.~~

~~16. Space shall be provided for the proper care of students who become ill.~~

Documents Incorporated by Reference

~~Fire Inspection Guide for Schools Health and Physical Education Service, State Dept. of Education in cooperation with State Fire Marshal's Office and State Corporation Commission, 1975 edition.~~

~~Computer Literacy for Students in Virginia, State Department of Education.~~

CHAPTER 131. REGULATIONS ESTABLISHING STANDARDS FOR ACCREDITING PUBLIC SCHOOLS IN VIRGINIA.

PART I. PURPOSE.

8 VAC 20-131-10. Purpose.

The standards for 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. 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. Earn 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 Board of Education 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.

PART II. PHILOSOPHY, GOALS, AND OBJECTIVES.

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

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. Primary among the objectives, those for students shall be stated in terms of student achievement in the disciplines of English/reading, mathematics, science, and history/social science.
4. The school staff and community representatives shall review biennially the philosophy, goals, and objectives of the school and shall revise them as needed.

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

PART III. STUDENT ACHIEVEMENT.

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

A. Each student should be proficient in the relevant grade/subject matter before promotion to the next grade. For years in which the SOL tests are given, proficiency on the SOL tests should be considered in addition to 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.

B. Each student at grades 3, 5, and 8 shall take and be expected to achieve a score of proficient or better on the SOL tests for the respective grades. Schools should use the SOL test results as part of a multiple set of criteria for determining advancing or retaining students in grades 3, 5, and 8. In addition, all students shall be expected to achieve a score of proficient or better on the appropriate high school SOL tests as a condition of graduation.

C. Students graduating from high school shall have achieved proficiency on the SOL tests for the relevant subject matter related to courses taken to satisfy the requirements for a high school diploma outlined in 8 VAC 20-131-50.

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

8 VAC 20-131-50. Requirements for graduation.

A. To graduate from high school, 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.

B. Requirements for a standard diploma.

1. Students shall earn the credits outlined in subdivision 2 of this subsection and have achieved proficiency on the SOL tests for subject matter herein described:

a. Beginning with the graduating class of 2001, students shall demonstrate proficiency on the SOL tests as follows: English--three tests of English 9, 10, or 11; mathematics--one of Algebra I, Geometry or Algebra II; science--one of Earth Science, Biology, or Chemistry; and history--two of World History and Geography I, World History and Geography II, or U.S. History for a total of six of 12 available tests.

b. Beginning with the graduating class of 2003, students shall demonstrate proficiency on the SOL tests as follows: English--three tests of English 9, 10, and 11; mathematics--two of Algebra I and Geometry or Algebra II; science--two of Earth Science, Biology, or Chemistry; and history--three of World History and Geography I, World History and Geography II, and U.S. History for a total of 10 of 12 available tests.

2. Credits required for graduation.

Discipline Area	Units of Credit
English	4
Mathematics ¹	3
Laboratory Science ²	3
History and Social Sciences ³	4
Health and Physical Education	2
Fine Arts or Practical Arts	1

Electives

6

Total

23

¹Beginning with the ninth grade class of 1997-98, the courses completed to meet this requirement shall include Algebra I. Beginning with the ninth grade class of 1999-00, the courses shall include Algebra I and Geometry.

²Courses completed to satisfy this requirement shall include Earth Science and Biology.

³Courses completed to satisfy this requirement shall include World History and Geography, U.S. and Virginia History, and U.S. and Virginia Government.

Students completing the requirements for the standard diploma may be eligible to receive a Board of Education seal or other honor deemed appropriate by the local school board as described in subsection D of this section.

C. Requirements for an advanced studies diploma.

1. Students shall earn the credits outlined in subdivision 2 of this subsection and have achieved proficiency on the SOL tests for subject matter herein described:

a. Beginning with the graduating class of 2001, students shall demonstrate proficiency on the SOL tests as follows: English--three tests in English 9, 10, and 11; mathematics--two tests of Algebra I, Geometry or Algebra II; science--two of Earth Science, Biology, or Chemistry; and history--two of World History and Geography I, World History and Geography II, or U.S. History for a total of nine of 12 available tests.

b. Beginning with the graduating class of 2003, students shall demonstrate proficiency on the SOL tests as follows: English--three tests of English 9, 10, and 11; mathematics--three of Algebra I, Geometry and Algebra II; science--three of Earth Science, Biology, and Chemistry; and history--three of World History and Geography I, World History and Geography II, and U.S. History for a total of 12 of the 12 available tests.

2. Credits required for graduation.

Discipline Area	Units of Credit
English	4
Mathematics ¹	4
Laboratory Science ²	4
History and Social Sciences ³	4
Foreign Language ⁴	3/4
Health and Physical Education	2
Fine Arts or Practical Arts	1
Electives	1/4
Total	23/27

¹Beginning with the ninth grade class of 1997-1998, courses completed to satisfy this requirement shall include Algebra I, Geometry, and two units above the level of Geometry.

²Courses completed to satisfy this requirement shall include four units among the following subjects: Earth

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Science, Biology, Chemistry, Physics and advanced placement courses.

³Courses completed to satisfy this requirement shall include World History and Geography, U.S. and Virginia History, and U.S. and Virginia Government.

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

Students completing the requirements for the advanced studies diploma may be eligible to receive a Governor's seal or other honor deemed appropriate by the local school board as described in subsection D of this section.

D. When students below the ninth grade successfully complete courses offered for credit in grades 9 through 12, credit shall be counted toward meeting the units required for graduation provided the courses meet SOL requirements or are equivalent in content and academic rigor as those courses when offered at the secondary level.

E. Awards for exemplary performance.

1. 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.

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.

3. Students may receive other seals or awards for exceptional academic, vocational, citizenship, or other exemplary performance in accordance with criteria defined by the local school board.

F. 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.

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

A. 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. Credit also shall be accepted for courses satisfactorily completed in accredited colleges and universities when prior written approval of the principal has been granted.

B. 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 required for the standard or advanced studies diploma required for graduation.

D. Students transferring into a Virginia school division from schools described in subsection A of this section, a nonaccredited school, or home instruction shall be required to meet credit unit requirements for graduation as well as test requirements for courses taken while in Virginia schools. Each student's prior record shall be evaluated to determine the number and content 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.

PART IV.

SCHOOL INSTRUCTIONAL PROGRAM.

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 with instructional programs taught by teachers with special training or experience in working with gifted 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 programs 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.

B. In grades K through 3, reading, writing, spelling, and mathematics shall be the core of the program. An early skills and knowledge achievement record in reading and math shall be maintained for students in grades 1 and 2 to monitor student progress and to promote successful achievement in the third grade Standards of Learning test.

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 the 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 programs 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 education.

B. The eighth grade shall provide a minimum of eight offerings: five in academic areas (English, mathematics, science, history/social science, and foreign language), one in health and physical education, one in fine arts, and one in career and vocational exploration.

C. Level one of a foreign language and Algebra I shall be available to all eighth grade students. In 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. Notice of this provision must be sent to parents at the close of the semester or school year with a deadline and format for making such a request.

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.

8 VAC 20-131-100. Instructional programs 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 and vocational areas including:

1. Vocational education choices that prepare the student as a vocational 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 tests.

B. Minimum course offerings for each secondary school, grades 9 through 12, shall provide that students can meet the graduation requirements stated in this chapter and must include:

Academic Subjects	23
English	(4)
Mathematics	(4)
Science (Laboratory)	(4)
History and Social Sciences	(4)
Foreign Language	(3)
Electives	(4)
Vocational 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 unit of credit.

A. The standard unit of credit for graduation shall be based on a minimum of 150 clock hours of instruction. When credit is awarded in less than whole units, the increment awarded must be no greater than the fractional part of the 150 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, the locality 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 150 clock hours of instruction; and
2. That upon completion, the student will have met the aims and objectives of the course.

B. A school employing a scheduling configuration of less than 150 clock hours per course in the 1996-97 school year may retain that scheduling configuration.

8 VAC 20-131-120. Summer school.

A. The summer school program shall be equal in quality to the program offered during the regular school term.

B. Credit for repeated work ordinarily will be granted on the same basis as that for new work. With prior approval of the principal, certain students may be allowed to enroll in two repeat subjects to be completed in not less than 75 clock hours of instruction per unit of credit.

C. Summer school instruction which is provided as part of a remedial program shall be designed to improve specific identified student deficiencies.

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 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

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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 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, under the following conditions:

1. Prior written approval of the high school principal for the cross registration 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 5½ hours, excluding intermissions 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 under guidelines established by the Board of 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 (5½ hours), unless a waiver is granted by the local superintendent of schools.

8 VAC 20-131-160. Additional reading instruction.

Each school shall ensure that students who are unable to read with comprehension the materials necessary for instruction receive additional instruction in reading, which may include summer school.

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

Each school shall implement the Standards of Learning for the Family Life Education program promulgated by the Board of Education or a Family Life Education program consistent with the guidelines developed by the Board of Education.

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

A. Homebound instruction shall be made available to students who are confined 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 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.

B. Students may enroll in and receive 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 work is done under the supervision of a certified teacher, or a person eligible to hold a Virginia certificate, approved by local school authorities.

8 VAC 20-131-190. Library media, materials and equipment.

A. Each school shall maintain an organized library media center as the resource center of the school and provide a unified program of media services and activities for students and teachers before, during, and after school. The library media center shall contain hard copy, electronic technological resources, materials and equipment that are sufficient to meet research, inquiry, and reading requirements of the instructional program and general student interest.

B. Each school shall provide a variety of materials and equipment to support the instructional program.

8 VAC 20-131-200. Extracurricular and other school activities.

A. School sponsored extracurricular activities shall be under the direct supervision of the staff and shall contribute to the educational objectives of the school. Extracurricular activities must be organized to avoid interrupting the instructional program. Extracurricular activities shall not be permitted to interfere with the student's required instructional activities. Extracurricular activities and eligibility requirements shall be established and approved by the superintendent and the school board.

B. Competitive sports of a varsity nature (scheduled league games) shall be prohibited as a part of the elementary school program.

PART V. SCHOOL AND INSTRUCTIONAL LEADERSHIP.

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

A. The principal shall be responsible for 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.

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;

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

a. Direct and require appropriate remediation/intervention to those students performing below grade level or not achieving proficiency on 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 support designed to improve instruction; 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 construction 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 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 of 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 staff shall:

1. Serve as leadership models for effective oral and written communication with special attention to 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 20-131-230. Role of support staff.

The school's support staff shall work with the principal and professional teaching staff to promote student achievement and successful attainment of the school's goals.

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

A. Each school shall have the required staff with proper license and endorsement. The following shall be the minimum administrative and support staffing according to type of school and student enrollment:

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 1000; secondary: one half-time to 299, one full-time at 300, two full-time at 1000.

4. Position: guidance counselors; elementary: one hour per day per 100, one full-time at 500, one hour per day additional time per 100 or major fraction; 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.

5. 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

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shall be based on the enrollment at the various school organization levels as defined in this chapter.

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

D. 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 Part III (8 VAC 20-131-30 et seq.) of this chapter 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. 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 teaching or supervisory duties.

F. The secondary classroom teacher's standard load shall be no more than 150 student periods per day or 25 class periods per week. Each teacher shall be provided a minimum of one instructional hour of daily instructional planning time unencumbered by supervisory or teaching duties. For the purpose of this section, an instructional hour is defined as a period of time equal to a minimum of 50 minutes but no more than 60 minutes of student contact. Teachers who teach very small classes may teach 30 class periods per week, provided the teaching load does not exceed 100 student periods per day. If a classroom teacher teaches 30 class periods per week with more than 100 student periods per day, an appropriate contractual arrangement and compensation shall be provided.

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

I. The number of students in special and vocational education classrooms shall comply with regulations of the Board of Education.

J. 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.

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.

PART VI. SCHOOL FACILITIES AND SAFETY.

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 plan 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; and
3. Provide suitable space for classrooms, administrative staff, pupil personnel services, library and media services, and for the needs of the physical education and laboratory science 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 bars that are usable while the building is occupied; 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.

C. Each school shall have contingency plans for emergencies that include staff certified in cardiopulmonary resuscitation, 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.

PART VII. SCHOOL AND COMMUNITY COMMUNICATIONS.

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, in a form provided by the Department of Education, to the parents of children attending the school and to the community:

a. Schoolwide test scores on the SOL tests, statewide averages and division averages for the present year and the three previous years as such scores become available, and special education participation in those tests;

b. Average attendance rates for students and teachers for the current and previous three years;

c. Dropout rates for the current and previous three years;

d. Incidents occurring at the school that are reported to the Department of Education as required by § 22.1-280.1 of the Code of Virginia for the current and previous three years;

e. If a secondary school, the number of (i) advanced placement and college level classes taken and passed by students and (ii) the number of standard, advanced studies, and international baccalaureate diplomas, if applicable, awarded in the current and previous three years.

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

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

B. Schools shall provide parents at the beginning of each school year the academic objectives to be achieved by their child during the school year, or, in high school, a copy of the syllabus for each of their child's courses. Parents shall also be informed of the Standards of Learning and the assessment tests as they will be applied to their students.

PART VIII.
SCHOOL ACCREDITATION.

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

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

1. Elementary schools shall be evaluated by student achievement on the four state SOL tests in the core academic areas for the third and fifth grades.

2. Middle schools shall be evaluated by student achievement on the four state SOL tests in the core academic areas for eighth grade.

3. Secondary schools shall be evaluated by student achievement on the high school SOL tests for courses taken by students in the schools to satisfy the

requirements for a standard or advanced studies diploma.

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.

B. Special purpose schools such as regional or stand-alone special education, alternative, or vocational schools that serve as the student's school of principal enrollment shall be evaluated on standards appropriate to the school's program and approved by the Board of Education. 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.

C. Evaluating the level of achievement of schools shall take into consideration the aggregate scores of students on SOL-tested subjects, the school's baseline performance, and the school's improvement toward an established high standard of academic achievement. A formula that takes into consideration expected improvement of student achievement as determined by the Board of Education will be used as a factor in determining the accreditation status of schools.

D. As a prerequisite to the awarding of an accreditation status as defined in 8 VAC 20-131-300, each new or existing school shall document, on forms provided by the board, its compliance with the requirements to offer courses that will allow students to complete the graduation requirements in 8 VAC 20-131-50, ability to offer the instructional program prescribed in 8 VAC 20-131-70 through 8 VAC 20-131-100, the leadership and staffing requirements of 8 VAC 20-131-210 through 8 VAC 20-131-240, and the facilities and safety provisions of 8 VAC 20-131-260.

8 VAC 20-131-290. Procedures.

A. Schools will be accredited biennially beginning in even numbered years based on compliance with these standards for the prior two-year period.

B. In the interim year following one in which a full accreditation process is conducted, the principal and superintendent shall certify to the Department of Education that each school continues to meet standards reported as met in the previous year and shall submit information on actions taken to correct any warnings or advisements cited in the previous year. The principal of each school shall submit, as required, school accreditation reports, through the division superintendent, to the Department of Education. Report forms will be provided by the Department of Education. Failure to submit the reports on time will constitute grounds for withholding accreditation.

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 plan. Except for the biennial school plan, written divisionwide plans available in and

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applicable to each school may be used to satisfy all other written plans required in these standards.

D. Experimental and innovative programs that are not consistent with accreditation standards shall be submitted for evaluation and approval, on forms provided, to the Department of Education prior to implementation. The request must include the purpose, objectives, anticipated outcomes, outline, length, number of students affected, and evaluation procedures for the programs which have been recommended by representatives of faculty, staff, administration, and parents, and approved by the local school board. However, no program may be approved which violates 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. Schools may be assigned one of the following statuses: accredited, warned, unsatisfactory.

B. New schools will be awarded the status of conditionally accredited pending an evaluation of the school's level of compliance with these standards during the next accrediting cycle.

C. The Board of Education will determine tolerances within which schools must maintain compliance with these standards and under what circumstances a school is awarded one of the statuses in subsection E of this section. The board may, in accordance with its bylaws and the Administrative Process Act (§ 9-6.14:1 et seq. of the Code of Virginia), establish an ad hoc committee to assist in the setting of these tolerances.

D. Compliance with the student academic achievement standards described in Part III (8 VAC 20-131-30 et seq.) of this chapter shall be documented to the board directly. Compliance with other standards will be documented in accordance with procedures prescribed by the board.

E. Awarding of accreditation statuses.

1. Accredited: A school will be accredited when a percentage of students established by the Board of Education achieves a rating of proficient or better on state SOL tests and meets the other requirements prescribed in 8 VAC 20-131-280 D.
2. Warned: A school will be warned when the requirements for full accreditation are not met and the school's performance is found to be in the range on the scale of tolerances established by the board and identified for awarding this status when applied as described in 8 VAC 20-131-290 D.

Schools that are warned shall develop a corrective action plan designed to improve student achievement on the SOL tests for the grade levels identified in 8 VAC 20-131-280 over two years at levels specified by each local school board for their schools. A copy of the corrective action plan shall be filed with the board.

3. Unsatisfactory: Schools may be deemed unsatisfactory if the school displays a pattern of continuous or poor performance, or the school is severely deficient in its compliance with the nonacademic requirements of these standards.

Schools awarded the status of unsatisfactory shall develop and submit an improvement plan to the Board of Education for approval that includes, but is not limited to, the requirements of 8 VAC 20-131-310.

8 VAC 20-131-310. Improvement planning for schools that are unsatisfactory.

A. Schools that are unsatisfactory must undertake improvement planning targeted to increasing student achievement as measured by the SOL tests.

B. A corrective action plan must be developed within six calendar months of receipt of notification of the awarding of unsatisfactory status. 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.

C. The plan shall include specific measures for achieving and documenting student academic improvement, amount of time in the school day devoted to instruction in the core academic areas, instructional practices, staff development required, assistance needed, and flexibility or waivers to state or local regulations necessary to meet the objectives of the plan. The Superintendent of Public Instruction may direct staff of the Department of Education to assist with the development and implementation of the plan if requested by the local school board and make provisions for waivers if appropriate and permissible by statute or regulation.

D. Schools in this status shall document to their community that appropriate and effective instructional intervention or remediation and additional instructional time is being provided for those students (i) not achieving a score of proficient on the SOL tests or (ii) not passing the Literacy Passport Tests.

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

The Board of Education will set the minimum acceptable level of annual school improvement required for schools when they have been deemed unsatisfactory. In no event shall a school be awarded the status of accredited if the minimum level of student proficiency established by the board is not met.

8 VAC 20-131-330. Waivers.

Waivers of some of the requirements of this chapter may be granted by the board based on submission of a request from the division superintendent and chairman of the local

school board. The request shall include documentation of the need for the waiver. In no event will waivers be granted to the requirements of Part III (8 VAC 20-130-30 et seq.) of this chapter.

8 VAC 20-131-340. Effective dates.

A. With the exception of certain identified provisions of the graduation requirements found in 8 VAC 20-131-100 and the expectations for students found in 8 VAC 20-131-280, this chapter is effective August 1, 1997.

B. The graduation requirements are effective with the ninth grade class of 1997-98. Students entering the ninth grade prior to the implementation date of this chapter shall meet the requirements of standards adopted by the board that became effective in October 1992. If the school cannot meet the graduation requirements for the 1997-98 school year, the school may submit a request for a waiver to the Board of Education and the board shall grant the waiver. All schools must meet the graduation requirements beginning with the 1998-99 school year.

C. The expectations for student performance on the SOL tests and school accountability requirements will become effective at the direction of the Board of Education in accordance with provisions adopted to define the levels at which students will be deemed to have achieved proficiency on the tests.

V.A.R. Doc. No. R97-321; Filed February 26, 1997, 11:43 a.m.

DEPARTMENT OF MOTOR VEHICLES

Title of Regulation: 24 VAC 20-20-10 et seq. Privacy Protection Act Rules and Regulations (REPEALING).

Statutory Authority: §§ 46.2-203 and 46.2-208 of the Code of Virginia.

Public Hearing Date: N/A -- Public comments may be submitted until May 19, 1997.

(See Calendar of Events section for additional information)

Basis: The DMV commissioner is given broad authority to adopt regulations through § 46.2-203 of the Code of Virginia. In addition, § 46.2-208 G of the Code of Virginia gives DMV specific authority to promulgate regulations related to the dissemination of information. The Privacy Protection Act Rules and Regulations were adopted under these two code sections.

Purpose: The title of these regulations is misleading in that they relate to information which can be released under § 46.2-208 (when DMV records can be inspected and the release of privileged information) and not the Privacy Protection Act. The original purpose of these regulations were to supplement the statute.

Substance: In 1994 the General Assembly amended §§ 46.2-208 through 46.2-210 of the Code of Virginia relating to dissemination of DMV customer records. Implementation of these legislative changes rendered DMV's Privacy Protection Act Rules and Regulations obsolete.

The 1994 legislation specifically set out to whom and under what conditions DMV may release customer information. The legislation also addressed the requester's and DMV's responsibilities concerning how the information may be disseminated. Prior to the 1994 legislation, this type of information was not addressed in the Code of Virginia, but rather in the Privacy Protection Act Rules and Regulations.

Issues: Since these regulations are obsolete, it is inefficient and confusing to keep them on the books. DMV, on occasions, will receive a request to furnish all of our regulations. When these requests are made, the "Privacy Protection Act Rules and Regulations" must be included in the package and we must note that they are obsolete.

Persons, businesses or localities affected by regulations: The regulations address dissemination of customer information to localities and certain business officials such as insurance companies, employers and financial institutions. The 1994 legislation, which caused these regulations to be obsolete, addressed dissemination of customer information as well.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 9-6.14:7.1 G of the Administrative Process Act and Executive Order Number 13 (94). Section 9-6.14:7.1 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic effects.

Summary of the Proposed Regulation. The Privacy Protection Act Rules and Regulations were promulgated in 1977 to carry out provisions of the Privacy Protection Act as related to driver and vehicle information. In 1994, the General Assembly amended §§ 46.2-208 through 46.2-210 of the Code of Virginia to specifically set out to whom and under what conditions DMV may release customer information. These amendments made the Privacy Protection Act Rules and Regulations obsolete and, as a result, DMV is repealing the regulation.

Estimated Economic Impact. Because the provisions of the Privacy Protection Act Rules and Regulations have been largely subsumed by amendments to the Code of Virginia, the repeal of this regulation is not anticipated to have any quantifiable economic consequences.

Businesses and Entities Particularly Affected. The repeal of this regulation particularly affects DMV customers and any localities, financial institutions, or other entities requesting information from DMV regarding those customers.

Localities Particularly Affected. No localities are particularly affected by the proposed regulation.

Proposed Regulations

Projected Impact on Employment. The proposed regulation is not anticipated to have a significant effect on employment.

Effects on the Use and Value of Private Property. The proposed regulation is not anticipated to have a significant effect on the use and value of private property.

Summary of Analysis. DPB anticipates that the repeal of the Privacy Protection Act Rules and Regulations will have no economic impact.

Agency's Response to Department of Planning and Budget's Economic Impact Analysis: The Department of Motor Vehicles concurs with the Department of Planning and Budget's analysis.

Summary:

In 1977 the Commissioner of the Department of Motor Vehicles adopted regulations to carry out provisions of the Privacy Protection Act as related to driver and vehicle information. These Privacy Protection Act Rules and Regulations categorize the type of information that may be disseminated, the purpose for which the information may be used, to whom information may be disseminated, and specify security and usage requirements. With amendments to §§ 46.2-208 through 46.2-210 of the Code of Virginia, these regulations are no longer needed. Therefore, DMV is proposing that these regulations be repealed.

VA.R. Doc. No. R97-318; Filed February 26, 1997, 10:37 a.m.

Title of Regulation: 24 VAC 20-30-10 et seq. Virginia Driver Improvement Act Rules and Regulations (REPEALING).

Statutory Authority: §§ 46.2-203 and 46.2-489 of the Code of Virginia.

Public Hearing: N/A -- Public comments may be submitted until May 19, 1997.

(See Calendar of Events section for additional information)

Basis: Section 46.2-203 of the Code of Virginia states that "the Commissioner may adopt reasonable administrative regulations necessary to carry out the laws administered by the Department." Section 46.2-489 specifically states that "[t]he Commissioner may... promulgate regulations which he deems necessary to carry out the provisions..." of Article 19 of the Code of Virginia, Driver Improvement Program.

Purpose: The purpose of the proposed action is to repeal the existing regulation, which was originally promulgated in 1975 and last amended in 1978. As such, the regulation has no substantive relationship to either the current statute or program. The driver improvement program was privatized in 1995 as a result of significant amendments to various sections of Article 19 of Chapter 3 of Title 46.2 of the Code of Virginia.

Substance: The substance of the existing regulation is outdated as described above. However, the essential substantive areas of the driver improvement program are set

forth in the current statute, as amended in 1995. Other outdated provisions in the existing regulation pertaining to the point values associated with demerit point violations are provided to the public in brochure form. This brochure is updated on a regular basis as necessitated by amendments to various statutory traffic offenses.

Issues: Since the substantive areas of the driver improvement program are found in statute and the existing regulations are severely outdated and unrelated to the current program, there is basically no need or use for the existing regulations. Amending the existing regulations would amount to promulgating new ones, which is unnecessary given the substantive nature of the current driver improvement statutes.

Persons, businesses or localities affected by regulation:

There are roughly 60,000 persons who attended driver improvement clinics from July 1, 1995, through June 30 of this year. These persons received instruction from 176 clinic providers. The course and instructional materials were supplied to the clinic providers by nine curricula providers. There should be no fiscal impact on the curricula providers, the clinic providers or any locality whatsoever since the existing regulations are outdated and not related to the current program, effectively rendering them obsolete.

Department of Planning and Budget's Economic Impact Analysis:

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 9-6.14:7.1 G of the Administrative Process Act and Executive Order Number 13 (94). Section 9-6.14:7.1 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic effects.

Summary of the Proposed Regulation. The Virginia Driver Improvement Act Rules and Regulations were promulgated in 1975. This regulation details criteria for assignment to treatments specified in the Driver Improvement Program. This program was privatized in 1995 pursuant to statutory amendments to the Code of Virginia. Because the Virginia Driver Improvement Act Rules and Regulations are unrelated to the current program, DMV is repealing the regulation.

Estimated Economic Impact. The repeal of this regulation is not anticipated to have any quantifiable economic consequences.

Businesses and Entities Particularly Affected. The repeal of this regulation particularly affects the roughly 60,000 persons annually who attend driver improvement clinics.

Localities Particularly Affected. No localities are particularly affected by the proposed regulation.

Projected Impact on Employment. The proposed regulation is not anticipated to have a significant effect on employment.

Effects on the Use and Value of Private Property. The proposed regulation is not anticipated to have a significant effect on the use and value of private property.

Summary of Analysis. DPB anticipates that the repeal of the Virginia Driver Improvement Act Rules and Regulations will have no economic impact.

Agency's Response to Department of Planning and Budget's Economic Impact Analysis: The Department of Motor Vehicles concurs with the Department of Planning and Budget's analysis.

Summary:

This regulation sets forth general requirements for being assigned to the various treatments outlined in the Driver Improvement Program statutes prior to the 1995 amendments. The purpose of the proposed action is to repeal the existing regulation, which was originally promulgated in 1975 and last amended in 1978. As such, the regulation has no substantive relationship to either the current statute or program.

VA.R. Doc. No. R97-319; Filed February 26, 1997, 10:37 a.m.

Title of Regulation: 24 VAC 20-130-10 et seq. International Registration Plan Virginia Rules and Regulations (REPEALING).

Statutory Authority: §§ 46.2-203 and 46.2-703 of the Code of Virginia.

Public Hearing Date: N/A -- Public comments may be submitted until May 19, 1997.

(See Calendar of Events section for additional information)

Basis: Section 46.2-203 of the Code of Virginia states that "the Commissioner may adopt reasonable administrative regulations necessary to carry out the laws administered by the Department."

Purpose: The purpose of the proposed action is to repeal the regulation. This regulation was first published in 1975 when Virginia and 13 other jurisdictions were members of the Plan. The regulation has been used by Virginia primarily as a tool to educate the motor carrier industry to the workings of the Plan. Today, there are 49 jurisdictions that are members of the International Registration Plan. The Plan has been changed many times in the intervening years, making the regulation published in 1975 obsolete. The current Plan, along with various other related national policies and procedures, provides the necessary guidance to the member jurisdictions and the motor carrier industry alike.

Substance: The substance of the existing regulation is outdated as described above. However, the essential substantive areas of the International Registration Plan are set forth in the current Plan as amended since 1995.

Issues: Since the substantive areas of the Plan are found in the current International Registration Plan itself, and the existing regulations are seriously outdated and unrelated to the current Plan, there is basically no need or use for the

existing regulation. Amending the existing regulation would amount to promulgating the current Plan as a new regulation which is unnecessary given the substantive nature of the current Plan.

Persons, businesses or localities affected by regulation: There are roughly 6,800 persons who are registered commercial motor carriers in the Commonwealth. There are 138 commercial driver training schools that provide instruction to current and potential commercial drivers. There should be no fiscal impact on the commercial motor carriers, the commercial driver training schools or any locality whatsoever since the existing regulations are outdated and not related to the current Plan, effectively rendering it obsolete.

Department of Planning and Budget's Economic Impact Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 9-6.14:7.1 G of the Administrative Process Act and Executive Order Number 13 (94). Section 9-6.14:7.1 G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic effects.

Summary of the Proposed Regulation. The Virginia Proportional Registration Plan Rules and Regulations were promulgated in 1975. This regulation was intended to provide the motor carrier industry guidance on the International Reciprocity Plan. When the regulation was first promulgated, Virginia was one of 13 jurisdictions participating in the Plan. Currently 49 jurisdictions participate. Because the Plan has been revised several times since the promulgation of this regulation, and because the motor carrier industry now receives adequate guidance regarding the Plan through various other sources, DMV is repealing the regulation.

Estimated Economic Impact. The repeal of this regulation is not anticipated to have any quantifiable economic consequences.

Businesses and Entities Particularly Affected. The repeal of this regulation particularly affects the roughly 60,800 registered commercial motor carriers in Virginia.

Localities Particularly Affected. No localities are particularly affected by the proposed regulation.

Projected Impact on Employment. The proposed regulation is not anticipated to have a significant effect on employment.

Effects on the Use and Value of Private Property. The proposed regulation is not anticipated to have a significant effect on the use and value of private property.

Proposed Regulations

Summary of Analysis. DPB anticipates that the repeal of the Virginia Driver Improvement Act Rules and Regulations will have no economic impact.

Agency's Response to Department of Planning and Budget's Economic Impact Analysis: The Department of Motor Vehicles concurs with the Department of Planning and Budget's analysis.

Summary:

The purpose of the proposed action is to repeal the regulation. This regulation was first published in 1975 when Virginia and 13 other jurisdictions were members of the International Registration Plan (Plan). The regulation was used by Virginia primarily as a tool to educate the motor carrier industry to the workings of the Plan. Today, there are 49 jurisdictions that are members of the International Registration Plan. The Plan has been changed many times in the intervening years, making the regulation published in 1975 obsolete. The current Plan, along with various other related national policies and procedures, provides the necessary guidance to the member jurisdictions and the motor carrier industry alike.

VA.R. Doc. No. R97-320; Filed February 26, 1997, 10:37 a.m.

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 substantial change from the proposed text of the regulation.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

REGISTRAR'S NOTICE: The Department of Medical Assistance Services has claimed an exemption from the Administrative Process Act in accordance with § 9-6.14:4.1 C 4 (a) of the Code of Virginia, which excludes regulations that are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved. The Department of Medical Assistance Services will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

Title of Regulation: 12 VAC 30-50-95 through 12 VAC 30-50-310. **Narrative for the Amount, Duration and Scope of Services (amending 12 VAC 30-50-210).**

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

Effective Date: April 16, 1997.

Summary:

The purpose of this action is to amend the State Plan for Medical Assistance concerning the membership of the Medicaid Prior Authorization Advisory Committee due to action taken by the 1996 General Assembly.

Currently, the Medicaid Prior Authorization Advisory Committee consists of 10 members appointed by the Board of Medical Assistance Services. Five members of the committee must be physicians, at least three of whom must care for a significant number of Medicaid patients. Four members must be pharmacists, two of whom must be community pharmacists. One member must be a Medicaid recipient. The committee makes recommendations to the board regarding drugs or categories of drugs to be subject to prior authorization, prior authorization requirements for prescription drug coverage and any subsequent amendments to or revisions of the prior authorization requirements. In formulating its recommendations to the board, the committee considers the potential impact on patient care and the potential fiscal impact of prior authorization on pharmacy, physician, hospitalization and outpatient costs.

This regulatory change increases the membership of the committee by one member, adding a consumer of mental health services. Because of the potential for significant impacts on this particular recipient population, this change was made to provide these recipients with direct input into pharmacy prior authorization issues. The legislation also adds several mental health organizations to the list of organizations from whom the board shall accept nominations when making appointments to the committee.

This change will provide mental health consumers with direct representation on the committee. The addition of a mental health consumer will also allow the agency and the Commonwealth to understand and address the specific concerns of this population more directly. The agency projects no negative issues involved in implementing this regulatory change.

The recipients affected by this regulatory change are consumers of mental health services. The providers affected are providers of pharmacy services who already have direct representation on this committee. The agency does not anticipate any costs to the providers, recipients, the agency or the Commonwealth as a result of this change. There are no localities which are uniquely affected by these regulations as they apply statewide.

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

12 VAC 30-50-210. Prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in diseases of the eye or by an optometrist.

A. Prescribed drugs.

1. Drugs for which Federal Financial Participation is not available, pursuant to the requirements of § 1927 of the Social Security Act (OBRA '90 § 4401), shall not be covered.
2. Nonlegend drugs shall be covered by Medicaid in the following situations:
 - a. Insulin, syringes, and needles for diabetic patients;
 - b. Diabetic test strips for Medicaid recipients under 21 years of age;
 - c. Family planning supplies;
 - d. Designated categories of nonlegend drugs for Medicaid recipients in nursing homes;
 - e. Designated drugs prescribed by a licensed prescriber to be used as less expensive therapeutic alternatives to covered legend drugs.
3. Legend drugs are covered, with the exception of anorexiants prescribed for weight loss and the drugs or classes of drugs identified in 12 VAC 30-50-520.
4. Notwithstanding the provisions of § 32.1-87 of the Code of Virginia, and in compliance with the provision of § 4401 of the Omnibus Reconciliation Act of 1990, §

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1927(e) of the Social Security Act as amended by OBRA 90, and pursuant to the authority provided for under § 32.1-325 A of the Code of Virginia, prescriptions for Medicaid recipients for multiple source drugs subject to 42 CFR 447.332 shall be filled with generic drug products unless the physician or other practitioners so licensed and certified to prescribe drugs certifies in his own handwriting "brand necessary" for the prescription to be dispensed as written.

5. New drugs shall be covered in accordance with the Social Security Act § 1927(d) (OBRA 90 § 4401).

6. The number of refills shall be limited pursuant to § 54.1-3411 of the Drug Control Act.

7. Drug prior authorization.

a. Definitions. The following words and terms used in these regulations shall have the following meaning, unless the context clearly indicates otherwise:

"Board" means the Board for Medical Assistance Services.

"Committee" means the Medicaid Prior Authorization Advisory Committee.

"Department" means the Department of Medical Assistance Services.

"Director" means the Director of Medical Assistance Services.

"Drug" shall have the same meaning, unless the context otherwise dictates or the board otherwise provides by regulation, as provided in the Drug Control Act (§ 54.1-3400 et seq. of the Code of Virginia).

b. Medicaid Prior Authorization Advisory Committee; membership. The Medicaid Prior Authorization Committee shall consist of 40 11 members to be appointed by the board. Five members shall be physicians, at least three of whom shall care for a significant number of Medicaid patients; four shall be pharmacists, two of whom shall be community pharmacists; *one member shall be a consumer of mental health services*; and one shall be a Medicaid recipient.

(1) A quorum for action by of the committee shall consist of six members.

(2) The members shall serve at the pleasure of the board; vacancies shall be filled in the same manner as the original appointment.

(3) The board shall consider nominations made by the Medical Society of Virginia, the Old Dominion Medical Society and , the Psychiatric Society of Virginia, the Virginia Pharmaceutical Association , the Virginia Alliance for the Mentally Ill, and the Virginia Mental Health Consumers Association when making appointments to the committee.

(4) The committee shall elect its own officers, establish its own procedural rules, and meet as

needed or as called by the board, the director, or any two members of the committee. The department shall provide appropriate staffing to the committee.

c. Duties of the committee.

(1) The committee shall make recommendations to the board regarding drugs or categories of drugs to be subject to prior authorization, prior authorization requirements for prescription drug coverage and any subsequent amendments to or revisions of the prior authorization requirements. The board may accept or reject the recommendations in whole or in part, and may amend or add to the recommendations, except that the board may not add to the recommendation of drugs and categories of drugs to be subject to prior authorization.

(2) In formulating its recommendations to the board, the committee shall not be deemed to be formulating regulations for the purposes of the Administrative Process Act (§ 9-6.14:1 et seq.). The committee shall, however, conduct public hearings prior to making recommendations to the board. The committee shall give 30 days written notice by mail of the time and place of its hearings and meetings to any manufacturer whose product is being reviewed by the committee and to those manufacturers who request of the committee in writing that they be informed of such hearings and meetings. These persons shall be afforded a reasonable opportunity to be heard and present information. The committee shall give 30 days notice of such public hearings to the public by publishing its intention to conduct hearings and meetings in the Calendar of Events of The Virginia Register of Regulations and a newspaper of general circulation located in Richmond.

(3) In acting on the recommendations of the committee, the board shall conduct further proceedings under the Administrative Process Act.

d. Prior authorization of prescription drug products, coverage.

(1) The committee shall review prescription drug products to recommend prior authorization under the state plan. This review may be initiated by the director, the committee itself, or by written request of the board. The committee shall complete its recommendations to the board within no more than six months from receipt of any such request.

(2) Coverage for any drug requiring prior authorization shall not be approved unless a prescribing physician obtains prior approval of the use in accordance with regulations promulgated by the board and procedures established by the department.

(3) In formulating its recommendations to the board, the committee shall consider the potential impact on patient care and the potential fiscal impact of prior authorization on pharmacy, physician,

hospitalization and outpatient costs. Any proposed regulation making a drug or category of drugs subject to prior authorization shall be accompanied by a statement of the estimated impact of this action on pharmacy, physician, hospitalization and outpatient costs.

(4) The committee shall not review any drug for which it has recommended or the board has required prior authorization within the previous 12 months, unless new or previously unavailable relevant and objective information is presented.

(5) Confidential proprietary information identified as such by a manufacturer or supplier in writing in advance and furnished to the committee or the board according to this subsection shall not be subject to the disclosure requirements of the Virginia Freedom of Information Act (§ 2.1-340 et seq. of the Code of Virginia). The board shall establish by regulation the means by which such confidential proprietary information shall be protected.

e. Immunity. The members of the committee and the board and the staff of the department shall be immune, individually and jointly, from civil liability for any act, decision, or omission done or made in performance of their duties pursuant to this subsection while serving as a member of such board, committee, or staff provided that such act, decision, or omission is not done or made in bad faith or with malicious intent.

f. Annual report to joint commission. The committee shall report annually to the Joint Commission on Health Care regarding its recommendations for prior authorization of drug products.

B. Dentures. Dentures are provided only as a result of EPSDT and subject to medical necessity and preauthorization requirements specified under Dental Services.

C. Prosthetic devices.

1. Prosthetics services shall mean the replacement of missing arms and legs. Nothing in this regulation shall be construed to refer to orthotic services or devices.

2. Prosthetic devices (artificial arms and legs, and their necessary supportive attachments) are provided when prescribed by a physician or other licensed practitioner of the healing arts within the scope of their professional licenses as defined by state law. This service, when provided by an authorized vendor, must be medically necessary, and preauthorized for the minimum applicable component necessary for the activities of daily living.

D. Eyeglasses. Eyeglasses shall be reimbursed for all recipients younger than 21 years of age according to medical necessity when provided by practitioners as licensed under the Code of Virginia.

VA.R. Doc. No. R97-312; Filed February 21, 1997, 9:18 a.m.

BOARD OF PROFESSIONAL COUNSELORS AND MARRIAGE AND FAMILY THERAPISTS

Title of Regulation: 18 VAC 115-40-10 et seq. Regulations Governing the Certification of Rehabilitation Providers (amending 18 VAC 115-40-10, 18 VAC 115-40-20, and 18 VAC 115-40-50; adding 18 VAC 115-40-22, 18 VAC 115-40-25, 18 VAC 115-40-28, 18 VAC 115-40-35, and 18 VAC 115-40-38; repealing 18 VAC 115-40-60).

Statutory Authority: §§ 54.1-2400 and 54.1-3505 of the Code of Virginia.

Effective Date: April 16, 1997.

Summary:

Amendments to the regulations governing the certification of rehabilitation providers comply with statutory requirements to establish qualifications for certification and fees to cover administrative expenses, and to establish requirements and processes for application, endorsement, renewal and reinstatement of expired certificates. An amendment was made since the regulation was proposed to include a diploma in nursing as an acceptable educational requirement for certification.

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.

Agency Contact: Copies of the regulation may be obtained from Janet Delorme, Department of Health Professions, 6606 West Broad Street, 4th Floor, Richmond, VA 23230, telephone (804) 662-9575.

PART I. GENERAL PROVISIONS.

18 VAC 115-40-10. Definitions.

A. The terms "board," "rehabilitation provider," and "rehabilitation services," when used in this chapter, shall have the meanings ascribed to them in § 54.1-3500 of the Code of Virginia.

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

"Board" means the Board of Professional Counselors and Marriage and Family Therapists as established by Chapter 35 (§ 54.1-3500 et seq.) of Title 54.1 of the Code of Virginia.

"Competency area" means an area in which a person possesses knowledge and skills and the ability to apply them in the rehabilitation setting.

"Health care practitioner" means any individual certified or licensed by any of the health regulatory boards within the Department of Health Professions, except individuals regulated by the Board of Funeral Directors and Embalmers or the Board of Veterinary Medicine.

"Regionally accredited" means an institution accredited by one of the regional accreditation agencies recognized by the

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United States Secretary of Education as responsible for accrediting senior post secondary institutions and training programs.

"Rehabilitation client" or "client" means an individual receiving rehabilitation services whose benefits are regulated by the Virginia Workers' Compensation Commission.

18 VAC 115-40-20. Fees required by the board.

A. The board has established the following fees applicable to the certification of rehabilitation providers:

Application processing	\$100
Certification renewal	\$50
Duplicate certificate	\$15
Late renewal	\$50
Returned check	\$15

B. Fees shall be made by check or money order payable to the Treasurer of Virginia and forwarded to the board of Professional Counselors and Marriage and Family Therapists. All fees are nonrefundable.

Examination fees shall be made payable to the examination service and mailed directly to the examination service.

PART II. RENEWAL AND REINSTATEMENT REQUIREMENTS FOR CERTIFICATION.

18 VAC 115-40-22. Criteria for eligibility.

A. Education or experience requirements for certification are as follows:

1. Graduation from a regionally accredited college or university with a degree in an education, health or human services field [or a diploma in nursing]; or
2. Documentation of 2,000 hours of training or experience in performing those services that will be offered to a workers' compensation claimant under § 65.2-603 of the Code of Virginia.

B. A passing score on a board-approved examination shall be required.

C. The board may grant certification without examination to applicants certified as rehabilitation providers in other states or by nationally recognized certifying agencies, boards, associations and commissions by standards substantially equivalent to those set forth in the board's current regulation.

18 VAC 115-40-25. Application process.

The applicant shall submit to the executive director of the board [,] at least 90 days prior to the date of the written examination:

1. A completed application form;
2. Documentation of one of the following:
 - a. Official transcript or transcripts in the original sealed envelope submitted from the appropriate

institutions of higher education directly to the applicant,

b. Employment verification form or forms signed by the employer or his authorized representative or by a licensed health care practitioner who has direct knowledge of the applicant's work in provision of rehabilitation services, or

c. Certificates or official documentation of training in the area in which services will be provided to workers' compensation claimants; and

3. Documentation of the applicant's national or out-of-state license or certificate in good standing where applicable.

PART III. EXAMINATIONS.

18 VAC 115-40-28. General examination requirements.

A. Every applicant for certification as a rehabilitation provider shall take a written examination approved by the board and achieve a passing score as determined by the board.

B. The written examination will be given at least once each year. The board may schedule such additional examinations as it deems necessary.

PART IV. RENEWAL AND REINSTATEMENT.

18 VAC 115-40-35. Reinstatement.

A. A person whose certificate has expired may renew it within four years after its expiration date by paying the renewal fee and the penalty fee prescribed in 18 VAC 115-40-20.

B. A person who fails to renew a certificate for four years or more shall reapply according to the requirements of the regulations in effect at that time.

18 VAC 115-40-38. Change of address.

A certified rehabilitation provider whose mailing address has changed shall submit the new address in writing to the board within 30 days of such change.

PART III. V. STANDARDS OF PRACTICE; DISCIPLINARY ACTIONS; REINSTATEMENT.

18 VAC 115-40-50. Grounds for revocation, suspension, probation, reprimand, censure, denial of renewal of certificate; petition for rehearing.

Action by the board to revoke, suspend, decline to issue a certificate, place such a certificate on probation or censure, reprimand or fine a certified rehabilitation provider may be taken in accord with the following:

1. ~~Violation of the standards of practice in 18 VAC 115-40-40.~~
2. 1. Procuring of certification a license, certificate or registration by fraud or misrepresentation.

3. 2. Violation of or aid to another in violating any provision of Title 54.1 of the Code of Virginia any statute applicable to the provision of rehabilitation services, or any part or portion of this chapter.

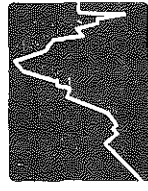
4. 3. The denial, revocation, suspension or restriction of a license or certificate to practice in another state, or a United States possession or territory or the surrender of any such license or certificate while an active administrative investigation is pending.

5. 4. Conviction of a felony or misdemeanor involving moral turpitude.

5. Providing rehabilitation services without reasonable skill and safety to clients by virtue of physical or emotional illness or substance abuse.

18 VAC 115-40-60. Reinstatement following disciplinary action. (Repealed.)

In order to be eligible for reinstatement, any person whose certificate has been suspended, revoked or denied by the board under the provisions of 18 VAC 115-40-60 shall, at the conclusion of the term of suspension or two years subsequent to denial or revocation of certification, (i) submit a new application to the board, (ii) pay the appropriate reinstatement fee, and (iii) submit any other credentials as prescribed by the board. After a hearing, the board may, at its discretion grant the reinstatement if the provider demonstrates that he is able to resume providing services in a manner which does not endanger the public.



COMMONWEALTH OF VIRGINIA
**BOARD OF PROFESSIONAL COUNSELORS
 AND
 MARRIAGE AND FAMILY THERAPISTS**

Department of Health Professions
 6606 West Broad Street, 4th Floor
 Richmond, Virginia 23230-1717
 (804) 662-9912

**APPLICATION FOR CERTIFICATION AS A
 REHABILITATION PROVIDER**

I hereby make application for certification to practice as a Rehabilitation Provider in the Commonwealth of Virginia. The following evidence of my qualifications is submitted with a check or money order in the amount of \$100.00 made payable to the Treasurer of Virginia. The application fee is non-refundable.

INSTRUCTIONS		PLEASE TYPE OR PRINT		USE BLACK INK
1. Applicants must complete all sections. 2. Completed application should be mailed to the above address. 3. Application and supporting documents must be received no less than 90 days prior to the date of the written examination.				
I. GENERAL INFORMATION				
Name (Last, First, M.I., Suffix, Maiden Name)	Social Security Number	Date of Birth		
Mailing Address (Street and/or Box Number, City, State, ZIP Code)	Home Telephone Number		Business Telephone Number	
II. EDUCATION				
State the name and location of the college or university where a degree in an education, health or human services field has been granted. Applicants must submit official transcripts in sealed, signed envelopes with this application.				
Educational Institution	Dates Attended		Degree Received	Date Degree Conferred
	From	To		
III. TRAINING				
Include copies of certificates/diplomas for any training you have received in the areas in which you intend to provide services to workers' compensation claimants.				
III. EXPERIENCE				
Submit an Employment Verification Form from each workplace in a sealed envelope with the supervisor's signature across the seal. Applicants for certification by endorsement may be required to submit this documentation.				

IV. LICENSURE/CERTIFICATION - List all the states in which you now hold or have ever held an occupational license or certificate to provide rehabilitation services in order of attainment. Submit Form A-3 if your license or certificate was not issued by one of the Boards in the Virginia Department of Health Professions.

STATE	LICENSE/CERTIFICATE NUMBER	ISSUE DATE	TYPE OF LICENSE/CERTIFICATE

V. ANSWER THE FOLLOWING QUESTIONS:

	YES	NO
1. Have you ever been denied the privilege of taking an occupational licensure or certification examination? If yes, state what type of occupational examination and where:	[]	[]

2. Have you ever had any disciplinary action taken against an occupational license, registration or certification to practice or are any such actions pending? If yes, explain in detail (use extra paper if necessary):	[]	[]

3. Have you ever been convicted of a violation of or pled nolo contendere to any federal, state, or local statute, regulation or ordinance or entered into any plea bargaining relating to a felony or misdemeanor? (Excluding traffic violations, except for driving under the influence.) If yes, explain in detail:	[]	[]

4. Have you ever been terminated or asked to withdraw from any health care facility, agency, or practice? If yes, please explain.	[]	[]

The following statement must be executed by a Notary Public. This form is not valid unless properly notarized.

AFFIDAVIT
(To be completed before a notary public)

State of _____ County/City of _____

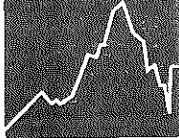
Name _____ being duly sworn, says that he/she is the person who is referred to in the foregoing application for certification to practice as a rehabilitation provider in the Commonwealth of Virginia; that the statements herein contained are true in every respect, that he/she has complied with all requirements of the law; and that he/she has read and understands this affidavit.

Signature of Applicant

Subscribed to and sworn to before me this _____ day of _____, 19____.

My commission expires on _____

SEAL _____
Signature of Notary Public



COMMONWEALTH OF VIRGINIA
BOARD OF PROFESSIONAL COUNSELORS
AND
MARRIAGE AND FAMILY THERAPISTS

6606 West Broad Street, 4th Floor
Richmond, Virginia 23230-1717
(804) 662-9912

EMPLOYMENT VERIFICATION

The individual named below has applied for certification as a rehabilitation provider. Please verify the applicant's experience in providing rehabilitation services by completing the following questions, and return the completed, signed form to the applicant.

Applicant Information:

Name: _____ Name When Employed if Different _____

Address: _____

Dates of Employment: From _____ To _____

Job Title: _____ Social Security Number _____

Employer Information:

Employer Name: _____ Telephone: _____

Address: _____

Name of Business: _____

Name and Title of Applicant's Direct Supervisor: _____

Name and Title of Individual Verifying Employment: _____

WORK ACTIVITIES AND TECHNIQUES USED: (A position description may be attached if available)

Length of Time Applicant Was Actively Providing the Activities Described Above: _____

DECLARATION: I declare that, to the best of my knowledge, the foregoing is true and correct.

Signature

Date

Title

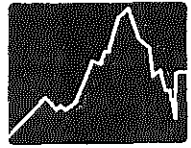
Department of Health Professions
 COMMONWEALTH OF VIRGINIA

RENEWAL NOTICE AND APPLICATION

Board of Telephone	CURRENT EXPIRATION	RENEWAL PERIOD FROM	TO
TYPE OF RENEWAL	CURRENT AMOUNT DUE	LATE PAYMENT P.W. CHILD. I.E. AFTER	
NUMBER	\$		

MAKE CHECKS PAYABLE TO THE "TREASURER OF VIRGINIA"

- INSTRUCTIONS**
- 1 Complete form 1 before the expiration date.
 - 2 Make any address changes in the space provided.
 - 3 Make sure you have the correct amount of money to pay.
 - 4 Make sure you have the correct type of money to pay.
 - 5 Return the application to the Board of Professions.
- Check here if you do not wish to renew and sign below.
- _____
 Signature

	<p>COMMONWEALTH OF VIRGINIA</p> <p>BOARD OF PROFESSIONAL COUNSELORS AND MARRIAGE AND FAMILY THERAPISTS</p>
	<p>Department of Health Professions 6606 West Broad Street, 4th Floor Richmond, Virginia 23230-1717 (804) 662-9912</p>

LICENSURE/CERTIFICATION VERIFICATION OF APPLICANT

TO BE COMPLETED BY VIRGINIA APPLICANT	
Name: _____	License/Certificate Number: _____
Address: _____	
TO BE COMPLETED BY STATE BOARD	
Please complete this form and return it directly to the Virginia Board of Professional Counselors and Marriage and Family Therapists at the above address. Thank you.	
Title of License/Certificate: _____	License/Certificate Number: _____
Issue Date: _____	Expiration Date: _____
By Examination _____	By Endorsement _____
By Waiver _____	By Reciprocity _____
Date of Examination: _____	Type of Written Examination: _____
Cut-Off Score _____	Applicant's Score _____
Has the license/certificate ever been surrendered, suspended, or revoked? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, please give full particulars on the reverse side of this form.	
Certification by the authorized Licensure Official of the State Board of _____	
State of _____	I certify that the information is correct.
	_____ Authorized Licensure Official
	_____ Jurisdiction/State
	_____ Date

SEAL

rev. 3/96

Final Regulations

DEPARTMENT OF REHABILITATIVE SERVICES

Title of Regulation: 22 VAC 30-10-10 et seq. Public Participation Guidelines (amending 22 VAC 30-10-10, 22 VAC 30-10-20, 22 VAC 30-10-40, and 22 VAC 30-10-50; repealing 22 VAC 30-10-30; and adding 22 VAC 30-10-60).

Statutory Authority: §§ 9-6.14:7.1 and 51.5-14 of the Code of Virginia.

Effective Date: April 16, 1997.

Summary:

The amendments enable individuals and entities to receive individual notification (by requesting to be placed on the department's notification list) of the department's rule making and invitation to participate or comment; expand the use of standing or ad hoc advisory bodies and consultation with interested parties; describe when the department periodically reviews its regulations; add requirements for agency response to petitions for rule making; and delete the Severability, Notice of Intent, and Administrative Process Act Procedures sections as redundant since the department is subject to existing requirements in state law.

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

Agency Contact: Copies of the regulation may be obtained from Mary Lutkenhaus, Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, VA 23288-0300, telephone (804) 662-7610.

22 VAC 30-10-10. General information; authority; purpose; administration; application.

~~A. Chapter 1.1:1 of Title 9, Code of Virginia, deals with the promulgation of rules and regulations. Specifically, § 9-6.14:7.1 of the Code of Virginia directs agencies of the Commonwealth to develop public participation guidelines for soliciting the input of interested parties in the formation and development of regulations. Chapter 3 of Title 51.5 of the Code of Virginia establishes the department and empowers it to make, adopt and promulgate regulations.~~

~~B. These regulations are designed to provide consistent, written guidelines in order to ensure participation from interested parties at all stages of the regulatory process.~~

~~C. The department has the responsibility for promulgating regulations pertaining to public participation in the regulatory process.~~

~~D. These regulations have general application throughout the Commonwealth. These regulations provide guidelines to inform the public of, and involve interested parties in, the development, promulgation, amendment, and periodic review of regulations of the Department of Rehabilitative Services. The guidelines do not apply to regulations exempted or excluded from the provisions of § 9-6.14:4.1 of the Code of Virginia.~~

22 VAC 30-10-20. Identification and notification of interested parties.

~~A. Agency advisory list. The department commissioner shall create and maintain current mailing lists of persons, agencies or organizations that are interested in advising and assisting in developing regulations or in making substantial changes to existing regulations. At the discretion of the department, these lists may be maintained on a program-specific basis or be of a general interest group. A list or lists of parties (individuals and entities) to be notified of an intended regulatory action (such as regulation development or amendment) and invited to participate. The commissioner may maintain a general list or individual lists based on specific regulatory issues, proposals or actions.~~

~~B. Updating of listing. No less than once each year the department shall publish in the Virginia Register and such newspapers of general circulation in Virginia localities as the department may decide, a notice requesting that any individual or organization interested in participating in the department's development of specific rules and regulations so notify the department. Any persons or organizations identified in this process will be incorporated in the initial list. The department may at any time remove from the list any person or organization that requests to be removed or fails to respond to an inquiry of continued interest in participating.~~

~~B. Any person or entity may request to be placed on the list by contacting the commissioner.~~

~~C. The list shall include, but is not limited to, parties who:~~

- ~~1. Request that the commissioner place their name on the list.~~
- ~~2. Petition the department for rule making.~~

~~D. The commissioner may add to the list parties likely to be interested in, regulated by, or otherwise affected by the proposed regulatory action.~~

~~E. The commissioner shall periodically update the list. Updating the list shall include, but is not limited to, annually publishing in the Virginia Register (an official state publication issued biweekly by the Virginia Code Commission which is available to the public by subscription or individual issue through the Registrar of Regulations) a notice requesting that any individual or entity wishing to be notified of, or be involved in, the development, promulgation, or amendment of department regulations notify the commissioner. In addition, the commissioner may use other methods to periodically purge (with prior notification) and update the list.~~

~~F. The commissioner shall notify the parties on the list of the intended regulatory action and comment period and invite them to participate.~~

22 VAC 30-10-30. Notice of Intent. (Repealed.)

~~A. When the department deems it necessary to develop a regulation or make substantial change to existing regulations, a Notice of Intent shall be published in the Virginia Register and such newspapers of general circulation in Virginia localities as the department may decide. This notice shall invite those interested in providing input to notify the agency of their interest. Various agencies and associations, such as~~

~~the Developmental Disabilities Planning Council, Overall Advisory Council on Needs of Handicapped Persons, Handicaps Unlimited of Virginia and independent living centers, shall be notified and requested to advise their constituencies through newsletters, etc. All human service agencies shall be notified. In addition to this notice, known interested parties shall be advised, through a special mailing, of the agency's desire to develop a regulation and shall be invited to assist the agency in developing the regulations or in providing information on how the regulations may affect the consumer.~~

~~B. The notice of intent shall include:~~

- ~~1. Subject of the proposed regulation;~~
- ~~2. Identification of the entities that will be affected;~~
- ~~3. Discussion of the purpose of the proposed regulation and the issues involved;~~
- ~~4. Listing of applicable laws or regulations, and location where these documents can be reviewed or obtained;~~
- ~~5. Timetable for reaching a decision; and~~
- ~~6. Name, address and telephone number of staff person to be contacted for further information.~~

~~22 VAC 30-10-40. Solicitation of input from interested parties; formation of core committees. Role of interested parties, advisory bodies, ad hoc committee.~~

~~A. Whenever necessary, as determined by the nature and scope of the regulations, the department shall establish a core committee to include selected individuals who responded to the notice of intent, newsletter or special mailing. This committee shall be oriented to the department and program issues, constraints, entities to be affected, program options and time limitations. The committee shall discuss the issues and make recommendations which shall be considered in drafting regulations. Once the regulations have been developed, the committee shall review them and continue to participate during the promulgation process as directed by the Administrative Process Act.~~

~~B. The department shall develop an orientation or training plan to be used with members of the core committee which shall include:~~

- ~~1. The responsibility and authority of the department, and~~
- ~~2. The method of promulgating regulations.~~

~~C. Respondents to the notice of intent who indicate a desire to participate with respect to a particular regulation's development or modification shall be provided a copy of any draft materials pertaining to that regulation prepared for review by the department's designated staff and core committee during the predevelopment process. They shall be invited to forward written comments within fourteen calendar days of that material's dissemination.~~

~~A. Activities in which the commissioner may involve parties indicating a desire to participate in rule making, a standing advisory body, or ad hoc committee include, but are not limited to:~~

- ~~1. Assisting with the preparation of draft amendments or proposed regulations;~~
- ~~2. Reviewing and commenting on draft amendments or proposed regulations, or~~
- ~~3. Assisting with the periodic review of regulations and recommending appropriate regulatory action.~~

~~B. In developing any regulation, the department shall afford interested individuals and entities an opportunity to submit data, views, and arguments, either orally or in writing, to the department or its specially designated subordinate. Prior to or during any such opportunity the agency may, at its discretion, begin drafting the proposed regulation. Subject to the provisions of § 9-6.14:7.1 of the Code of Virginia, the commissioner may elect to conduct a public hearing.~~

~~22 VAC 30-10-50. Administrative Process Act procedures. Petition requirements.~~

~~After proposed regulations have been developed by the department according to these guidelines, they will be submitted for public comment under § 9-6.14:7.1 of the Code of Virginia and promulgated finally under this section of the Code.~~

~~A. As provided for under § 9-6.14:7.1 of the Code of Virginia, any person may petition the commissioner to develop a new regulation or amend an existing regulation. A petition for rule making shall include, but is not limited to, the following:~~

- ~~1. The petitioner's name, mailing address, telephone number, and, if applicable, the name of the group represented in the petition,~~
- ~~2. The number or title of the regulation to be addressed,~~
- ~~3. A description of the regulatory problem, action, or issue to be addressed, and~~
- ~~4. A recommended addition, deletion, or amendment to the regulation.~~

~~B. The commissioner shall consider the petition and decide whether to initiate rule making in response to the petition. The commissioner shall communicate the decision and grounds for the decision to the petitioner as required under § 9-6.14:7.1 of the Code of Virginia.~~

~~C. Nothing herein shall prohibit the commissioner from receiving information from the public and proceeding with the commissioner's own motion for rule making.~~

~~22 VAC 30-10-60. Review of regulations.~~

~~A. Events which may trigger a departmental review of a regulation include, but are not limited to, the following:~~

- ~~1. Established review date, if any, for the regulation occurs.~~
- ~~2. Federal governmental entity issues a final regulation or policy directive which impacts the department regulation.~~
- ~~3. Federal or state laws which impact the department regulation are adopted, amended, or repealed.~~

Final Regulations

4. *A change in the approved state plan, which impacts the department regulation, is made.*

B. Depending on the nature and scope of the regulation and purpose of the review, the commissioner may conduct an internal review, consult standing advisory bodies, appoint an ad hoc committee, solicit public participation or public comment, conduct or give interested parties an opportunity to participate in a public evidential hearing or informational proceeding, or employ some other method in the review process.

C. The review may be conducted separately or in conjunction with another activity.

VA.R. Doc. No. R97-316; Filed February 25, 1997, 10:33 a.m.

EMERGENCY REGULATIONS

DEPARTMENT OF SOCIAL SERVICES (BOARD OF)

Title of Regulation: 22 VAC 40-680-10 et seq. Virginia Energy Assistance Program (amending 22 VAC 40-680-50).

Statutory Authority: § 63.1-25 of the Code of Virginia.

Effective Dates: February 25, 1997, through February 12, 1998.

/s/ Robert C. Metcalf
Secretary of Health and Human Resources
Date: February 12, 1997

/s/ George Allen
Governor
Date: February 17, 1997

VA.R. Doc. No. R97-317; Filed February 25, 1997, 10:22 a.m.

STATEMENT OF NEED

The amendment adds the provision of primary fuel to the Crisis Assistance component of the Virginia Energy Assistance program for eligible households who did not receive or apply for assistance through the Fuel Assistance component. Last winter's weather produced undue hardships on many low income citizens of the Commonwealth. Offering this type of assistance will provide services to households that may not be available in their community thereby promoting the safety and welfare of individuals and families. Providing the purchase of fuel will prevent eligible households from facing the immediate threats to their health due to living in housing without heat. The proposed amendment to the Virginia Energy Assistance Program is considered a response to prevent many of these situations from becoming emergencies perhaps leading to major illnesses and death.

22 VAC 40-680-50. Eligibility criteria; benefits.

A. The purpose of the crisis assistance component is to assist households with energy-related, weather-related or supply shortage emergencies. This component is intended to help the household meet energy emergencies that cannot be met by the fuel assistance component or other resources.

B. In order to be eligible for crisis assistance, a household shall meet the following criteria:

1. All of the fuel assistance criteria as set forth in 22 VAC 40-680-20;
2. Have an energy-related, weather-related or supply shortage emergency as defined in 22 VAC 40-680-10;
3. Other resources cannot meet the emergency (including fuel assistance); and
4. Did not receive crisis assistance maximum benefit during the current year.

C. The Board of Social Services shall set benefit amounts for each type of assistance offered based on the availability of funding. The following forms of assistance shall be provided:

1. A one-time-only payment for a security deposit for the primary fuel type;
2. Providing space heaters; and
3. Providing emergency shelter; and
4. Purchase of primary fuel.

/s/ Clarence H. Carter
Commissioner
Date: January 23, 1997

STATE CORPORATION COMMISSION

BUREAU OF FINANCIAL INSTITUTIONS

Administrative Ruling 0213 - "Membership by FDIC-insured
Banks in a Federal Home Loan Bank"

The provisions of Bureau of Financial Institutions Administrative Ruling 0213 have been supplemented by amendments to Virginia Code §§ 6.1-8 and 6.1-60.1, which authorize Virginia banks to become members of the Federal Home Loan Bank System and to acquire, own and hold shares of a Federal Home Loan Bank. Therefore, Administrative Ruling 0213 is canceled and withdrawn.

/s/ Sidney A. Bailey
Commissioner of Financial Institutions

VA.R. Doc. No. R97-311; Filed February 18, 1997, 1:17 p.m.

Virginia Tax Bulletin

Virginia Department of Taxation

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February 18, 1997

97-1

COALFIELD EMPLOYMENT ENHANCEMENT TAX CREDIT

Generally

The Coalfield Employment Enhancement Tax Credit was enacted by the 1995 General Assembly for taxable years beginning on or after January 1, 1996, but before January 1, 2001. The credit was amended by the 1996 General Assembly to extend the sunset provision by one year, substantially increase the amount of the credit for both surface and underground mining, modify seam thickness requirements, eliminate the General Fund surplus contingency requirement, link the credit to employment levels, and make the redemption of excess credits mandatory. The credit is applicable to all taxes imposed by the Commonwealth of Virginia. Any person with an economic interest in coal mined in Virginia is eligible.

The credit is based upon the number of tons of coal sold during the taxable year which were mined in Virginia, multiplied by an employment factor. The amount of the credit varies according to seam thickness for coal mined by underground methods. The credit is also available for surface mined coal, as well as coalbed methane gas.

The credit is earned during taxable years beginning on or after January 1, 1996, but is applied according to a deferral schedule. The first time the credit can be applied is for tax liabilities for the 1999 taxable year. If the applied credit exceeds a person's liability for all state imposed taxes which were incurred during the taxable year, then the excess is refundable up to ninety percent of the credit claimed in that year. The remaining ten percent will be deposited in a regional fund administered by the Coalfields Economic Development Authority.

Definitions

Economic interest: An economic interest for purposes of this credit will be the same as the economic ownership interest required by § 611 of the Internal Revenue Code as of December 31, 1977, in order to claim the depletion deduction. A person who receives only an arm's length royalty will not be considered as having an economic interest in coal mined in Virginia.

Coal mined in Virginia: Coal mined by underground methods will be considered "mined in Virginia" if the portal through which the coal is brought to the surface is located in Virginia. Coal mined by surface mining methods will be considered "mined in Virginia" if mined from within the boundaries of the permit area as defined in Code of Virginia § 45.1-229.

Ton: The credit is based in part on the number of tons sold. Therefore, the definition of ton for credit purposes will be the same as customarily used in transactions between a knowledgeable buyer and seller.

Number of Virginia coal mining jobs: A Virginia coal mining job will be considered to be any job required to be reported on the Mine Safety and Health Administration (MSHA) Form 7000-2 pursuant

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to 30 CFR Part 50 as of January 1, 1995, and for which wages are properly reported on Form VEC-FC-20 pursuant to the Virginia Unemployment Compensation Act (Code of Virginia § 60.1-1 et seq.) The total hours worked at these jobs during each quarter, calculated in accordance with 30 CFR Part 50 and reported on the Virginia Department of Mines, Minerals & Energy (DMME) tonnage report (Form DM-CM2), will be aggregated for the calendar year. (A Form DM-CM2 is attached). The total hours from all tonnage reports filed by the entity will be divided by 1,920 equivalent hours per job to derive the number of coal mining jobs for the employment factor computation.

A taxpayer with facilities that do not have an assigned Mine Index Number from the DMME such as stand alone preparation plants, coal handling facilities, shops, or administrative or engineering facilities, and who wishes to file employment data from these facilities for the purpose of calculating the employment factor, may;

1. File a separate annual tonnage report (Form DM-CM-2) with the Division of Mines. Insert "none" in the space where the Mine Index Number is located and leave the tonnage spaces blank.
2. Allocate coal mining jobs among various contractors. (Attach an explanation to Form DM-CM-2.)
3. Allocate coal mining jobs to one contractor. (Attach an explanation to Form DM-CM-2.)

Coalbed Methane Producer: The person issued a permit by DMME to operate a coalbed methane well.

Computing the Credit

The credit is equal to the number of tons of coal sold during the taxable year which were mined in Virginia, multiplied by the following rates:

- \$2 per ton for coal mined from a seam thickness of 36" or less;
- \$1 per ton for coal mined from a seam thickness of greater than 36";
- \$0.40 per ton for coal mined using surface mining methods.

This amount is then multiplied by an employment factor, which is a ratio that cannot exceed 1.0. The credit for coalbed methane gas, which is \$0.01 per million BTUs of Virginia coalbed methane sold during the taxable year, is then added to this result. The total is the maximum credit allowable for the taxable year.

Each ton of Virginia-mined coal sold will be eligible for only one of the Virginia coal credits (Coalfield Employment Enhancement, Qualifying Steam Producers, Coal Employment and Production Incentive, Qualifying Cogenerators and Small Power Producers). Under no circumstances will a buyer and seller be permitted to claim credits for the same ton of coal.

Example 1

Company A is a calendar year filer. In the 1997 taxable year, Company A sold 250,000 tons of coal mined in Virginia. All coal was mined from seam thicknesses greater than 36". Of the 250,000

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total tons sold, Company A sold 35,000 tons to Company Z, a corporation subject to the annual license tax on companies furnishing water, heat, light or power. Company A provides certification to Company Z that the coal sold was mined in Virginia, in accordance with Code of Virginia § 58.1-2626.1, and is therefore aware that Company Z intends on claiming the Virginia Coal Employment and Production Incentive Tax Credit. Assuming no change in the number of Virginia coal mining jobs for the years ended December 31, 1997 and 1996, Company A's credit is calculated as follows:

$$(250,000 \text{ tons} - 35,000 \text{ tons}) \times \$1/\text{ton} \times 1.0 \text{ employment factor} = \$215,000$$

Employment Factor

The employment factor is the ratio of the number of Virginia coal mining jobs for the calendar year ending during the taxable year in which the credit is earned to the number of Virginia coal mining jobs for the prior calendar year.

The employment factor is calculated using each filing entity's aggregate number of Virginia coal mining jobs and not on a per mine basis. When determining the number of coal mining jobs, always round up.

The jobs of Virginia coal mining contract operators of the person claiming the credit must be included in the entity's employment factor. The person claiming the credit is responsible for obtaining the contractor's annual tonnage reports filed with DMME.

Taxpayers who file consolidated or combined returns will calculate the employment factor and corresponding credit on a separate company basis.

Example 2

Assume that Company A is a fiscal year filer with a taxable year beginning August 1, 1996. Company A will compute its employment factor based on the ratio of the number of coal mining jobs for the year ended December 31, 1996, to the number of Virginia coal mining jobs for the year ended December 31, 1995.

Example 3

Assume that Company B files the following tonnage reports:

<u>Mine</u>	<u>Total hours (12/31/96)</u>	<u>Total hours (12/31/95)</u>
A	133,250	131,900
B	78,390	86,525
C	212,500	225,650
D	0	53,250
Totals	424,140	497,325

Number of coal mining jobs, 12/31/96: 424,140 hours/1,920 hours per coal mining job = 220.9, rounding up we get the result of 221 coal mining jobs

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Number of coal mining jobs, 12/31/95: 497,325 hours/1,920 hours per coal mining job = 259.02, rounding up, results in 260 coal mining jobs

Employment factor = 221/260 = 0.85

Example 4

Assume four affiliated coal companies with the following facts:

<u>Company</u>	<u>Seam Thickness</u>	<u>Tons Sold (Net of tons used for other credits)</u>	<u>VA Coal Mining Jobs (Current Year)</u>	<u>VA Coal Mining Jobs (Prior Year)</u>
1	25"	100,000	1,500	1,000
2	40"	500,000	750	1,000
3	45"	200,000	2,000	1,000
4	20"	<u>400,000</u>	<u>500</u>	<u>1,000</u>
Totals		1,200,000	4,750	4,000

The credit is calculated as follows:

Co.1 (\$2/ton x 100,000 tons) x (1,000/1,000) = \$ 200,000

Co.2 (\$1/ton x 500,000 tons) x (750/1,000) = 375,000

Co.3 (\$1/ton x 200,000 tons) x (1,000/1,000) = 200,000

Co.4 (\$2/ton x 400,000 tons) x (500/1,000) = 400,000

Total credit \$ 1,175,000

Note that the employment factors for Co. 1 and Co. 3 are capped at 1.0

Isopach Mapping

Operators must submit a coal thickness isopach map when they are claiming any tax credit for coal mined that is 36 inches and under. Operators who are not claiming any tax credit for coal 36" and under do not have to submit a map (all coal mined is greater than 36").

Coal isopach maps shall be submitted to the Department of Mines, Minerals and Energy, Division of Mines, P.O. Box 900, Big Stone Gap, VA 24219. The certification of the weighted average isopach mapping of actual coal thickness and volume ratio of 36" and under coal to above 36" coal shall be attached.

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Maps shall be submitted by April 1 of the year immediately following the year in which the tax credit is earned or within three months after the end of the operator's fiscal year.

Coal thickness isopach maps shall meet the following requirements:

- a) must be of a scale 1" = 100' to 1" = 400'.
- b) must contain the 36" contour line and contour lines on 3 inch intervals unless all coal is less than 36". If all coal is less than 36", no contours are required. Contour lines will be used by the Division of Mines to evaluate the ratio of 36 inches and under coal to above 36 inch coal reported by the operator.
- c) coal sections must be located on the map at intervals of 200' or less. The 200' spacing is to be measured longitudinally with the advancing section development. Other supporting evidence such as borehole data may be included. Coal isopach maps submitted for the 1996 taxable year may have a coal section interval spacing of greater than 200' if they have not been measured at this frequent of an interval.
- d) maps must be submitted on paper or on computer disk in autocad DWG format.
- e) must be certified by a professional engineer.

The Division of Mines must evaluate the coal thickness maps and acknowledge to the operator that the maps were received and that no discrepancies were found. This acknowledgment will be sent to the operator by July 1 of the year the maps were submitted or within six months of the end of the operator's fiscal year unless the Division of Mines is granted an extension by the Department of Taxation. The operator shall submit a copy of this acknowledgment to the Department of Taxation with its tax return.

If the operator needs acknowledgment at an earlier date, the operator may contact the Division of Mines and arrange an earlier review. Otherwise, the taxpayer would need to file the appropriate tax return extension with the Department of Taxation.

Should a conflict arise between an operator and the Division of Mines regarding the coal thickness isopach map, an independent third-party shall be selected that is agreeable to both parties to evaluate the isopach maps. The operator will be responsible for all charges associated with third-party evaluation of isopach maps.

Reporting and Claiming the Credit

Filing Requirements

Corporations: Form 306 must be filed with the Form 500 or 500S for the year the credit is earned. Consequently, the deadlines and statute of limitations for filing the Form 500 and 500S are applicable to Form 306. Form 306 is required to be resubmitted when the credit is actually claimed. If a corporation acquires another entity with earned, but unapplied credits, then the acquiring entity is required to attach the acquired entity's Form 306 to the returns in which those credits are redeemed.

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Individuals: Individuals who earn the credit either as sole proprietors or distributees of pass-through entities are also required to file Form 306 with their corresponding Forms 760, 760PY, or 763. If the individuals earn the credit via a pass-through entity, the pass-through entity should furnish the individual with a copy of the DMME acknowledgment, if applicable, as well as a copy of the pass-through entity's Form 306.

Pass-through entities must allocate the credit among distributees according to ownership interest.

Any person which grants certificates to purchasers certifying that the coal purchased is Virginia-mined coal for purposes of claiming one of the other coal related credits, and also claims the Coalfield Employment Enhancement Tax Credit, must attach a schedule of the certificates granted to Form 306. This schedule should, at a minimum, list the purchaser, the number of tons certified, certificate date, and invoice number for each transaction for which a certificate was issued.

Claiming the Credit

The credit is claimed according to a deferral schedule. This schedule is printed on Form 306. Since this a redeemable credit, there is no carryforward feature. The credit will be first applied against corporate income taxes and then against all other taxes imposed by the Commonwealth which were incurred by the taxpayer during the taxable year. The credit will be administered and redeemed only by the Department of Taxation.

Refunds for previously paid taxes imposed by the Commonwealth which were incurred during the taxable year will be refunded at 100% of face value up to the amount of the credit. If any credit remains, it will be refunded at 90% of face value.

The credit cannot be utilized to offset unpaid Virginia-imposed tax liabilities from prior years, nor can it be used to offset any addition to tax, penalty, or interest incurred for current year tax liabilities. However, any refund or overpayment will be subject to the provisions of the Virginia Setoff Debt Collection Act (Code of Virginia § 58.1-520 et seq.).

In the event a taxpayer claims other state income tax credits in addition to the Coalfield Employment Enhancement Credit, the credit ordering scheme as listed in Public Document 95-240, copy enclosed, will be applicable.

In instances where a combined or consolidated Virginia corporate income tax is filed which includes corporations which were not eligible to claim the credit, special rules apply. In such cases, the credit as calculated above is utilized to offset the combined or consolidated Virginia corporate income tax liability. Any remaining credit, however, can only be used to offset other state taxes incurred by the corporations in the consolidated or combined group which actually earned the credit.

Administrative Appeals

Any application for correction of an erroneous assessment pursuant to Code of Virginia § 58.1-1821 that is contingent upon the determination of the weighted average isopach mapping of actual coal thickness will be held without action until a final determination is made in accordance with the DMME isopach mapping section of this bulletin.

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Any § 58.1-1821 application not contingent upon weighted average isopach mapping of actual coal thickness will be acted on by the Department of Taxation.

Record Retention Responsibilities

All information upon which the isopach mapping is based is available for audit by DMME within three years from the last day prescribed by law for the timely filing of the corresponding income tax return. The tonnage and employment factor will be subject to audit by the Department of Taxation within the same time period.

The correction of a mathematical error in the computation or application of the credit may be made by the Department of Taxation within three years of the date a credit is claimed.

Example 5

Company A is a coal mining company which operates four mines in Virginia. Company B is also a coal mining company, and operates two Virginia mines. Both A and B are wholly-owned subsidiaries of Company C. Company C is a holding company which owns several other companies, none of which earned the credit. The affiliated group files a consolidated return for both federal and Virginia purposes on a calendar year basis.

Assume the following facts:

In 1996, Company A sold 100,000 tons of coal which were mined in Virginia from seam thicknesses of 36" or less, and 250,000 tons from seam thicknesses more than 36".

In 1996, Company B sold 210,000 tons of surface mined coal.

Number of coal mining jobs for year ended 12/31/96: Company A = 1,500; Company B = 750

Number of coal mining jobs for year ended 12/31/95: Company A = 1,000; Company B = 1,000

In 1999, the following tax liabilities are incurred:

Virginia consolidated corporate income tax liability	\$ 93,000
Company A's other Virginia imposed taxes (Includes \$2,000 in various penalties)	37,000
Company B's other Virginia imposed taxes	57,500
Company C's other Virginia imposed taxes	29,000
Company C Virginia sales tax	6,250
Company A BPOL tax	2,950
Company B Wise County severance tax	7,211

The consolidated group also has an outstanding corporate income tax assessment from 1998 of \$17,500 in tax, penalty, and interest.

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The consolidated group made no Virginia estimated tax payments, since it was determined that the consolidated Virginia corporate income tax liability would not exceed the credit available. All other taxes were paid.

Computation of the credit earned in the 1996 tax year:

Company A $[(100,000 \times \$2) + (250,000 \times \$1)] \times (1,500/1,000) = \$ 450,000$

Company B $[(210,000 \times \$0.40)] \times (750/1,000) = 63,000$

Total credit = \$ 450,000 + 63,000 = \$ 513,000

Applying the credit in 1999:

1996 Credit earned	\$513,000
% per redemption schedule	50%
Credit available in 1999	256,500
Less: corporate income tax	93,000
Co. A's other Virginia imposed taxes	35,000
Co. B's other Virginia imposed taxes	57,500
Credit unapplied	71,000

Disposition of Unapplied Credit:

90% of unapplied credit redeemed to Taxpayer	63,900
Deposit to Coalfields Authority	<u>7,100</u>
	71,000

Refunds of previously paid other Virginia imposed taxes:

Co. A's other Virginia imposed taxes	35,000
Co. B's other Virginia imposed taxes	<u>57,500</u>
	92,500

Total Refund to Taxpayer:

Redemption of Unapplied Credit	63,900
Refunds of Other Virginia imposed taxes	<u>92,500</u>
	156,400
Less refund match (outstanding assessment)	<u>17,500</u>
	\$138,900

REGULAR OF REGULATIONS
97 FEB 25 AM 10:35

REGISTER OF REGISTRARS

97 FEB 25 AM 10:36



PD 95-240

COMMONWEALTH of VIRGINIA

Department of Taxation

September 22, 1995

Re: Ruling Request: Corporate income taxes

Dear

This will reply to your letter of July 13, 1995, in which you seek clarification of two issues relating to the corporate income tax liability of (the "Taxpayer").

FACTS

The Taxpayer has requested clarification as to the order in which Virginia tax credits may be claimed. The Taxpayer has also requested guidance as to how leased assets should be valued for purposes of the enterprise zone investment tax credits provided by Code of Virginia §§ 59.1-280.1 B and 59.1-280.1 J.

RULING

Virginia income tax credits: The department's historical policy provided for the utilization of tax credits in the order of their enactment. However, in light of the enactment of many new incentives structured as tax credits, the department finds that a more comprehensive policy with respect to credits is necessary. Accordingly, the department's formal policy with respect to tax credits is hereby revised.

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September 22, 1995

Whenever a taxpayer is eligible to claim more than one Virginia income tax credit, the following ordering rules shall apply:

1. Two credits are structural in nature, and are considered by the department to be a reduction in tax liability, rather than a credit against the tax. Accordingly, the credit for taxes paid to other states (Code of Virginia § 58.1-332), and the telecommunications company credit (Code of Virginia § 58.1-434) must be claimed before any other credit. (Because these credits are mutually exclusive no ordering between them is necessary.)
2. After the credit for taxes paid to other states and the telecommunications company credit, taxpayers may claim any credit which does not have a statutory carryforward or refundable feature. (The enterprise zone general tax credit allowed by Code of Virginia § 59.1-280 A is an example of such a credit.) Where there are multiple credits of equal priority (i.e. two or more credits without a carryforward period or refundable feature), taxpayers may claim them in the order in which they receive the maximum benefit.
3. Next, taxpayers may claim credit carryforwards to the taxable year, in the order of those carryforwards which are scheduled to expire first. Where there are multiple credits with carryforwards of equal length (i.e. two or more credit carryforwards that both expire at the same time), taxpayers may claim them in the order in which they receive the maximum benefit.
4. Next, taxpayers may claim current year credits, based on the order of those with the shortest carryforward period first. Where there are multiple credits with carryforwards of equal priority (i.e. two or more credits with equal carryforward periods), taxpayers may claim them in the order in which they receive the maximum benefit.
5. Where a taxpayer has a refundable credit, it shall be claimed after all other credits have been applied, and the net excess of the refundable credit over such remaining tax liability shall be refunded.
6. Where a credit is calculated as, or limited to, a percentage of the tax, (such as the enterprise zone general tax credit allowed by Code of Virginia § 59.1-280 A, or the tax credit for purchase of machinery and equipment for processing recyclable materials allowed by Code of Virginia § 58.1-445.1) the "tax" for this purpose shall be the gross tax, less the structural credits allowed by Code of

GOVERNOR

GOVERNOR'S COMMENTS ON PROPOSED REGULATIONS

BOARD OF PROFESSIONAL COUNSELORS AND MARRIAGE AND FAMILY THERAPISTS

Title of Regulation: 18 VAC 115-50-10 et seq. Regulations Governing the Practice of Marriage and Family Therapy.

Governor's Comment:

I have reviewed this proposed regulation on a preliminary basis. While I reserve the right to take action authorized by the Administrative Process Act during the final adoption period, I have no objection to the proposed regulation based on the information and public comment currently available.

/s/ George Allen

Governor

Date: January 27, 1997

VA.R. Doc. No. R97-315; Filed February 21, 1997, 9:05 a.m.

VIRGINIA WASTE MANAGEMENT BOARD

Title of Regulation: 9 VAC 20-160-10 et seq. Voluntary Remediation Regulations.

Governor's Comment:

I have reviewed this proposed regulation on a preliminary basis. It is mandated by state law. While I reserve the right to take action authorized by the Administrative Process Act during the final adoption period, I have no objection to the proposed regulation based on the information and public comment currently available.

/s/ George Allen

Governor

Date: February 17, 1997

VA.R. Doc. No. R97-313; Filed February 21, 1997, 9:06 a.m.

STATE WATER CONTROL BOARD

Title of Regulation: 9 VAC 25-194-10 et seq. General Virginia Pollutant Discharge Elimination System (VPDES) Permit Regulation for Car Wash Facilities.

Governor's Comment:

I have reviewed this proposed regulation on a preliminary basis. It is needed to implement a federal mandate. While I reserve the right to take action authorized by the Administrative Process Act during the final adoption period, I have no objection to the proposed regulation based on the information and public comment currently available.

/s/ George Allen

Governor

Date: February 17, 1997

VA.R. Doc. No. R97-314; Filed February 21, 1997, 9:05 a.m.

1997 SESSION HIGHLIGHTS



Session Highlights is designed to provide legislators with a list of significant legislation considered by the 1997 General Assembly, as selected by the staff of the Division of Legislative Services. This brief overview of the Session covers Assembly actions through adjournment sine die on Saturday, February 22.

Abortion

Passed

■ **Parental Notification.** Establishes a procedure for notification of a parent of an unemancipated pregnant minor prior to the performance of an abortion.

Failed

■ **Partial Birth Abortion.** Makes the performance of a partial birth abortion punishable as a Class 1 misdemeanor if a woman's life or health is not at risk.

■ **Informed Consent.** Requires providing a woman with information concerning her pregnancy, birth and child care generally; alternatives to abortion; support laws; and available assistance.

Campaigns/Elections

Passed

■ **Lobbyist's Disclosure Statement and Reporting.** Requires more detailed information on entertainment event expenses (Schedule A) and other gifts (Schedule B). Lobbyists must send each official named on Schedule A or B a copy of the schedule or summary of the reported information twice each year.

■ **Conflict of Interest and Disclosure.** Requires disclosure of gifts with a value greater than \$100, rather than \$200. The bill also requires more detailed information concerning compensation in certain cases.

■ **Electronic Filing of Lobbyist and Campaign Reports.** Provides for an electronic database for information filed by lobbyists and by campaign committees for candidates for the General Assembly, Governor, Lieutenant Governor, and Attorney General. The bill provides for approval of standards for electronic filings by January 1, 1998. Electronic filing is an option and not mandated. Beginning in 1999, the Secretary and State Board would create disclosure databases available to the public.

■ **Campaign Fundraising Activities.** Prohibits the solicitation or acceptance of campaign contributions by members of the General Assembly, and the Governor, Lieutenant Governor, and Attorney General, during the annual regular session, with certain exceptions.

Failed

■ **Virginia Clean Election Act and Fund.** Establishes an alternative, publicly financed, campaign financing option for candidates for Governor, Lieutenant Governor, Attorney General and the General Assembly. A candidate may volunteer to participate and be certified for public funds after a qualifying process. A participating candidate may not accept or spend private contributions and must abide by the campaign contribution and spending restrictions set out in the act. The bill is based on the Maine Clean Election Act.

■ **Voter Identification at the Polls.** Requires all voters to show identification at the polls. A voter may sign a statement that he is who he claims to be in lieu of presenting any identification and he will be allowed to vote.

■ **Registration by Political Party.** Adds party affiliation to the information that an applicant is asked to provide when registering to vote. Party primaries would be open to party registrants or to registrants and independents.

■ **Political Party Names on Ballots.** Provides for identification on the ballot of candidates by the name of their political party. Present law prohibits party identification on the ballot except in presidential elections.

Constitutional Amendments

Passed

Several measures passed and must be approved by the 1998 General Assembly and by the voters before they become part of the Constitution. They concern the Judicial Inquiry and Review Commission, overseas voters, and tax and finance matters.

Failed

- **Parental Rights.**
- **Modifications to the Literary Fund.**
- **General Assembly Term Limits.**
- **Initiative and Referendum Powers.**
- **Governor Allowed to Succeed Himself.**
- **Election of Judges.**
- **Prohibition on New Forms of Gambling.**

Courts

Passed

■ **Proceedings of the Judicial Inquiry and Review Commission.** Requires the commission to annually publish a report detailing its activities for the prior year.

■ **Legislative Immunity from Arrest.** Clarifies the several code provisions stating the privilege from arrest for legislators and others. Restates the law in modern terms to prevent any misunderstanding on the limits of the privilege that allows the arrest of any such person for any crime at any time.

■ **Guardians and Conservators.** Revises provisions governing appointment of guardians for the person and managers of the property of persons found by the court to be incapable of providing for their own essential needs or supporting themselves or their dependents.

Crime and Punishment

Passed

■ **Regional Criminal Justice Training Academy.** Increases the funding of the regional criminal justice training academies. A fee of one dollar is added to costs on each felony and misdemeanor conviction and to the processing costs of each misdemeanor and traffic case to support the increase.

■ **Sex Offender Registry.** Expands access to the registry to allow those individuals seeking child-minding or day-care services to perform an employment or volunteer check on a specific person with that person's permission. Unauthorized dissemination of the information is a Class 1 misdemeanor.

■ **Assisted Suicide.** Authorizes the Attorney General to bring an action to recover a civil penalty against any person who intentionally or knowingly assists another to commit or attempt to commit suicide. Other bills provided varying criminal penalties.

■ **Murder of a Pregnant Woman.** Adds the willful, deliberate, and premeditated killing of a pregnant woman by one who knows she is pregnant to the list of capital murder offenses.

■ **Tobacco to Minors; ABC Enforcement.** Clarifies that ABC special agents are authorized to enforce the prohibition against the sale of tobacco to minors and increases the civil penalty to \$100 for first, \$200 for second, and \$500 for a third or subsequent violation.

■ **Church Burning.** Adds occupied church or church property to the list of dwellings, buildings or facilities that if maliciously burned falls within the crime of arson of dwelling, punishable by 5 years to life.

■ **"Date Rape Drug."** Increases the penalties for violation of the Drug Control Act involving flunitrazepam, known as the "date rape drug."

❖ Failed

■ **Arson.** Creates a new Class 5 felony for committing arson which causes bodily injury to any occupant, fire fighter or law-enforcement officer, even if there was no specific intent to cause bodily injury.

Economic Development

❖ Passed

■ **Virginia Export Loan Guaranty Fund.** Creates the fund, to be administered and managed by the Virginia Small Business Financing Authority (VSBFA), which will permit VSBFA to guarantee up to 90 percent of the principal of commercial loans (maximum of \$1 million) made by a lender for the purpose of facilitating the sale of goods, products or services outside the U.S. by persons, firms or corporations which use a Virginia air, land or sea port for shipping.

■ **Semiconductor Performance Grants.** Provides incentive grants to Motorola-Siemens plant in Henrico County. The grants can be awarded beginning five years after the commencement of wafer manufacture.

Education

❖ Passed

■ **Civil Immunity for Teachers.** Codifies a Virginia Supreme Court decision by granting immunity from civil damages to public school teachers when acting in good faith within their scope of employment while supervising, caring for, or maintaining discipline of students, unless the acts or omissions were the result of gross negligence or willful misconduct.

■ **Attending Public Schools Free of Charge.** Adds school-age persons living with a parent, guardian, or person in charge of the child in a temporary shelter to the list of persons for whom attendance in the public schools is free.

■ **Remediation Programs.** Requires students who do not pass the literacy tests to participate in summer school or other remediation, including a procedure for early identification of

students who are at-risk of failure.

■ **Disciplinary Actions by Teachers.** Provides that teachers have the initial authority to remove disruptive students from their classes under certain circumstances.

■ **Information Regarding Prosecution.** Requires school boards to provide information, developed by the Attorney General, to students regarding the prosecution of juveniles as adults for the commission of certain crimes.

■ **Remedial Summer School Programs.** Requires the Board of Education to establish standards for remedial summer school, including an assessment component to evaluate program effectiveness, and, by July 1, 1998, standards for full funding of those programs that meet board standards.

■ **Nonemergency Health Services in Schools.** Prohibits disciplinary actions, placing on probation or dismissal if a licensed instructional employee refuses to perform nonemergency health services for students.

■ **School Safety Audits.** Requires annual school safety audits of each public school. School boards may establish committees representing parents, teachers, administrators, law-enforcement, judicial and public safety officials, and the community at large.

■ **Average Daily Membership.** Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction and who are enrolled in public school on a less than full-time basis in any mathematics, science, English, history, or social science course required by the Standards of Learning, shall be counted in the average daily membership (ADM) in the school division on a pro rata basis as provided in the appropriation act.

■ **Revisions to SOA.** Provides that no revisions to the Standards of Accreditation for public schools shall be implemented prior to July 1, 1998.

■ **Sprinklers in College Dormitories.** Requires all buildings, regardless of when constructed, which are more than 75 feet or more than six stories high and are used as dormitories by any public or private institution of higher education to install sprinkler systems by September 1, 1999.

❖ Failed

■ **Charter Schools.** Authorizes the establishment of charter schools in Virginia. After a local school board adopts a resolution stating its intention to receive applications for the establishment of charter schools, individuals or organizations may initiate the charter application process by submitting a charter agreement to the local school board.

■ **Standards of Accreditation.** Places the requirements of the presently effective standards of accreditation (SOAs) for public schools in Virginia into law. The SOAs are, at this time, Board of Education regulations.

■ **SCHEV.** Reconstitutes the membership and appointment authority for the State Council of Higher Education for Virginia. The current 11-member Council is dissolved and is replaced by a council consisting of six gubernatorial and five legislative appointees.

■ **Application for Funds and Grants.** Designates the Board of Education as the "state educational agency" for purposes of applying for and accepting federal education funds and

grants, except as may be otherwise provided by law, and grants the board the power to apply for and accept such federal funds. Consistent with federal law, the board is authorized to approve applications for federal funds by local school boards without gubernatorial approval.

Gambling

❖ Passed

■ **Colonial Downs Licenses.** Extends from July 1, 1997, to September 1, 1997, the date by which live horse racing at Colonial Downs must occur before the right to operate the two existing satellite facilities is cut off.

■ **Charitable Gaming.** Includes the use of Charitable Gaming Commission-approved electronic bingo devices in bingo games and makes other changes and clarifications in commission operations and regulations.

Guns

❖ Passed

■ **Concealed Weapons; Fingerprinting.** Requires a complete set of fingerprints to be included with the application for a concealed weapons permit and clarifies that the background check conducted by the State Police is to include a national criminal records check.

■ **Concealed Handgun Permit.** Increases the period of license validity from two years to five years and codifies the prescribed form for a concealed handgun permit application.

Health

❖ Passed

■ **Commonwealth Neurotrauma Initiative.** Establishes the Commonwealth Neurotrauma Initiative to support research, education, and treatment relating to traumatic spinal cord or brain injuries resulting in loss of physical and cognitive functions.

■ **Continued Competence Requirements.** Authorizes the Board of Medicine to prescribe by regulation such requirements to ensure continued practitioner competence.

■ **Anatomical Gifts.** Permits a declarant, in his Advance Medical Directive, to (i) make an anatomical gift of all or any part of his body and (ii) appoint an agent who, before or after the declarant's death, may make an anatomical gift of all or any part of the declarant's body.

■ **Bone Marrow Transplants.** Requires the Virginia Medicaid program to pay for high-dose chemotherapy and bone marrow transplants for individuals over the age of 21 who have been diagnosed with lymphoma or breast cancer and have a performance status sufficient to proceed with treatments.

■ **Voluntary Formulary.** Prohibits the substitution or interchange of any narrow therapeutic index drug (pharmaceuticals that exhibit narrow ranges between benefit and risk) without the documented consent of the patient's prescriber, as required by Board of Pharmacy regulations.

■ **Health Care Records.** Establishes comprehensive provisions regarding the disclosure of patient records by health care providers.

■ **Virginia Children's Medical Security Insurance Plan.** Requires the Department of Medical Assistance Services to develop a pro-

posal to expand eligibility for individuals, up to age 18, when such individuals are in families with incomes at 200 percent of poverty or less and are uninsured and underinsured.

■ **Commonwealth Health Research Fund.** Establishes a special nonreverting fund, managed by the VRS, to be used to provide financial assistance for research efforts to maximize human health benefits for the citizens of Virginia. The fund consists of the proceeds of the Commonwealth's policyholder shares issued pursuant to the conversion of Trigon Blue Cross Blue Shield from a mutual insurer to a stock corporation.

■ **Disposition of Assets by Nonprofit Health Care Entities.** Requires any nonprofit entity (tax-exempt hospitals, HMOs, or health service plans) to provide the Attorney General with written notice of its intent to dispose of assets at least 60 days before such action so that the AG may exercise his common law and statutory authority over the transaction.

❖ Failed

■ **Marijuana as Medicine.** Eliminates the ability of medical professionals to prescribe marijuana for medicinal purposes.

■ **Anti-Drug Switching.** Creates the Virginia Anti-Drug Switching Patient Protection Act, which prohibits the practice of soliciting or encouraging, after a physician with a bona fide physician/patient relationship issues a prescription for a drug, the substitution of that drug by a chemically dissimilar drug for the purpose of rebate, kick-back, or other such remuneration.

Insurance

❖ Passed

■ **Health Insurance Portability and Accountability Act.** Amends provisions of the Commonwealth's health insurance laws to comply with federal requirements contained in the 1996 Health Insurance Portability and Accountability Act, known as the Kennedy-Kassebaum bill.

■ **Prescription Contraceptives.** Requires insurers providing prescription drug benefits to provide coverage for any drug approved by the United States Food and Drug Administration for use as a contraceptive.

❖ Failed

■ **Insurance Fraud.** Creates the crime of insurance fraud, punishable as larceny, for acts involving property and casualty insurance transactions. The Department of State Police will develop and maintain an Insurance Fraud Investigation Unit within the Bureau of Criminal Investigation to investigate fraud involving insurance transactions.

Local Government

❖ Passed

■ **Recodification of Title 15.1: Counties, Cities and Towns.** Recodifies Title 15.1 as Title 15.2 pursuant to SJR 2 (1994), which directs the Virginia Code Commission to study Title 15.1 of the Code of Virginia and to report its findings to the General Assembly in the form of a recodification. The primary purpose of the Title 15.1 recodification is to reorganize and simplify the existing statutes.

■ **City Council Salaries.** Provides that no increase in the salary of a city council member shall take effect until July 1 after the next regularly scheduled general election of council members.

■ **Zoning Violations.** Provides that if a zoning violation is uncorrected at the time of conviction, the court shall order the abatement of the violation within a specified time. Failure to do so will constitute a separate offense for each succeeding 30-day period.

Natural Resources

❖ Passed

■ **Virginia Water Quality Improvement Act of 1997.** Creates a statewide program to address point and nonpoint sources of water pollution through cooperative technical and financial assistance programs. A special fund is established to be administered by the Directors of the Departments of Conservation and Recreation (nonpoint source) and Environmental Quality (point source) and funded, unless otherwise provided for in the general appropriation act, by ten percent of any general fund annual surplus and ten percent of any unreserved general fund balance not required to be reappropriated.

■ **Water Quality Monitoring, Information and Restoration Act.** Establishes monitoring and information requirements (including reports required by the federal Clean Water Act) to be implemented by the State Water Control Board to provide a basis for (i) an accurate and comprehensive assessment of state water quality; (ii) identification of water quality trends; (iii) developing initiatives and programs to address water quality concerns; and (iv) other water quality enhancement and information activities.

■ **Environmental Restoration Sites.** Declares that environmental restoration sites shall have a separate classification for local property tax purposes so that the locality may exempt or partially exempt such property. An environmental restoration site is defined as real estate which contains or did contain environmental contamination from the releases of hazardous substances, hazardous wastes, solid wastes or petroleum and is the subject of a voluntary remediation program or a certificate of satisfactory completion.

■ **Supplemental Environmental Projects.** Clarifies the authority of the state's air, water and waste boards, the director of DEQ and courts to provide for the undertaking of supplemental environmental projects through orders. A supplemental environmental project is an environmentally beneficial project undertaken as partial settlement of a civil enforcement action that is not otherwise required by law.

■ **Toxics Reduction.** Requires the DEQ to continue to publish its toxic release inventory report and disseminate it to the media. The Water Control Board is directed to conduct an assessment of the amounts of toxics in Virginia's waters, develop and implement a plan to reduce them, and report its progress.

■ **Small Business Environmental Compliance Assistance Fund.** Establishes the fund used to lend money to small businesses to purchase and install environmental pollution control and prevention equipment.

■ **Open-space Lands Preservation Trust Fund.** Creates the fund, to be used by the Virginia Outdoors Foundation for grants to persons conveying conservation easements for costs associated with such conveyances, such as legal and appraisal costs or all or part of the value of the easements.

■ **Water Quality Laboratory Certification.** Requires the Division of Consolidated Laboratories to develop a certification program for laboratories conducting tests used to support Virginia's air, water and waste laws.

■ **Sanitary Landfill Applications.** Requires that before an application for a new solid waste sanitary landfill or transfer station permit is complete, the applicant must supply certain information regarding the solicitation of public comment.

■ **Water Permit Fees.** Requires the DEQ, by January 1, 1998, to include in its biennial report to the committees of jurisdiction, an analysis of the direct and indirect costs of Virginia's water program and an estimate of the costs to the regulated community if it were to assume 50, 75, and 100 percent of the costs of the water program.

❖ Failed

■ **Interbasin Transfer of Sewage.** Prohibits the State Water Control Board from issuing any permit for the discharge of sewage to the Rappahannock River if the source is outside the Rappahannock Basin unless certain standards are met.

■ **Abandoned Waste Site Remediation Foundation.** Establishes the foundation to administer the remediation of abandoned waste sites.

Public Utilities

❖ Passed

■ **Rights-of-Way.** Stipulates that franchise, permit, and inspection fees charged telecommunications companies by localities and the Commonwealth Transportation Board for the use of public rights-of-way or easements may not exceed those in effect on February 1, 1997. The bill is subject to an emergency clause and a July 1, 1998, sunset clause.

Real Estate

❖ Passed

■ **Consumer Real Estate Settlement Protection Act.** Requires persons engaged in conducting real estate settlements as settlement agents to be licensed as attorneys, title insurance companies, title insurance agents, or real estate brokers. Also requires settlement agents to register with the Virginia State Bar and to comply with Bar guidelines concerning the unauthorized practice of law.

■ **Real Estate Board.** Provides that persons licensed by the Board may prepare written contracts for the sale, purchase, option, exchange, or rental of real estate, notwithstanding any rule of court to the contrary, provided preparation of the contract is incidental to a transaction involving the licensee and licensee does not charge a separate fee.

State Government

Passed

■ **Contraceptives for State Employees.** Requires the state employees' health benefit plan to include coverage for prescription drugs and devices approved by the U.S. Food and Drug Administration for use as contraceptives.

■ **Family and Medical Leave Act (FMLA).** Permits a state employee, at his option, to substitute (i) up to 50 percent of his accrued paid sick leave, (ii) up to 100 percent of any other paid leave, or (iii) any combination of (i) and (ii) for leave taken pursuant to the FMLA, which permits employees to take up to 12 work weeks of unpaid leave in a 12-month period for family or medical reasons.

■ **State Employee Payroll System.** Repeals the provisions of the 1996-98 Budget Bill that established the "lag pay" plan in the state employee payroll system. The bill contains an emergency clause and is effective retroactive to January 1, 1997.

■ **Joint Commission on Technology and Science.** Creates the joint commission as a permanent legislative agency, comprised of members of the General Assembly, to study all aspects of technology and science and endeavor to stimulate, encourage, promote, and assist in the development of technology and science in the Commonwealth.

Taxation

Passed

■ **Motorboat Tax.** Reduces the tax rate paid on the sale of a motorboat by including motorboats under the definition of watercraft. Currently, sales of motorboats fall under the state sales tax rate of 4.5 percent. This bill proposes that motorboats be taxed under the watercraft sales and use tax rate of two percent. The revenue generated will be deposited in the game protection fund to be used for specific boating-related purposes.

■ **Personal Property Tax.** Moves business tangible personal property and business computer equipment from the general classifications for tangible personal property to other classifications for valuation purposes. This change allows the localities to establish a lower rate, if desired, for these classes of property.

■ **Baseball Stadiums.** Expands tax revenue entitlements to include personal income, franchise, business, professional and occupational licensing, and corporate taxes collected on transactions, salaries and wages of stadium and team operations. The localities may levy an admissions surcharge to be used to reimburse the localities for the expenses they incur in connection with such stadiums.

■ **Hampton Roads Sports Facility Authority.** Makes numerous changes to facilitate the attraction and operation of a National Hockey League franchise, including expanding tax revenue entitlements to include personal income, franchise, business, professional and occupational licensing, and corporate taxes collected on transactions, salaries and wages of stadium and team operations.

■ **Worker Retraining Tax Credit.** Provides a tax credit against the corporate income tax in an amount equal to 30 percent of the expenditures made by the taxpayer for noncredit courses that promote economic development and worker retraining at Virginia's community colleges.

Transportation

Passed

■ **Motor Carriers.** Provides for permanent trailer and tractor truck registrations; exempts all vehicles with manufacturer's gross vehicle weight ratings of 26,001 pounds or more from the motor vehicle sales and use tax; clarifies requirements on safety inspections of motor carrier vehicles; increases certain fees associated with motor carriers and motor carrier vehicles; revises taxation of rental vehicles.

■ **Seat Belts for Children.** Allows the primary enforcement of the law requiring drivers to ensure that children at least 4 but less than 16 years of age are provided and properly secured with seat belts. A violation shall not constitute negligence per se in any civil action.

■ **Handicapped Parking.** Revises statutes relating to disabled parking in conformance with the recommendations made by the joint subcommittee studying the enforcement and abuse of handicapped parking laws.

Failed

■ **Tent Sales.** Repeals the Motor Vehicle Dealer Board's authority to issue temporary supplemental sales licenses to dealers selling new or used motor vehicles.

Unemployment Compensation

Passed

■ **Qualifying Wages and Weekly Benefit Amount.** Reduces, by \$250 a year over a three-year period, the current base period earnings of \$3,250 required to qualify for unemployment compensation benefits. Additionally, the bill increases the maximum weekly benefits, currently \$224, by \$2 each year over the next four years. The bill also modifies the unemployment compensation trust fund adequacy formula for the purpose of reducing employer tax rates over a six-year period.

Welfare/Social Services

Passed

■ **Virginia Temporary Assistance to Needy Families (TANF).** Creates a TANF program funded by a federal block grant to provide time-limited cash assistance for needy families. The bill ends Virginia's participation in the open-ended federal Aid to Families with Dependent Children program and meets the requirements of federal welfare reform legislation.

■ **Child Support Enforcement.** Authorizes administrative paternity establishment; allows DSS greater access to financial and other information on putative fathers and support obli-

gors; allows recreational license suspension for failure to pay support; and facilitates interstate and intrastate procedures for wage withholding. These changes were mandated by the federal welfare reform legislation.

■ **Child Care.** Provides that licensed child day centers shall employ staff personnel according to specific ratios of staff members to children and specific educational requirements. Certain exemptions are specified.

■ **Community Services Boards.** Requires all community services boards to have representation by consumers and family members of consumers of at least two members or fifteen percent of the total membership of such board, whichever is greater.

■ **Neighborhood Assistance Act.** Reduces the tax credit from 50 percent to 45 percent of the value of donations made by business firms to neighborhood organizations for approved programs. The minimum tax credit is increased from \$50 to \$400.

Failed

■ **Public Assistance.** Provides that anyone who is (i) enrolled full-time in, and is expected to complete within 12 months and (ii) making satisfactory progress toward completion of, a job training, secondary or post-secondary educational program designed to result in self-sufficiency is exempt from the work requirement and two-year time limit on the receipt of aid to families with dependent children.

Workers' Compensation

Passed

■ **Hearing Loss and Carpal Tunnel Syndrome.** Defines hearing loss and the condition of carpal tunnel syndrome as ordinarily diseases of life for the purpose of determining their compensability under the workers' compensation act. Ordinary diseases of life are compensable if a claimant establishes by clear and convincing evidence that the disease arose out of and in the course of employment and did not result from causes outside the employment.

Other

Passed

■ **Virginia Human Rights Act.** Adds pregnancy, childbirth or related medical conditions as classes protected from unlawful discrimination. The bill also provides that it is declarative of existing law and is based on a recent Virginia Supreme Court case (*Bailey v. Lee-Gallagher*).

■ **Gender.** Defines terminology used throughout the Code relating to sex discrimination to include discrimination based upon pregnancy, childbirth or related medical conditions. The bill codifies the Virginia Supreme Court's decision in *Bailey v. Lee-Gallagher*.

■ **Same-Sex Marriages.** Declares that Virginia (which already prohibits same sex marriages) also does not recognize same sex marriages entered into in other states or jurisdictions.

GENERAL NOTICES/ERRATA

Symbol Key

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

DEPARTMENT OF CRIMINAL JUSTICE SERVICES

Notice of Application for Grant Funds Pre-release and Post-incarceration Services (PAPIS)

The Department of Criminal Justice Services is accepting applications for grant funds for pre-release and post-incarceration services for adult offenders. These services provide training and counseling which prepare adult offenders for reintegration into society after release from state prisons or local jails. The deadline for application is 3 p.m., Friday, April 4, 1997. Program guides and applications may be obtained by contacting Carol-Lee Raimo, Program Analyst, Department of Criminal Justice Services, telephone (804) 786-9652, FAX (804) 786-9656, or e-mail craino.dcjs@state.va.us. Any public or private nonprofit transition services provider is invited to make application.

GOVERNOR'S EMPLOYMENT AND TRAINING DEPARTMENT

Job Training Partnership Act

The Department of Labor Appropriations Act for 1997 authorizes the U. S. Secretary of Labor to grant statutory and regulatory waivers of Job Training Partnership Act (JTPA) provisions for the year beginning July 1, 1997. The Governor's Employment and Training Department (GETD) intends to submit a proposal during the month of April 1997 to the U. S. Department of Labor seeking waiver of certain JTPA requirements. Notification as to the availability of the draft proposal will be advertised in this publication and other sources. Questions should be directed to William Carlson, Ph.D., GETD, Director of Program Operations, telephone (804) 786-2270.

STATE WATER CONTROL BOARD

† Enforcement Action Proposed Consent Special Order Town Of Luray

The State Water Control Board proposes to take an enforcement action against the Town of Luray. The town has agreed to the terms of a Consent Special Order to address violations of the State Water Control Law and regulations at its wastewater treatment facility and a violation arising out of a sewer line blockage and the resulting unpermitted discharge of wastewater to an unnamed tributary of Hawksbill Creek. The Town of Luray undertook corrective action to correct the unpermitted discharge and violations at the treatment facility. Under the terms of the order, the town agrees to continue its work to control the nutrient balance at

the treatment facility, to issue a pretreatment permit to an industrial user of the facility, and to take action to identify and correct major sources of inflow and infiltration into the town's wastewater treatment system. The order further specifies effluent limitations and monitoring requirements.

Finally, the order provides for payment of a civil charge in voluntary settlement of these violations. The civil charge shall be suspended contingent upon the Town of Luray maintaining substantial compliance with this order and its VPDES permit until December 31, 1998.

The board will receive written comments relating to the proposed Consent Special Order until April 16, 1997. Comments should be addressed to Elizabeth V. Scott, Department of Environmental Quality, Post Office Box 1129, 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.

Enforcement Action Proposed Consent Special Order Town of Narrows Town of Pembroke Town of Rich Creek

Proposed Amendment to Consent Special Order Town of Pearisburg Roanoke Regional Water Pollution Control Plant

The State Water Control Board and the Department of Environmental Quality propose to issue Consent Special Orders to:

1. The Town of Narrows for its sewage treatment plant in Giles County. The order will require submission and implementation of a sludge management plan and the revocation of the joint Giles County Virginia Pollution Abatement (VPA) permit for sludge management.
2. The Town of Pembroke for its sewage treatment plant in Giles County. The order will require submission and implementation of a sludge management plan. Pembroke was not a party to the Giles County VPA permit for sludge management.
3. The Town of Rich Creek for its sewage treatment plant in Giles County. The order will require submission and implementation of a sludge management plan and the revocation of the joint Giles County Virginia Pollution Abatement (VPA) permit for sludge management. The order will not affect the existing consent decree under which a new plant has already been built; the decree will be vacated when the plant completes 12 months of substantial compliance.

The State Water Control Board and the Department of Environmental Quality propose to amend Consent Special Orders for:

1. The Town of Pearisburg for its sewage treatment plant in Giles County. The amendment will require submission and implementation of a sludge management plan and the revocation of the joint Giles County Virginia Pollution Abatement (VPA) permit for sludge management. The amendment will also cancel as completed the inflow and infiltration requirements of the existing order.

2. The Roanoke Regional Water Pollution Control Plant in the City of Roanoke, serving Roanoke, Salem, Vinton, Botetourt County, and Roanoke County. The amendment will require the upgrade and expansion of the plant on a three-year construction schedule. Requirements in the existing order to continue inflow and infiltration corrective work on sewers will continue. The amendment will resolve the Significant Noncompliance status that resulted from violations of total Kjeldahl nitrogen average effluent limits in the second quarter of 1996.

On behalf of the State Water Control Board, the Department of Environmental Quality will receive written comments relating to the proposed actions until April 2, 1997. Comments should be addressed to James F. Smith, West Central Regional Office, Department of Environmental Quality, 3019 Peters Creek Road, N.W., Roanoke, VA 24019, or FAX 540-562-6725, and should refer to Narrows, Pearisburg, Pembroke, Rich Creek, or Roanoke.

The proposed orders and amendments may be examined at the Department of Environmental Quality, Office of Enforcement and Compliance Auditing, 629 East Main Street, P.O. Box 10009, Richmond, VA 23240-0009 or at the Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, N.W., Roanoke, VA 24019. Copies of the orders and amendments may be obtained in person or by mail from these offices.

† Enforcement Action Proposed Consent Special Order Westvaco Corporation, Westvaco Covington Mill

The State Water Control Board and the Department of Environmental Quality propose to issue a Consent Special Order to the Westvaco Corporation for its Covington Mill. The order will require Westvaco to perform extensive technology substitution involving wastewater treatment improvements and pollution prevention projects in lieu of completing the heat reduction project required in VPDES Permit No. VA0003646 issued June 6, 1994.

On behalf of the State Water Control Board, the Department of Environmental Quality will receive written comments relating to the proposed action until April 16, 1997. Comments should be addressed to James F. Smith, West Central Regional Office, Department of Environmental Quality, 3019 Peters Creek Road, N.W., Roanoke, VA 24019, or FAX 540-562-6725, and should refer to Westvaco.

The proposed order may be examined at the Department of Environmental Quality, Office of Enforcement, 629 East Main Street, P.O. Box 10009, Richmond, VA 23240-0009 or at the Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, N.W., Roanoke, VA 24019. Copies of the orders and amendments may be obtained in person or by mail from these offices.

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 on Dates for Publication in *The Virginia Register of Regulations*

All agencies are required to use the appropriate forms when furnishing material and dates for publication in *The Virginia Register of Regulations*. The forms are supplied by the office of the Registrar of Regulations. If you do not have any forms or you need additional forms, please contact: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

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

CALENDAR OF EVENTS

Symbol Key

- † Indicates entries since last publication of the *Virginia Register*
♿ Location accessible to handicapped
☎ Telecommunications Device for Deaf (TDD)/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) 786-6530.

VIRGINIA CODE COMMISSION

EXECUTIVE

BOARD FOR ACCOUNTANCY

† April 16, 1997 - 9 a.m. -- Open Meeting
April 22, 1997 - 8 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. This is a work session for the Regulatory Review Committee which consists of three members. No other business will be discussed. All meetings are subject to cancellation. The time of the meeting is subject to change. Call the board 24 hours prior to the meeting. No public comment period will be held. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board 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, Board for Accountancy, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TDD ☎

April 21, 1997 - 10 a.m. -- Open Meeting
April 22, 1997 - 8 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, committee reports, disciplinary cases, and other matters requiring board action. A public comment period will be held at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board 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, Board for Accountancy, 3600 W. Broad St., Richmond, VA 23230-

4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TDD ☎

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Virginia Dark-Fired Tobacco Board

March 20, 1997 - 10 a.m. -- Open Meeting
Sheldon's Restaurant, Highway 15 North, Routes 15 and 360
(Business), Keysville, Virginia.♿

A meeting to consider funding proposals for research, promotion, and education projects pertaining to Virginia dark-fired tobacco, and other business that may come before the board. 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 accommodations in order to participate at the meeting should contact D. Stanley Duffer at least five days before the meeting date so that suitable arrangements can be made.

Contact: D. Stanley Duffer, Secretary, Virginia Dark-Fired Tobacco Board, P.O. Box 129, Halifax, VA 24558, telephone (804) 572-4568 or FAX (804) 572-8234.

Virginia Horse Industry Board

† April 15, 1997 - 10 a.m. -- Open Meeting
Virginia Cooperative Extension--Charlottesville/Albemarle Unit, 168 Spotnap Road, Lower Level Meeting Room, Charlottesville, Virginia.♿

A meeting to review grant proposals for the current fiscal year and to discuss the status of marketing plans and projects. 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 accommodations in order to participate at the meeting should contact Andrea S. Heid at least five days before the meeting date so that suitable arrangements can be made.

Contact: Andrea S. Heid, Equine Marketing Specialist, Department of Agriculture and Consumer Services, 1100 Bank St., Room 906, Richmond, VA 23219, telephone (804) 786-5842 or FAX (804) 371-7788.

Virginia Winegrowers Advisory Board

April 9, 1997 - 10 a.m. -- Open Meeting
 Department of Agriculture and Consumer Services, Washington Building, 1100 Bank Street, 2nd Floor, Board Room, Virginia. ☎

The annual meeting of the board to conduct regular board business including committee reports, and to hear budget requests from individuals seeking grants for the 97-98 funding year. The board will entertain public comment after the grant proposals have been given and before the board votes on the proposal. Any person who needs any accommodations in order to participate at the meeting should contact Mary E. Davis-Barton at least 10 days before the meeting date so that suitable arrangements can be made.

Contact: Mary E. Davis-Barton, Secretary, Virginia Winegrowers Advisory Board, Department of Agriculture and Consumer Services, 1100 Bank St., Room 1010, Richmond, VA 23219, telephone (804) 786-0481.

STATE AIR POLLUTION CONTROL BOARD

April 4, 1997 -- Written comments may be submitted until 4:30 p.m. on 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 adopt regulations entitled: **9 VAC 5-500-10 et seq. Exclusionary General Permit for Federal Operating Permit Program.** The proposed general permit provides a legally enforceable mechanism for major sources subject to the federal operating permit program (Article 1 of 9 VAC 5 Chapter 80) to be excluded from the program provided they maintain their actual annual emissions at a level that is 75% of the major source, potential to emit applicability thresholds for the federal operating permit program. The regulation does not require any owner to apply for coverage under the general permit but provides the opportunity for an owner to apply for coverage if the stationary source meets the 75% of the threshold criteria and all other requirements of the regulation.

Request for Comments: The purpose of this notice is to provide the public with the opportunity to comment on the proposed general permit.

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 and any other supporting documents may be examined by the public at the department's Office of Air Program 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.

Southwest Regional Office
 Department of Environmental Quality
 355 Deadmore Street
 Abingdon, Virginia
 Ph: (540) 676-4800

West Central Regional Office
 Department of Environmental Quality
 3019 Peters Creek Road
 Roanoke, Virginia
 Ph: (540) 562-6700

Lynchburg Satellite Office
 Department of Environmental Quality
 7705 Timberlake Road
 Lynchburg, Virginia
 Ph: (804) 582-5120

Valley Regional Office
 Department of Environmental Quality
 4411 Early Road
 Harrisonburg, Virginia
 Ph: (540) 574-7800

Fredericksburg Satellite Office
 Department of Environmental Quality
 300 Central Road, Suite B
 Fredericksburg, Virginia
 Ph: (540) 899-4600

Northern Regional Office
 Department of Environmental Quality
 13901 Crown Court
 Woodbridge, Virginia
 Ph: (703) 583-3800

Piedmont Regional Office
 Department of Environmental Quality
 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.

Contact: Robert A. Mann, Director, Office of Air Program Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4419, FAX (804) 698-4510, toll-free 1-800-592-5492, or (804) 698-4021/TDD ☎

ALCOHOLIC BEVERAGE CONTROL BOARD

March 17, 1997 - 9:30 a.m. -- Open Meeting
March 31, 1997 - 9:30 a.m. -- Open Meeting
 Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. ☎

Calendar of Events

A meeting to receive and discuss reports from and activities of staff members.

Contact: W. Curtis Coleburn, Secretary to the Board, Department of Alcoholic Beverage Control, 2901 Hermitage Rd., P.O. Box 27491, Richmond, VA 23261, telephone (804) 367-0712 or FAX (804) 367-1802.

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND LANDSCAPE ARCHITECTS

March 21, 1997 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ☎

A meeting to conduct board business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least 10 days prior to the meeting so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8514 or (804) 367-9753/TDD ☎

Board for Land Surveyors

† **March 17, 1997 - 9 a.m. -- Closed Meeting**
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 2, Richmond, Virginia. ☎

A meeting to compile the Virginia Land Surveyor B examination. This exam workshop is not open to the public due to the confidential nature of the examination.

Contact: George O. Bridewell, Examination Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8572 or (804) 367-9753/TDD ☎

VIRGINIA BOARD FOR ASBESTOS LICENSING AND LEAD CERTIFICATION

May 6, 1997 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Conference Room 2, Richmond, Virginia. ☎

A meeting to (i) conduct routine business, (ii) receive a committee report recommending regulation revisions, and (iii) consider proposing amendments to the Lead-based Paint Activities Regulations. The board will also hear a report from Department of Professional and Occupational staff concerning the comment received on the Virginia Asbestos Licensing Program Regulations in response to a Notice of Intended Regulatory Action published in the Virginia Register on February 3, 1997. A public comment period will be held at the beginning of the meeting. Persons desiring to participate in the

meeting and requiring special accommodations or interpreter services should contact the board at least 10 days prior to the meeting so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

Contact: David E. Dick, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8595 or (804) 367-9753/TDD ☎

BOARD FOR BARBERS

April 14, 1997 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ☎

A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least two weeks prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8509, FAX (804) 367-2475 or (804) 367-9753/TDD ☎

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

† **March 27, 1997 - 10 a.m. -- Open Meeting**
Rappahannock Community College, 52 Campus Drive, Auditorium, Warsaw, Virginia. ☎ (Interpreter for the deaf provided upon request)

A meeting to conduct general business, including review of local Chesapeake Bay Preservation Area programs. Public comment will be taken early in the meeting.

Contact: Carolyn J. Elliott, Executive Secretary, Chesapeake Bay Local Assistance Department, 805 E. Broad St., Suite 701, Richmond, VA 23219, telephone (804) 225-3440, FAX (804) 225-3447 or toll-free 1-800-243-7229/TDD ☎

STATE CHILD FATALITY REVIEW TEAM

† **March 26, 1997 - 10 a.m. -- Open Meeting**
State Corporation Commission, Tyler Building, 1300 East Main Street, 3rd Floor Conference Room, Richmond, Virginia. ☎

A meeting to (i) discuss the status of ongoing studies; (ii) review data collection and analysis issues; and (iii) update the team on any new legislative or administrative matters. The second part of this meeting will be closed for specific case discussion.

Contact: Suzanne J. Keller, Coordinator, 9 N. 14th St., Richmond, VA 23219, telephone (804) 786-1048, FAX (804) 371-8595, or toll-free 1-800-447-1706.

STATE BOARD FOR COMMUNITY COLLEGES

March 19, 1997 - 1 p.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, 15th Floor,
Richmond, Virginia. ☎ (Interpreter for the deaf provided upon
request)

State board committee meetings.

Contact: Dr. Joy S. Graham, Assistant Chancellor; Public
Affairs, State Board for Community Colleges, James Monroe
Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219,
telephone (804) 225-2126, FAX (804) 371-0085, or (804)
371-8504/TDD ☎

March 20, 1997 - 8:30 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, 15th Floor,
Richmond, Virginia. ☎ (Interpreter for the deaf provided upon
request)

A regularly scheduled board meeting.

Contact: Dr. Joy S. Graham, Assistant Chancellor, Public
Affairs, State Board for Community Colleges, James Monroe
Bldg., 101 N. 14th St., 15th Floor, Richmond, VA 23219,
telephone (804) 225-2126, FAX (804) 371-0085, or (804)
371-8504/TDD ☎

COMPENSATION BOARD

March 27, 1997 - 11 a.m. -- Open Meeting

April 24, 1997 - 11 a.m. -- Open Meeting
Ninth Street Office Building, 202 North Ninth Street, 9th Floor,
Room 913/913A, Richmond, Virginia. ☎ (Interpreter for the
deaf provided upon request)

A routine business meeting.

Contact: Bruce W. Haynes, Executive Secretary, P.O. Box
710, Richmond, VA 23218-0710, telephone (804) 786-0786,
FAX (804) 371-0235, or (804) 786-0786/TDD ☎

COMMONWEALTH COMPETITION COUNCIL

† **March 27, 1997 - 1 p.m.** -- Open Meeting
General Assembly Building, 910 Capitol Square, Richmond,
Virginia. ☎ (Interpreter for the deaf provided upon request)

A regular meeting of the council.

Contact: Peggy Robertson, Staff Coordinator,
Commonwealth Competition Council, James Monroe Bldg.,
101 N. 14th St., 5th Floor, P.O. Box 1475, Richmond, VA
23218-1475, telephone (804) 786-0240 or FAX (804) 786-
1594.

**DEPARTMENT OF CONSERVATION AND
RECREATION****Catoctin Creek Scenic River Advisory Board**

† **March 17, 1997 - 4 p.m.** -- Open Meeting
The Waterford Foundation, The Corner Store, 2nd and Main
Streets, Waterford, Virginia.

A meeting to discuss river issues.

Contact: Richard G. Gibbons, Environmental Program
Manager, Department of Conservation and Recreation,
Division of Planning and Recreation Resources, 203
Governor St., Suite 326, Richmond, VA 23219, telephone
(804) 786-4132, FAX (804) 371-7899, or (804) 786-
2121/TDD ☎

Historic Lower James Scenic River Advisory Board

† **March 25, 1997 - 7 p.m.** -- Open Meeting
Human Services Building, 5249-C Olde Towne Road,
Williamsburg, Virginia.

A meeting to discuss river issues.

Contact: Richard G. Gibbons, Environmental Program
Manager, Department of Conservation and Recreation,
Division of Planning and Recreation Resources, 203
Governor St., Suite 326, Richmond, VA 23219, telephone
(804) 786-4132, FAX (804) 371-7899, or (804) 786-
2121/TDD ☎

Falls of the James Scenic River Advisory Board

April 3, 1997 - Noon -- Open Meeting
May 1, 1997 - Noon -- Open Meeting
City Hall, 900 East Broad Street, 5th Floor, Planning
Commission Conference Room, Richmond, Virginia.

A meeting to review river issues and programs.

Contact: Richard G. Gibbons, Environmental Program
Manager, Department of Conservation and Recreation,
Division of Planning and Recreation Resources, 203
Governor St., Suite 326, Richmond, VA 23219, telephone
(804) 786-4132, FAX (804) 371-7899, or (804) 786-
2121/TDD ☎

Goose Creek Scenic River Advisory Board

March 24, 1997 - 1:30 p.m. -- Open Meeting
County Administration Building, Lobby Level, Lovettsville
Room, Leesburg, Virginia.

A meeting to discuss river issues.

Contact: Richard G. Gibbons, Environmental Program
Manager, Department of Conservation and Recreation,
Division of Planning and Recreation Resources, 203
Governor St., Suite 326, Richmond, VA 23219, telephone

Calendar of Events

(804) 786-4132, FAX (804) 371-7899, or (804) 786-2121/TDD

Virginia State Parks Foundation

April 3, 1997 - 10 a.m. -- Open Meeting
Department of Conservation and Recreation, 203 Governor Street, Suite 302, Richmond, Virginia.

A business meeting and election of officers of the Board of Directors.

Contact: Leon E. App, Agency Regulatory Coordinator, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-4570 or FAX (804) 786-6141.

BOARD FOR CONTRACTORS

Disciplinary Committee

† April 1, 1997 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A meeting to review board member reports and summaries from informal fact-finding conferences held pursuant to the Administrative Process Act, and to review consent order offers in lieu of further disciplinary proceedings. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least two weeks prior to the meeting so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

Contact: Michelle N. Couch, Legal Assistant, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8524.

Recovery Fund Committee

March 18, 1997 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

A meeting to consider claims against the Virginia Contractor Transaction Recovery Fund. This meeting will be open to the public; however, a portion of the discussion may be conducted in executive session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact Holly Erickson at least two weeks prior to the meeting so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

Contact: Holly Erickson, Assistant Administrator, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8561.

BOARD OF CORRECTIONAL EDUCATION

March 21, 1997 - 10 a.m. -- Open Meeting
Department of Correctional Education, James Monroe Building, 101 North 14th Street, 7th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A monthly meeting to discuss general business.

Contact: Patty Ennis, Board Clerk, Department of Correctional Education, James Monroe Bldg., 101 N. 14th St., 7th Floor, Richmond, VA 23219, telephone (804) 225-3314, FAX (804) 225-3255, or (804) 371-8467/TDD

BOARD OF CORRECTIONS

March 19, 1997 - 10 a.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia.

A meeting to discuss matters which may be presented to the board.

Contact: Barbara Fellows, Secretary to the Board, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3235 or FAX (804) 674-3130.

Administration Committee

March 19, 1997 - 8:30 a.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia.

A meeting to discuss administrative matters which may be presented to the full board.

Contact: Barbara Fellows, Secretary to the Board, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3235 or FAX (804) 674-3130.

Correctional Services Committee

March 18, 1997 - 9:30 a.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia.

A meeting to discuss correctional services matters which may be presented to the full board.

Contact: Barbara Fellows, Secretary to the Board, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3235 or FAX (804) 674-3130.

Liaison Committee

March 20, 1997 - 9:30 a.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, Board Room, Richmond, Virginia.

A meeting to discuss criminal justice matters.

Contact: Barbara Fellows, Secretary to the Board, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3235 or FAX (804) 674-3130.

BOARD FOR COSMETOLOGY

April 7, 1997 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia ☎

A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact Karen W. O'Neal. The department fully complies with the Americans with Disabilities Act. Please notify the department of your request at least two weeks in advance.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8509, FAX (804) 367-2475 or (804) 367-9753/TDD ☎

CRIMINAL JUSTICE SERVICES BOARD

March 25, 1997 - 11 a.m. -- Open Meeting
General Assembly Building, 910 Capitol Square, House Room D, Richmond, Virginia ☎

A meeting to consider matters related to the board's responsibilities for criminal justice training and improvement of the criminal justice system. Public comments will be heard before adjournment of the meeting.

Contact: Sherri Stader, Assistant to the Director, Department of Criminal Justice Services, 805 E. Broad St., 10th Floor, Richmond, VA 23219, telephone (804) 786-8718 or FAX (804) 786-0588.

Committee on Training

March 25, 1997 - 9 a.m. -- Open Meeting
General Assembly Building, 910 Capitol Square, House Room D, Richmond, Virginia ☎

A meeting to discuss matters related to training for criminal justice personnel.

Contact: Sherri Stader, Assistant to the Director, Department of Criminal Justice Services, 805 E. Broad St., 10th Floor, Richmond, VA 23219, telephone (804) 786-8718 or FAX (804) 786-0588.

DEPARTMENT OF EDUCATION (STATE BOARD OF)

† **March 25, 1997 - 7 p.m.** -- Public Hearing
Patrick County High School, Route 5, Stuart, Virginia.

† **March 26, 1997 - 7 p.m.** -- Public Hearing
West Point High School, 2700 Mattaponi Avenue, West Point, Virginia.

† **April 1, 1997 - 7 p.m.** -- Public Hearing
Rural Retreat High School, Rural Retreat, Virginia.

† **April 8, 1997 - 7 p.m.** -- Public Hearing
Robert E. Lee High School, 1200 North Coalter Street, Staunton, Virginia.

† **April 9, 1997 - 7 p.m.** -- Public Hearing
Landstown Middle School, 2204 Recreation Drive, Virginia Beach, Virginia.

† **April 15, 1997 - 7 p.m.** -- Public Hearing
Highland Springs High School, 15 South Oak Avenue, Highland Springs, Virginia.

† **April 16, 1997 - 7 p.m.** -- Public Hearing
Loudoun County High School, 340 North Maple Avenue, Leesburg, Virginia.

† **May 17, 1997** -- 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 repeal regulations entitled: **8 VAC 20-130-10 et seq. Regulations Establishing Standards for Accrediting Public Schools in Virginia** and adopt regulations entitled: **8 VAC 20-131-10 et seq. Regulations Establishing Standards for Accrediting Public Schools in Virginia**. The proposed regulations establish standards for accreditation of public schools to ensure an effective educational program is maintained in Virginia's public schools. Registration for those wishing to speak at a public hearing begins at 6:30 p.m. Speakers are requested to limit their remarks to three minutes each. In the event of a large number of persons signing up to speak, the hearing chairman may request that the time limit for each speaker be shortened to less than three minutes. A written copy of remarks is requested, but not required.

Statutory Authority: §§ 22.1-16, 22.1-19 and 22.1-353.13:3 of the Code of Virginia.

Contact: Charles W. Finley, Policy Analyst, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2092, toll-free 1-800-292-3820, or e-mail cfinley@pen.k12.va.us

† **March 27, 1997 - 9 a.m.** -- Open Meeting
General Assembly Building, 910 Capitol Square, Senate Room B, Richmond, Virginia.

The Board of Education and the Board of Vocational Education will hold a regularly scheduled meeting. Business will be conducted according to items listed on the agenda. The agenda is available upon request.

Contact: James E. Laws, Jr., Administrative Assistant for Board Relations, Department of Education, P.O. Box 2120, Richmond, VA 23218-2120, telephone (804) 225-2540 or toll-free 1-800-292-3820.

DEPARTMENT OF ENVIRONMENTAL QUALITY

March 20, 1997 - 7 p.m. -- Public Hearing
Parks and Recreation Building, 301 Grove Street, Auditorium, Lynchburg, Virginia.

Calendar of Events

A public hearing to receive comments on the proposed issuance of a permit for the storage and treatment of hazardous waste at the Griffin Pipe Products Company facility in Lynchburg.

Contact: Douglas Brown, Department of Environmental Quality, Office of Permitting Management, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4182.

† **March 25, 1997 - 10 a.m.** -- Open Meeting
Department of Environmental Quality, 629 East Main Street, 1st Floor Training Room, Richmond, Virginia.

A meeting to explain the ranking system for the FY97 Virginia Coastal Resources Management Program grant proposals.

Contact: Laura McKay, Coastal Resources Management Program Manager, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4323, FAX (804) 698-4319, or (804) 698-4021/TDD ☎

† **March 25, 1997 - 7 p.m.** -- Public Hearing
County Administration Building, 302 North Main Street, Supervisors Meeting Room, Culpeper, Virginia.

A public hearing to receive comments on the proposed Laurel Valley Center Sanitary Landfill in Culpeper County. The facility permit allows the facility to accept only authorized, nonhazardous solid waste, and primarily serves as the solid waste disposal site for the County of Culpeper and all towns located in Culpeper County.

Contact: Donald Brunson, Department of Environmental Quality, Waste Operations, Office of Permitting Management, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4239.

State Air Pollution Control Board, State Water Control Board, and Virginia Waste Management Board

† **March 25, 1997 - 3 p.m.** -- Open Meeting
Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, Virginia.

The boards will tour a local facility in the afternoon and convene a special meeting at 3 p.m. to discuss the Department of Environmental Quality's strategic plan. At 6:30 p.m. the boards will convene a public forum to receive comments from the public on environmental issues.

Contact: Cindy Berndt, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4378.

Virginia Ground Water Protection Steering Committee

† **March 18, 1997 - 9 a.m.** -- Open Meeting
State Corporation Commission, Tyler Building, 1300 East Main Street, 8th Floor Conference Room, Richmond, Virginia. ☎

A meeting concerning ground water protection issues. All interested persons are welcome to attend. Meeting minutes and agenda are available from Mary Ann Massie.

Contact: Mary Ann Massie, Environmental Program Planner, Department of Environmental Quality, P. O. Box 10009, Richmond, VA 23240-0009, telephone (804) 698-4042 or FAX (804) 698-4032.

BOARD OF FORESTRY

Reforestation of Timberlands Board

March 19, 1997 - 10 a.m. -- Open Meeting
Virginia Department of Forestry, 2229 East Nine Mile Road, Sandston, Virginia. ☎

A meeting to receive an update on the disposition of the Department of Forestry tree nurseries, current year reforestation of timberlands accomplishments, status of forest products tax issues and tracking of reforestation of timberlands projects on lands subject to the Seed Tree Law.

Contact: Phil T. Grimm, Staff Forester, Virginia Department of Forestry, P.O. Box 3758, Charlottesville, VA 22903, telephone (804) 977-6555 or FAX (804) 296-2369.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

† **March 26, 1997 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, Richmond, Virginia. ☎

A general board meeting. Public comments will be received for 15 minutes at the beginning of the meeting.

Contact: Elizabeth Young Tisdale, Executive Director, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9907, FAX (804) 662-9943, or (804) 662-7197/TDD ☎

BOARD OF GAME AND INLAND FISHERIES

March 20, 1997 - 9 a.m. -- Public Hearing
March 21, 1997 - 8 a.m. -- Public Hearing
Comfort Inn, 3200 West Broad Street, Richmond, Virginia. ☎
(Interpreter for the deaf provided upon request)

The board is proposing changes in regulations for game, nonreptilian terrestrial and avian nongame wildlife, hunting and trapping. This is the regular biennial review for these regulations. The regulations subject to review and for which amendments may be proposed are listed in the General Notices section of this publication. General and administrative issues may be discussed by the board. The board may hold an executive session beginning at 9 a.m. on March 20, 1997. If the board

completes its entire agenda on March 20, it may not convene on March 21.

Contact: Phil Smith, Policy Analyst, Department of Game and Inland Fisheries, 4010 West Broad St., Richmond, VA 23230, telephone (804) 367-8341 or FAX (804) 367-2427.

May 5, 1997 - Time to be announced -- Open Meeting
May 6, 1997 - Time to be announced -- Open Meeting
Richmond area; location to be announced.

The board will consider for final adoption wildlife regulations to be effective from July 1997 through June 1999. Under board procedures, regulatory actions occur over two sequential board meetings. At the May 5-6, 1997 meeting, the board will determine whether the amendments to regulations for game, nonreptilian terrestrial and avian nongame wildlife, hunting and trapping, including the length of seasons, bag limits and methods of take for game, which were proposed at its March 20-21, 1997, board meeting, will be adopted as final regulations. The board will solicit comments from the public during the public hearing portion of the board meeting; the board's procedure is to solicit public comment on the first day of the board meeting (Monday, May 5, 1997), at which time any interested citizen present shall be heard. The board reserves the right to adopt final amendments which may be more liberal than, or more stringent than the regulations currently in effect, or the regulation amendments proposed at the March 20-21, 1997, board meeting, as necessary for the proper management of wildlife resources.

Additional information on this review of regulations, including a list of the specific regulations subject to review and additional details on opportunities for public involvement is available in a separate announcement submitted under General Notices.

General and administrative issues may be discussed by the board at the May 5-6 meeting. The board may hold an executive session before the public session begins on May 5. If the board completes its entire agenda on May 5, it may not convene on May 6, the second of the scheduled two days of the meeting.

Contact: Phil Smith, Policy Analyst, Department of Game and Inland Fisheries, 4010 West Broad St., Richmond, VA 23230, telephone (804) 367-8341 or FAX (804) 367-2427.

DEPARTMENT OF GENERAL SERVICES

Design/Build Construction Management Review Board

March 21, 1997 - 10 a.m. -- Open Meeting
April 18, 1997 - 10 a.m. -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

May 16, 1997 - 10 a.m. -- Open Meeting
Department of General Services, 805 East Broad Street, Room 116, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the board to continue development of guidelines/procedures and review any requests which may have been submitted. The board meets the third Friday of each month.

Contact: Nathan I. Broocke, Director, Division of Engineering and Buildings, Department of General Services, 805 E. Broad St., Room 101, Richmond, VA 23219, telephone (804) 786-3263 or (804) 786-6152/TDD

GEORGE MASON UNIVERSITY

Board of Visitors

March 26, 1997 - 4:30 p.m. -- Open Meeting
George Mason University, Mason Hall, Room D23, Fairfax, Virginia.

A meeting to hear reports of the standing committees, and to act on those recommendations presented by the standing committees. An agenda will be available seven days prior to the board meeting for those individuals or organizations who request it.

Contact: Ann Wingblade, Administrative Assistant, or Carole Richardson, Administrative Staff Assistant, Office of the President, George Mason University, Fairfax, VA 22030-4444, telephone (703) 993-8701 or FAX (703) 993-8707.

DEPARTMENT OF HEALTH (STATE BOARD OF)

Biosolids Use Information Committee

March 20, 1997 - 1 p.m. -- Open Meeting
UVA Richmond Center, 7740 Shrader Road, Suite E, Richmond, Virginia.

A meeting rescheduled from February 27 to begin immediately following the Biosolids Use Regulations Advisory Committee to discuss specific concerns relating to the land application and agricultural use of biosolids including issues related to the final Biosolids Use Regulations.

Contact: C. M. Sawyer, Director, Division of Wastewater Engineering, Department of Health, Office of Water Programs, P.O. Box 2448, Richmond, VA 23218, telephone (804) 786-1755 or FAX (804) 786-5567.

Biosolids Use Regulations Advisory Committee

March 20, 1997 - 9 a.m. -- Open Meeting
UVA Richmond Center, 7740 Shrader Road, Suite E, Richmond, Virginia.

Calendar of Events

A meeting rescheduled from February 27 to discuss issues concerning the implementation of and proposed revisions to the Biosolids Use Regulations involving land application, distribution, or marketing of biosolids.

Contact: C. M. Sawyer, Director, Division of Wastewater Engineering, Department of Health, Office of Water Programs, P.O. Box 2448, Richmond, VA 23218, telephone (804) 786-1755 or FAX (804) 371-2891.

Virginia HIV Community Planning Committee

† **March 21, 1997 - 8:30 a.m.** -- Open Meeting
Richmond Airport Hilton, 5501 Eubank Road, Sandston, Virginia. (Interpreter for the deaf provided upon request)

A meeting to continue the HIV/AIDS community planning process for Virginia.

Contact: Elaine G. Martin, Coordinator, STD/AIDS Education, Information and Training, Department of Health, Bureau of STD/AIDS, P.O. Box 2448, Room 112, Richmond, VA 23218, telephone (804) 786-0877 or toll-free 1-800-533-4148.

Commissioner's Waterworks Advisory Committee

† **March 20, 1997 - 10 a.m.** -- Open Meeting
Roanoke County Drinking Water Treatment Plant, 6200 West Main Street, Salem, Virginia.

A general business meeting of the committee. The committee meets on the third Thursday of odd months at various locations around the state. Meeting locations and dates will be announced.

Contact: Thomas B. Gray, P.E., Special Projects Manager, Division of Water Supply Engineering, Department of Health, 1500 E. Main St., Room 109, Richmond, VA 23219, telephone (804) 786-1087 or FAX (804) 786-5567.

DEPARTMENT OF HEALTH PROFESSIONS (BOARD OF)

Administration and Budget Committee

† **March 27, 1997 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting of the committee to review agency budget proposals. Public comment will be received at the beginning of the meeting.

Contact: Carol Stamey, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9910 or (804) 662-7197/TDD

DEPARTMENT OF HISTORIC RESOURCES

State Review Board and Board of Historic Resources

March 19, 1997 - 10 a.m. -- Open Meeting
Old Petersburg Courthouse, One Courthouse Avenue, Petersburg, Virginia.

A meeting to (i) accept easement donations, (ii) approve historical highway marker texts, (iii) list properties on the Virginia Landmarks Register and recommend properties for listing on the National Register of Historic Places, and (iv) remove destroyed properties from the Virginia Landmarks Register.

The Board of Historic Resources will consider listing the following properties, which are already National Historic Landmarks or already listed on the National Register, on the Virginia Landmarks Register:

1. President Gerald R. Ford, Jr., House, City of Alexandria
2. Green Spring, James City County
3. Lightship No. 101, City of Portsmouth
4. James Monroe Tomb, Hollywood Cemetery, City of Richmond
5. Pocahontas Mine No. 1, Tazewell County

The State Review Board will consider recommending the following properties for listing on the National Register of Historic Places and the Board of Historic Resources will consider listing them on the Virginia Landmarks Register:

1. Green Falls, Caroline County
2. Hite Store, Amherst County
3. Robert Russa Moton School, Prince Edward County
4. Brook Hall, Washington County
5. Clapman's Ferry, Loudoun County
6. Claughton-Wright House, Northumberland County
7. Finney-Lee House, Franklin County
8. R. T. Greer & Company, Smyth County
9. Konnaroch School, Smith County
10. Dr. John Miller-Masury House, City of Virginia Beach
11. Natural Bridge, Rockbridge County
12. Old Presbyterian Meeting House, City of Alexandria
13. Poplar Hall, City of Norfolk
14. Red Fox Inn, Loudoun County
15. Isaac Spittler Homeplace, Page County
16. Williamsburg Inn, City of Williamsburg

The Board of Historic Resources will consider removing the following destroyed properties from the Virginia Landmarks Register:

1. Athlone, Amherst County
2. Bentfield, Brunswick County
3. Bladensfield, Richmond County
4. Bowers House, City of Petersburg
5. Botetourt Courthouse, Botetourt County
6. Bridge over the North Fork of the Roanoke River, Montgomery County
7. Caserta, Northampton County
8. Christ Church, City of Norfolk

9. Crawford House Hotel, City of Portsmouth
10. Exeter, Loudoun County
11. First Baptist Church, City of Roanoke
12. Fort Rhodes, Page County
13. Harrison-Hancock Building, Montgomery County
14. Nathaniel Burwell Harvey House, Pulaski County
15. Hayes Hall, City of Lynchburg
16. Manchester Cotton & Wool Manufacturing Co., City of Richmond
17. Rich Montgomery White Sulphur Springs Cottage, Montgomery County
18. The Morrison House, City of Harrisonburg
19. Moss Tobacco Factory, Mecklenburg County
20. Oak Hill, Pittsylvania County
21. Preston House (Palmer House) Smyth County
22. Richmond (Kingsland), Chesterfield County
23. Roseland Manor, City of Hampton
24. Springwood Truss Bridge, Botetourt County
25. Whitehurst House, City of Virginia Beach

Contact: M. Catherine Slusser, Director, Resource Information Division, Department of Historic Resources, 221 Governor St., Richmond, VA 23219, telephone (804) 225-3556, FAX (804) 225-4261, or (804) 786-1934/TDD ☎

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

March 24, 1997 - 10 a.m. -- Open Meeting
Department of Housing and Community Development, The Jackson Center, 501 North 2nd Street, First Floor Board Room, Richmond, Virginia. ☎

A regular monthly business meeting. Public comment will be received.

Contact: Stephen W. Calhoun, CPA, Manager, Department of Housing and Community Development, The Jackson Center, 501 N. 2nd St., Richmond, VA 23219, telephone (804) 371-7015, FAX (804) 371-7092, or (804) 371-7089/TDD ☎

State Building Code Technical Review Board

† March 21, 1997 - 10 a.m. -- Open Meeting
The Jackson Center, 501 North 2nd Street, 1st Floor Conference Room, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

The board hears administrative appeals concerning building and fire codes and other regulations of the department. The board also issues interpretations and formalizes recommendations to the Board of Housing and Community Development concerning future changes to the regulations.

Contact: Vernon W. Hodge, Building Code Supervisor, State Building Code Office, Department of Housing and Community Development, 501 N. 2nd St., Richmond, VA 23219-1321, telephone (804) 371-7170 or (804) 371-7089/TDD ☎

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

† March 25, 1997 - 11 a.m. -- Open Meeting
Virginia Housing Development Authority, 601 South Belvidere Street, Richmond, Virginia. ☎

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 it may deem appropriate. Various committees of the Board of Commissioners 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 S. Belvidere Street, Richmond, VA 23220, telephone (804) 782-1986.

STATEWIDE INDEPENDENT LIVING COUNCIL

† March 24, 1997 - 10:30 a.m. -- Open Meeting
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia. ☎ (Interpreter for the deaf provided upon request)

A meeting to conduct regular business. Committee meetings will begin at 9 a.m.

Contact: Jim Rothrock, Statewide Independent Living Council Staff, 1802 Marroit Rd., Richmond, VA 23229, telephone (804) 673-0119, FAX (804) 282-7112, e-mail jarothro@aol.com, toll-free 1-800-552-5019/TDD and Voice.

COUNCIL ON INFORMATION MANAGEMENT

† March 21, 1997 - 10 a.m. -- Open Meeting
Council on Information Management, 1100 Bank Street, Suite 901, Richmond, Virginia. ☎

A regular bimonthly meeting and a meeting to consider adoption of the new Information Resource Management Plan for Virginia.

Contact: Linda Hening, Administrative Assistant, Council on Information Management, 1100 Bank St., Suite 901, Richmond, VA 23219, telephone (804) 225-3622 or (804) 225-3624/TDD ☎

GOVERNOR'S JOB TRAINING COORDINATING COUNCIL

† April 15, 1997 - 10 a.m. -- Open Meeting
Department of Social Services, Theater Row Building, 730 East Broad Street, Lower Level, Rooms 1 and 2, Richmond, Virginia. ☎

A regular business meeting of the council to discuss annual goals and objectives, federal waivers, and other

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issues related to the federal Job Training Partnership Act and Workforce Training.

Contact: Gail Nottingham, Senior Policy Analyst, Governor's Employment and Training Department, 730 E. Broad St., 9th Floor, Richmond, VA 23219, telephone (804) 786-2511, FAX (804) 786-2310, or (804) 786-2315/TDD ☎

DEPARTMENT OF LABOR AND INDUSTRY

Virginia Apprenticeship Council

March 20, 1997 - 10 a.m. -- Open Meeting
State Capitol, Capitol Square, House Room 1, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A quarterly meeting of the council.

Contact: Fred T. Yontz, Program Manager, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 371-0295, FAX (804) 786-9877 or (804) 736-2376/TDD ☎

LIBRARY BOARD

† March 17, 1997 - 10:30 a.m. -- Open Meeting
The Hotel Roanoke and Conference Center, 110 Shenandoah Avenue, Roanoke, Virginia. ☎

A meeting to discuss matters related to The Library of Virginia and the library board.

Contact: Jean H. Taylor, Secretary to the State Librarian, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219, telephone (804) 692-3535.

Archival and Information Services Committee

† March 17, 1997 - Time to be announced -- Open Meeting
The Hotel Roanoke and Conference Center, 110 Shenandoah Avenue, Roanoke, Virginia. ☎

A meeting to discuss matters related to archival and information services of The Library of Virginia.

Contact: Jean H. Taylor, Secretary to the State Librarian, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219, telephone (804) 692-3535.

Automation and Networking Committee

† March 17, 1997 - Time to be announced -- Open Meeting
The Hotel Roanoke and Conference Center, 110 Shenandoah Avenue, Roanoke, Virginia. ☎

A meeting to discuss matters dealing with automation and networking and The Library of Virginia.

Contact: Jean H. Taylor, Secretary to the State Librarian, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219, telephone (804) 692-3535.

Publications and Educational Services Committee

† March 17, 1997 - Time to be announced -- Open Meeting
The Hotel Roanoke and Conference Center, 110 Shenandoah Avenue, Roanoke, Virginia. ☎

A meeting to discuss the publications and educational programs scheduled for The Library of Virginia.

Contact: Jean H. Taylor, Secretary to the State Librarian, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219, telephone (804) 692-3535.

Records Management Committee

† March 17, 1997 - Time to be announced -- Open Meeting
The Hotel Roanoke and Conference Center, 110 Shenandoah Avenue, Roanoke, Virginia. ☎

A meeting to discuss matters related to records management and The Library of Virginia.

Contact: Jean H. Taylor, Secretary to the State Librarian, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219, telephone (804) 692-3535.

MARINE RESOURCES COMMISSION

March 25, 1997 - 9:30 a.m. -- Open Meeting
Marine Resources Commission, 2600 Washington Avenue, Newport News, Virginia. ☎ (Interpreter for the deaf provided upon request)

The commission will hear and decide marine environmental matters at 9:30 a.m.; permit applications for projects in wetlands, bottom lands, coastal primary sand dunes and beaches; appeals of local wetland board decisions; policy and regulatory issues. The commission will hear and decide fishery management items at approximately noon. Items to be heard are as follows: regulatory proposals, fishery management plans; fishery conservation issues; licensing; 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. The commission is empowered to promulgate regulations in the areas of marine environmental management and marine fishery management.

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/TDD ☎

MATERNAL AND CHILD HEALTH COUNCIL

School Health Subcommittee

March 18, 1997 - 10 a.m. -- Open Meeting
American Cancer Society, 4240 Park Place Court, Glen Allen, Virginia.

A meeting to focus on improving the health of the Commonwealth's children and adolescents by promoting and improving programs and service delivery systems related to school health programs.

Contact: Nancy Ford, School Health Nurse Consultant, Department of Health, Division of Child and Adolescent Health, 1500 E. Main St., Suite 137, Richmond, VA 23219, telephone (804) 786-7367.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (BOARD OF)

March 18, 1997 - 10 a.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Richmond, Virginia.

A meeting of the board to discuss medical assistance services policy and to take action on issues pertinent to the board.

Contact: Cynthia A. Klisz, Board Liaison, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8099 or FAX (804) 371-4981.

Virginia Medicaid Drug Utilization Review Board

† May 15, 1997 - 2 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia.

A meeting to conduct routine business including the amendment of bylaws.

Contact: Marianne R. Rollings, Registered Pharmacist, Pharmacy Services Unit, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8057 or FAX (804) 786-0414.

Virginia Medicaid Pharmacy Liaison Committee

† March 24, 1997 - 1 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia.

A meeting to conduct routine business.

Contact: Marianne R. Rollings, Registered Pharmacist, Pharmacy Services Unit, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8057 or FAX (804) 786-0414.

Virginia Medicaid Prior Authorization Advisory Committee

† May 15, 1997 - 1 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, Suite 1300, Board Room, Richmond, Virginia.

A meeting to conduct routine business including the adoption of bylaws.

Contact: Marianne R. Rollings, Registered Pharmacist, Pharmacy Services Unit, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8057 or FAX (804) 786-0414.

BOARD OF MEDICINE

April 11, 1997 - 8 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.

May 2, 1997 -- 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 Board of Medicine intends to repeal regulations entitled: **18 VAC 85-30-10 et seq. Regulations for Practice of Physical Therapy**, and adopt regulations entitled: **18 VAC 85-31-10 et seq. Regulations for Practice of Physical Therapy**. Since revisions recommended as a result of the Executive Order 15(94) review were extensive, 18 VAC 85-30-10 et seq. is being repealed and replaced by new regulations which establish the criteria for licensure, a process for applicants to follow, requirements for renewal and fees, and practice standards appropriate to the type of licensure and statutory mandates for these professions. Regulations are clarified and simplified and the application fee has been reduced.

Statutory Authority: §§ 54.1-2400 and 54.1-2943 of the Code of Virginia.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

April 11, 1997 - 8 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia.

May 2, 1997 -- 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 Board of Medicine intends to amend regulations entitled: **18 VAC 85-50-10 et seq. Regulations for Practice of Physicians' Assistants**. The purpose of the proposed amendments is to clarify and simplify regulations; to reduce the burdensome requirements of reporting recordkeeping of invasive

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procedures; and to reduce the application and renewal fee for physicians' assistants who work in more than one setting.

Statutory Authority: §§ 54.1-2400 and 54.1-2949 through 54.1-2953 of the Code of Virginia.

Contact: Warren W. Koontz, M.D., Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9908 or FAX (804) 662-9943.

Informal Conference Committee

† March 20, 1997 - 9 a.m. -- Open Meeting
WyteStone Suites, 4615 Southpoint Parkway,
Fredericksburg, Virginia.

March 21, 1997 - 9 a.m. -- Open Meeting
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg,
Virginia.

† April 8, 1997 - 9 a.m. -- Open Meeting
Sheraton Inn, 2801 Plank Road, Fredericksburg, Virginia.

† April 16, 1997 - 9 a.m. -- Open Meeting
Roanoke Airport Marriott, 2801 Hershberger Road, N.W.,
Roanoke, Virginia.

The Informal Conference Committee, composed of three members of the board, will 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 A 7 and A 15 of the Code of Virginia. Public comment will not be received.

Contact: Karen W. Perrine, Deputy Executive Director, Board of Medicine, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-7693, FAX (804) 662-9943 or (804) 662-7197/TDD ☎

STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD

March 18, 1997 - Time to be announced -- Open Meeting

March 19, 1997 - Time to be announced -- Open Meeting

Martha Washington Inn, Abingdon, Virginia. ☎ (Interpreter for the deaf provided upon request)

A regular meeting to discuss business and promulgate policy and regulations. The agenda will include a public comment period at the beginning of the meeting on March 19. The agenda will be available one week in advance of the meeting.

Contact: Marline Butler, State Board Secretary, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23214, telephone (804) 786-7945 or FAX (804) 371-0092.

DEPARTMENT OF MINES, MINERALS AND ENERGY

Board of Coal Mining Examiners

April 8, 1997 - 10 a.m. -- Public Hearing
Department of Mines, Minerals and Energy, Buchanan-Smith Building, Big Stone Gap, Virginia.

May 2, 1997 -- 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 Board of Coal Mining Examiners intends to amend regulations entitled: **4 VAC 25-20-10 et seq. Board of Coal Mining Examiners Certification Requirements.** The Board of Coal Mining Examiners is promulgating amendments to its certification requirements to ensure that miners are certified to perform specialized tasks required to mine coal. The amendments incorporate new requirements under the Mine Safety Act, revise and clarify requirements for individual certifications, and add several certifications needed by industry.

Statutory Authority: §§ 45.1-161.28, 45.1-161.29, 45.1-161.34 and 45.1-161.35 of the Code of Virginia.

Contact: Frank Linkous, Chair, Board of Coal Mining Examiners, Buchanan-Smith Bldg., Big Stone Gap, VA, telephone (540) 523-8100, FAX (540) 523-8239, or 1-800-828-1120 (VA Relay Center).

Coal Surface Mining Reclamation Fund Advisory Board

April 23, 1997 - 10 a.m. -- Open Meeting
Department of Mines, Minerals and Energy, Buchanan-Smith Building, Route 23, Big Stone Gap, Virginia. ☎ (Interpreter for the deaf provided upon request)

A meeting to review and discuss the current status and administration of the reclamation fund.

Contact: Danny R. Brown, Division Director, Division of Mined Land Reclamation, P.O. Drawer 900, Big Stone Gap, VA 24219, telephone (540) 523-8152, FAX (540) 523-8163 or toll-free 1-800-828-1120 (VA Relay Center).

Virginia Gas and Oil Board

April 15, 1997 - 9 a.m. -- Public Hearing
Southwest Virginia 4 H Center, Hillman Highway, Abingdon, Virginia.

May 2, 1997 -- 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 Virginia Gas and Oil Board intends to amend regulations entitled: **4 VAC 25-160-10 et seq. Virginia Gas and Oil Board Regulations.** The purpose of the proposed amendments is to enhance the conservation and use of the Commonwealth's gas and

oil resources and protect the correlative rights of gas and oil resource owners.

Statutory Authority: § 45.1-361.15 of the Code of Virginia.

Contact: B. Thomas Fulmer, Division Director, Department of Mines, Minerals and Energy, P.O. Box 1416, Abingdon, VA 24212, telephone (540) 676-5423, FAX (540) 676-5459, or 1-800-828-1120 (VA Relay Center).

DEPARTMENT OF MOTOR VEHICLES

† **May 19, 1997** -- 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 Department of Motor Vehicles intends to repeal regulations entitled: **24 VAC 20-20-10 et seq. Privacy Protection Act Rules and Regulations.** The purpose of the proposed action is to repeal the existing regulation, which was originally promulgated in 1977 and last amended in 1984. Changes adopted by the 1994 Session of the General Assembly to §§ 46.2-204 through 46.2-210 have made these regulations obsolete. The Department of Motor Vehicles does not intend to hold a public hearing on the proposed repeal of these regulations. The purpose of this notice is to solicit input and comments from the public and any other interested parties. The Department of Motor Vehicles encourages you to share this information with others you feel may have an interest in this action. Any industry or professional association or other group receiving this notice is requested to publish this information in newsletters or journals or use any other means available to them to disseminate this notice to their memberships.

Statutory Authority: §§ 46.2-203 and 46.2-208 of the Code of Virginia.

Public comments may be submitted until May 19, 1997, to Marc Copeland, Legislative Analyst, Department of Motor Vehicles, Room 724, P. O. Box 34712, Richmond, Virginia 23269-0001.

Contact: Karen Chappell, Administrator, Motorist Record Services, Department of Motor Vehicles, Room 311, P.O. Box 24712, Richmond, VA 23269-0001, telephone (804) 367-0146, FAX (804) 367-6631, or toll-free 1-800-272-9268/TDD ☎

† **May 19, 1997** -- 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 Department of Motor Vehicles intends to repeal regulations entitled: **24 VAC 20-130-10 et seq. International Registration Plan Virginia Rules and Regulations.** The purpose of the proposed action is to repeal the regulation. This regulation was first published in 1975 when Virginia and 13 other jurisdictions were members of the International

Registration Plan (Plan). The regulation was used by Virginia primarily as a tool to educate the motor carrier industry to the workings of the plan. Today, there are 49 jurisdictions that are members of the International Registration Plan. The plan has been changed many times in the intervening years, making the regulation published in 1975 obsolete. The current plan, along with various other related national policies and procedures, provides the necessary guidance to the member jurisdictions and the motor carrier industry alike. The agency does not intend to hold a public hearing on the proposed regulation after publication. The purpose of this notice is to solicit input and comments from the public and any other interested parties. The Department of Motor Vehicles encourages you to share this information with others you feel may have an interest in this action. Any industry or professional association or other group receiving this notice is requested to publish this information in newsletters or journals or use any other means available to them to disseminate this notice to their memberships.

Statutory Authority: §§ 46.2-203 and 46.2-703 of the Code of Virginia.

Public comments may be submitted until May 19, 1997, to Marc Copeland, Legislative Analyst, Department of Motor Vehicles, Room 724, P. O. Box 34712, Richmond, Virginia 23269-0001.

Contact: Jerry Fern, Manager, IRP and Tax Licensing, Department of Motor Vehicles, Room 607, P.O. Box 24712, Richmond, VA 23269-0001, telephone (804) 367-8487, FAX (804) 367-6631, or toll-free 1-800-272-9268/TDD ☎

† **May 19, 1997** -- 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 Department of Motor Vehicles intends to repeal regulations entitled: **24 VAC 20-30-10 et seq. Virginia Driver Improvement Rules and Regulations.** The purpose of the proposed action is to repeal the existing regulation, which was originally promulgated in 1975 and last amended in 1978. As such, the regulation has no substantive relationship to either the current statute or program. The Department of Motor Vehicles does not intend to hold a public hearing on the proposed repeal of these regulations. The purpose of this notice is to solicit input and comments from the public and any other interested parties. The Department of Motor Vehicles encourages you to share this information with others you feel may have an interest in this action. Any industry or professional association or other group receiving this notice is requested to publish this information in newsletters or journals or use any other means available to them to disseminate this notice to their memberships.

Statutory Authority: §§ 46.2-203 and 46.2-489 of the Code of Virginia.

Calendar of Events

Contact: Marc Copeland, Legislative Analyst, Department of Motor Vehicles, Room 724, P.O. Box 24712, Richmond, VA 23269-0001, telephone (804) 367-1875, FAX (804) 367-6631, or toll-free 1-800-272-9268.

MOTOR VEHICLE DEALER BOARD

March 18, 1997 - 10 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to conduct general board business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the Motor Vehicle Dealer Board at (804) 367-1100 at least 10 days prior to the meeting so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act. A tentative agenda will be provided upon request by contacting the Motor Vehicle Dealer Board. A public comment period will be provided at the beginning of the meeting. Public comment will be subject to the board's guidelines for public comment.

Contact: Mary Beth Blevins, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100 or FAX (804) 367-1053.

Advertising Committee

March 17, 1997 - 3 p.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to conduct general business of the committee. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the Motor Vehicle Dealer Board at (804) 367-1100 at least 10 days prior to the meeting so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act. A tentative agenda will be provided upon request by contacting the Motor Vehicle Dealer Board. A public comment period will be provided at the beginning of the meeting. Public comment will be subject to the board's guidelines for public comment.

Contact: Mary Beth Blevins, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100 or FAX (804) 367-1053.

Dealer Licensing Committee

March 17, 1997 - 10 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to conduct general business of the committee. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the Motor Vehicle Dealer Board at (804) 367-1100 at least 10 days prior to the meeting so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act. A tentative agenda will be provided upon request by contacting the Motor Vehicle Dealer Board. A public comment period will be provided at the beginning of the meeting. Public comment will be subject to the board's guidelines for public comment.

Contact: Mary Beth Blevins, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100 or FAX (804) 367-1053.

Dealer Practices Committee

March 17, 1997 - 1 p.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to conduct general business of the committee. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the Motor Vehicle Dealer Board at (804) 367-1100 at least 10 days prior to the meeting so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act. A tentative agenda will be provided upon request by contacting the Motor Vehicle Dealer Board. A public comment period will be provided at the beginning of the meeting. Public comment will be subject to the board's guidelines for public comment.

Contact: Mary Beth Blevins, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100 or FAX (804) 367-1053.

Finance Committee

March 18, 1997 - 9 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the Finance Committee to conduct general business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the Motor Vehicle Dealer Board at (804) 367-1100 at least 10 days prior to the meeting so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act. A tentative agenda will be provided upon request by contacting the Motor Vehicle Dealer Board. A public comment period will be provided at the beginning of the meeting. Public comment will be subject to the board's guidelines for public comment.

Contact: Mary Beth Blevins, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100 or FAX (804) 367-1053.

Franchise Review and Advisory Committee

March 18, 1997 - 9 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the Franchise Review and Advisory Committee to conduct general business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the Motor Vehicle Dealer Board at (804) 367-1100 at least 10 days prior to the meeting so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act. A tentative agenda will be provided upon request by contacting the Motor Vehicle Dealer Board. A public comment period will be provided at the beginning of the meeting. Public comment will be subject to the board's guidelines for public comment.

Contact: Mary Beth Blevins, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100 or FAX (804) 367-1053.

Transaction Recovery Fund Committee

March 17, 1996 - 9:15 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Room 702, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting of the Transaction Recovery Fund Committee to conduct general business. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the Motor Vehicle Dealer Board at (804) 367-1100 at least 10 days prior to the meeting so that suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act. A tentative agenda will be provided upon request by contacting the Motor Vehicle Dealer Board. A public comment period will be provided at the beginning of the meeting. Public comment will be subject to the board's guidelines for public comment.

Contact: Mary Beth Blevins, Administrative Assistant, Motor Vehicle Dealer Board, 2201 W. Broad St., Suite 104, Richmond, VA 23220, telephone (804) 367-1100 or FAX (804) 367-1053.

VIRGINIA MUSEUM OF FINE ARTS

Collections Committee

March 18, 1997 - 11 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Auditorium, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to consider gifts, purchases and loans of works of art. Public comment will not be received at the meeting.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221-2466, telephone (804) 367-0553.

Finance Committee

March 20, 1997 - 11 a.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Conference Room, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regularly scheduled meeting to review the budget. Public comment will not be received.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221-2466, telephone (804) 367-0553.

Board of Trustees

March 20, 1997 - 12:30 p.m. -- Open Meeting
Virginia Museum of Fine Arts, 2800 Grove Avenue, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to receive reports from committees and staff, conduct budget review, and consider for approval purchases and gifts of art works. Public comment will not be received at the meeting.

Contact: Emily C. Robertson, Secretary of the Museum, Virginia Museum of Fine Arts, 2800 Grove Ave., Richmond, VA 23221-2466, telephone (804) 367-0553.

BOARD OF NURSING

† March 17, 1997 - 9:30 a.m. -- Open Meeting
Department of Health, 1850 Cameron Glen Drive, Suite 100, Reston, Virginia. (Interpreter for the deaf provided upon request)

A meeting to conduct a formal hearing with certified nurse aides. Public comment will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909, FAX (804) 662-9943 or (804) 662-7197/TDD

† March 24, 1997 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

Calendar of Events

A meeting of the Education Special Conference Committee to review proposals and reports and prepare recommendations for the board. Public comment will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909, FAX (804) 662-9943 or (804) 662-7197/TDD ☎

† **March 24, 1997 - 1 p.m.** -- Open Meeting

† **March 27, 1997 - 8:30 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A panel of the Board of Nursing will conduct formal hearings. Public comment will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909, FAX (804) 662-9943 or (804) 662-7197/TDD ☎

† **March 25, 1997 - 9 a.m.** -- Open Meeting

† **March 26, 1997 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A regular meeting of the board to consider matters relating to education programs, discipline of licensees, licensure by examination and other matters under the jurisdiction of the board. Public comment will be received during an open forum beginning at 11 a.m. on Tuesday, March 25, 1997. On March 26, 1997, the board will conduct formal hearings.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909, FAX (804) 662-9943 or (804) 662-7197/TDD ☎

Special Conference Committee

† **March 24, 1997 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ☎ (Interpreter for the deaf provided upon request)

A Special Conference Committee will conduct informal conferences with licensees or certificate holders or both. Public comment will not be received.

Contact: Nancy K. Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9909, FAX (804) 662-9943 or (804) 662-7197/TDD ☎

BOARD OF NURSING HOME ADMINISTRATORS

March 18, 1997 - 10 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ☎

A meeting to discuss proposed regulations of the board.

Contact: Senita Booker, Program Support Technician Senior, Board of Nursing Home Administrators, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9111, FAX (804) 662-9943 or (804) 662-7197/TDD ☎

† **April 9, 1997 - 9:30 a.m.** -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. ☎

A general board meeting. Public comments will be heard 15 minutes prior to the beginning of the meeting.

Contact: Senita Booker, Program Support Technician Senior, Board of Nursing Home Administrators, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9111, FAX (804) 662-9943 or (804) 662-7197/TDD ☎

BOARDS OF NURSING AND MEDICINE

March 21, 1997 -- 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 Boards of Nursing and Medicine intend to amend regulations entitled: **18 VAC 90-40-10 et seq. Regulations for Prescriptive Authority for Nurse Practitioners.** The amendments clarify and simplify the regulations and increase the number of nurse practitioners with prescriptive authority who may be supervised by one physician from two to four.

Statutory Authority: §§ 54.1-2400 and 54.1-2957.1 of the Code of Virginia.

Contact: Nancy Durrett, R.N., Executive Director, Board of Nursing, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9945 or FAX (804) 662-9943.

BOARD FOR OPTICIANS

April 4, 1997 - 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 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. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the board at least 10 days prior to the meeting so that suitable arrangements can be made for appropriate accommodations. 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 St., Richmond, VA 23230-4917, telephone

(804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TDD

BOARD OF PHARMACY

March 20, 1997 - 9 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to conduct informal conferences. Public comments will not be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9911 or FAX (804) 662-9313.

BOARD OF PROFESSIONAL COUNSELORS AND MARRIAGE AND FAMILY THERAPISTS

March 18, 1997 - 10 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia

A meeting to discuss Executive Order 15(94) recommendations for amendments to Regulations Governing the Practice of Professional Counseling. Public comment will be received at the beginning of the meeting.

Contact: Janet Delorme, Deputy Executive Director, Board of Professional Counselors and Marriage and Family Therapists, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9575, FAX (804) 662-9943, or (804) 662-7197/TDD

March 19, 1997 - 10 a.m. -- Public Hearing
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia.

April 18, 1997 -- 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 Board of Professional Counselors and Marriage and Family Therapists intends to adopt regulations entitled: **18 VAC 115-50-10 et seq. Regulations Governing the Practice of Marriage and Family Therapy.** The purpose of the proposed regulation is to comply with statutory requirements to establish standards of ethics, fees and criteria for licensure of marriage and family therapists.

Statutory Authority: §§ 54.1-2400 and 54.1-3505 of the Code of Virginia.

Contact: Janet Delorme, Deputy Executive Director, Board of Professional Counselors and Marriage and Family Therapists, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9575, FAX (804) 662-9943, or (804) 662-7197/TDD

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

March 17, 1997 - 10 a.m. -- Open Meeting
Department of Forestry, 900 Natural Resources Drive, Charlottesville, Virginia.

A general business meeting.

Contact: Debra S. Vought, Agency Analyst, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8519 or (804) 367-9753/TDD

BOARD OF PSYCHOLOGY

† March 25, 1997 - 11 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia

A meeting to conduct informal conferences pursuant to § 9-6.14:11 of the Code of Virginia. Public comment will not be received.

Contact: Arnice Covington, Staff Administrative Assistant, Board of Psychology, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9914 or FAX (804) 662-9943.

† April 8, 1997 - 10 a.m. -- Open Meeting

† June 10, 1997 - 10 a.m. -- Open Meeting

Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia.

A meeting to conduct general board business. Public comment will be received.

Contact: LaDonna Duncan, Administrative Assistant, Board of Psychology, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9913 or FAX (804) 662-9943.

April 8, 1997 - 8:30 a.m. -- Public Hearing
Department of Health Professions, 5th Floor, Conference Room 3, Richmond, Virginia.

May 12, 1997-- 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 Board of Psychology intends to amend regulations entitled: **18 VAC 125-20-10 et seq. Regulations Governing the Practice of Psychology.** The purpose of the proposed amendments is to replace emergency regulations which were necessary to conform regulations to 1996 statutory changes requiring the transfer of licensure of clinical psychologists to the Board of Psychology and establishment of three types of psychology licensure. Fees and renewal schedules have been amended to be less burdensome for licensees.

Statutory Authority: §§ 54.1-2400 and 54.1-3600 et seq. of the Code of Virginia.

Calendar of Events

Contact: Janet Delorme, Deputy Executive Director, Board of Psychology, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9575 or FAX (804) 662-9943.

May 2, 1997-- 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 Board of Psychology intends to adopt regulations entitled: **18 VAC 125-30-10 et seq. Regulations Governing the Certification of Sex Offender Treatment Providers.** The purpose of the proposed regulations is to establish requirements for education and supervised training, endorsement, renewal of certification, standards of practice, and fees for the certification of sex offender treatment providers.

Statutory Authority: §§ 54.1-2400 and 54.1-3605 of the Code of Virginia.

Contact: Janet Delorme, Deputy Executive Director, Board of Psychology, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9575, FAX (804) 662-9943, or (804) 662-7197/TDD ☎

Examination Committee

March 21, 1997 - 10 a.m. -- Open Meeting
Department of Health Professions, 6606 West Broad Street, 5th Floor, Conference Room 3, Richmond, Virginia.♿

A meeting to conduct general committee business.
Public comment be received at 10:15 a.m..

Contact: LaDonna Duncan, Administrative Assistant, Board of Psychology, 6606 W. Broad St., 4th Floor, Richmond, VA 23230, telephone (804) 662-9913 or FAX (804) 662-9943.

REAL ESTATE APPRAISER BOARD

May 13, 1997 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.♿

A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2039, FAX (804) 367-2475, or (804) 367-9753/TDD ☎

REAL ESTATE BOARD

March 27, 1997 - 9 a.m. -- Open Meeting

May 1, 1997 - 9 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.♿

A general business meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475, or (804) 367-9753/TDD ☎

Education Committee

March 27, 1997 - 8 a.m. -- Open Meeting

May 1, 1997 - 8 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.♿

A general business meeting of the committee. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475, or (804) 367-9753/TDD ☎

Fair Housing Subcommittee

March 27, 1997 - 8 a.m. -- Open Meeting

May 1, 1997 - 8 a.m. -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.♿

A general business meeting of the subcommittee. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board at least two weeks prior to the meeting. The department fully complies with the Americans with Disabilities Act.

Contact: Karen W. O'Neal, Assistant Director, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-2475, or (804) 367-9753/TDD ☎

DEPARTMENT OF REHABILITATIVE SERVICES (BOARD OF)

March 27, 1997 - 10 a.m. -- Open Meeting
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Richmond, Virginia.

A quarterly business meeting of the board.

Contact: John R. Vaughn, Commissioner, Department of Rehabilitative Services, 8004 Franklin Farms Dr., Richmond, VA 23230, telephone (804) 662-7010, toll-free 1-800-552-5019/TDD and Voice or (804) 662-9040/TDD ☎

DEPARTMENT OF REHABILITATIVE SERVICES AND STATE REHABILITATION ADVISORY COUNCIL

March 18, 1997 - 1:30 p.m. -- Public Hearing
Department of Rehabilitative Services, Central Office, Koger Center West, 8004 Franklin Farms Drive, Lee Building, Richmond, Virginia. (Interpreter for the deaf provided upon request)

March 18, 1997 - 4 p.m. -- Public Hearing
Department of Rehabilitative Services, 3433 Brambleton Avenue, S.W., Roanoke, Virginia. (Interpreter for the deaf provided upon request)

March 19, 1997 - 4 p.m. -- Public Hearing
Department of Rehabilitative Services, 468 East Main Street, Abingdon, Virginia. (Interpreter for the deaf provided upon request)

NOTE: CHANGE IN MEETING LOCATION

March 20, 1997 - 3 p.m. -- Public Hearing
Department of Rehabilitative Services, 914 Brookdale Road, Martinsville, Virginia. (Interpreter for the deaf provided upon request)

March 24, 1997 - 7 p.m. -- Public Hearing
Marriott Hotel, 50 Kingsmill Road, Williamsburg, Virginia. (Interpreter for the deaf provided upon request)

A public hearing to provide the public the opportunity to comment on vocational rehabilitative and supportive employment services provided by the Department of Rehabilitative Services. Public comments shall be considered in the department's policy formation and the development of the 1998 state plan. Interpreter services shall be available. Other accommodations may be requested through Gloria O'Neal. If members of the public are unable to attend the public hearing, comments may be recorded with Gloria O'Neal through April 1, 1997.

Contact: Gloria O'Neal, Program Support Technician, Department of Rehabilitative Services, 8004 Franklin Farms Dr., Richmond, VA 23230, telephone (804) 662-7611, FAX (804) 662-7696, toll-free 1-800-552-5019/TDD and Voice or (804) 662-9950/TDD ☎

BOARD OF SOIL SCIENTISTS

March 25, 1997 - 10 a.m. -- Closed Meeting
Division of Mineral Resources, 900 Natural Resources Drive, Charlottesville, Virginia. (Interpreter for the deaf provided upon request)

A meeting to compile the Virginia Soil Scientists Examination. Due to the confidential nature of the examination, the meeting is not open to the public.

Contact: George O. Bridewell, Examination Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8572 or (804) 367-9753/TDD ☎

VIRGINIA SOIL AND WATER CONSERVATION BOARD

March 20, 1997 - 9 a.m. -- Open Meeting
Colonial Farm Credit, 6526 Mechanicsville Turnpike, Mechanicsville, Virginia.

A regular bimonthly business meeting.

Contact: Linda J. Cox, Administrative Staff Assistant, Virginia Soil and Water Conservation Board, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2123, FAX (804) 786-6141, or (804) 786-2121/TDD ☎

COMMONWEALTH TRANSPORTATION BOARD

March 19, 1997 - 2 p.m. -- Open Meeting
Department of Transportation, 1401 East Broad Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A work session of the board and the Department of Transportation staff.

Contact: Robert E. Martinez, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-8032.

March 20, 1997 - 10 a.m. -- Open Meeting
Department of Transportation, 1401 East Broad Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A monthly meeting of the board to vote on proposals presented regarding bids, permits, additions and deletions to the highway system, and any other matters requiring board approval. Public comment will be received at the outset of the meeting on items on the meeting agenda for which the opportunity for public comment has not been afforded the public in another forum. Remarks will be limited to five minutes. Large groups are asked to select one individual to speak for the group. The board reserves the right to amend these conditions. Separate committee meetings may be held on call of the chairman. Contact Department of Transportation Public Affairs at (804) 786-2715 for schedule.

Calendar of Events

Contact: Robert E. Martinez, Secretary of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-8032.

TRANSPORTATION SAFETY BOARD

March 19, 1997 - 10 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A meeting to provide a forum for the board members and other interested parties to discuss traffic safety issues.

Contact: Angelisa C. Jennings, Management Analyst Senior, Department of Motor Vehicles, 2300 W. Broad St., Richmond, VA 23269, telephone (804) 367-2026 or FAX (804) 367-6031.

TREASURY BOARD

March 19, 1997 - 9 a.m. -- Open Meeting
April 16, 1997 - 9 a.m. -- Open Meeting
May 21, 1997 - 9 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, Treasury Board Room, 3rd Floor, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular business meeting.

Contact: Gloria J. Hatchel, Administrative Assistant, Department of the Treasury, James Monroe Bldg., 101 N. 14th St., Richmond, VA 23219, telephone (804) 371-6011.

VIRGINIA RACING COMMISSION

March 18, 1997 - 9:30 a.m. -- Open Meeting
Tyler Building, 1300 East Main Street, Richmond, Virginia. (Interpreter for the deaf provided upon request)

A regular meeting to include a report by Colonial Downs and a review of regulations.

Contact: William H. Anderson, Policy Analyst, Virginia Racing Commission, P.O. Box 1123, Richmond, VA 23218, telephone (804) 371-7363.

BOARD OF VETERINARY MEDICINE

March 21, 1997 - 9 a.m. -- Open Meeting
Hotel Roanoke, 110 Shenandoah Avenue, Roanoke, Virginia. (Interpreter for the deaf provided upon request)

A meeting to conduct formal hearings and informal conferences. Public comment will not be received.

Contact: Terri H. Behr, Administrative Assistant, Department of Health Professions, 6606 W. Broad St., 4th Floor, Richmond, VA 23230-1717, telephone (804) 662-9915 or (804) 662-7197/TDD

DEPARTMENT FOR THE VISUALLY HANDICAPPED (BOARD OF)

March 18, 1997 - 4 p.m. -- Open Meeting
Department for the Visually Handicapped, 620 East Beverly Street, Staunton, Virginia. (Interpreter for the deaf provided upon request)

March 19, 1997 - 5:30 p.m. -- Open Meeting
Lions Sight Foundation, 501 Elm Avenue, S.W., Roanoke, Virginia. (Interpreter for the deaf provided upon request)

March 25, 1997 - 5 p.m. -- Open Meeting
Virginia Rehabilitation Center for the Blind, 401 Azalea Avenue, Richmond, Virginia. (Interpreter for the deaf provided upon request)

April 1, 1997 - 1 p.m. -- Open Meeting
Department for the Visually Handicapped, 111 Commonwealth Avenue, Bristol, Virginia. (Interpreter for the deaf provided upon request)

A meeting to receive comments from the public regarding vocational rehabilitation services for persons with visual disabilities. All comments will be considered in developing the state plan for this program.

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

April 12, 1997 - 10 a.m. -- Open Meeting
Department for the Visually Handicapped, Administrative Headquarters, 397 Azalea Avenue, Richmond, Virginia. (Interpreter for the deaf provided upon request)

The board is responsible for advising the Governor, the Secretary of Health and Human Resources, the Commissioner, and the General Assembly on the delivery of public services to the blind and the protection of their rights. The board also reviews and comments on policies, budgets and requests for appropriations for the department. At this regular quarterly meeting, the board members will receive information regarding department activities and operations, review expenditures from the board's institutional fund, and discuss other issues raised by board members.

Contact: Katherine C. Proffitt, Executive Secretary Senior, Department for the Visually Handicapped, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3140, toll-free 1-800-622-2155, or (804) 371-3140/TDD

VIRGINIA VOLUNTARY FORMULARY BOARD

April 23, 1997 - 10 a.m. -- Public Hearing
Washington Building, 1100 Bank Street, 2nd Floor, Board Room, Richmond, Virginia.

A public hearing to consider the proposed adoption and issuance of revisions to the Virginia Voluntary Formulary. The proposed revisions to the formulary add drugs and drug products to the formulary that became effective on January 15, 1996, and its most recent supplement.

Copies of the proposed revisions to the formulary are available for inspection at the Department of Health, Bureau of Pharmacy Services, James Monroe Building, 101 North 14th Street, Room S-45, P.O. Box 2448, Richmond, VA 23218. Written comments sent to the above address and received prior to 5 p.m. on April 23, 1997, will be made part of the hearing record.

Contact: James K. Thomson, Director, Bureau of Pharmacy Services, Virginia Voluntary Formulary, James Monroe Bldg., 101 N. 14th St., Room S-45, Richmond, VA 23219, telephone (804) 786-4326.

† **May 29, 1997 - 10:30 a.m.** -- Open Meeting
Washington Building, 1100 Bank Street, 2nd Floor, Board Room, Richmond, Virginia.

A meeting to review the public hearing record and product data for products being considered for inclusion in the Virginia Voluntary Formulary.

Contact: James K. Thomson, Director, Bureau of Pharmacy Services, Virginia Voluntary Formulary, James Monroe Bldg., 101 N. 14th St., Room S-45, Richmond, VA 23219, telephone (804) 786-4326.

VIRGINIA WASTE MANAGEMENT BOARD

March 19, 1997 - 10 a.m. -- Public Hearing
The Library of Virginia, 800 East Broad Street, First Floor, Lecture Hall, Richmond, Virginia.

March 20, 1997 - 1:30 p.m. -- Public Hearing
Roanoke County Administration Center, 5204 Bernard Drive, Board Meeting Room, Roanoke, Virginia.

April 18, 1997 -- Public comments may be submitted until 5 p.m. on this date to the address listed below or by hand delivery to 629 East Main Street, Richmond, VA.

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 adopt regulations entitled: **9 VAC 20-160-10 et seq. Voluntary Remediation Regulations.** The purpose of the proposed regulation is to govern voluntary remediation of releases of hazardous substance, hazardous waste, solid waste, or petroleum.

Statutory Authority: § 10.1-1429.1 of the Code of Virginia.

Contact: Robert G. Wickline, P.E., Office of Technical Assistance, Waste Division, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4213, FAX (804) 698-4327, toll-free 1-800-592-5482, or (804) 698-4021/TDD ☎

STATE WATER CONTROL BOARD

March 17, 1997 - 7 p.m. -- Open Meeting
Woodlawn Intermediate School, Hillsville, Virginia.

A meeting to receive comments from the public on the proposed issuance of a Virginia Pollutant Discharge Elimination System Permit for the Crooked Creek Wastewater Treatment Plant.

Contact: Clairise S. Cartier, Department of Environmental Quality, Southwest Regional Office, 355 Deadmore St., Abingdon, VA, telephone (540) 676-4800.

March 18, 1997 - 2 p.m. -- Public Hearing
Department of Environmental Quality, Southwest Regional Office, 355 Deadmore Street, Abingdon, Virginia.

March 19, 1997 - 11 a.m. -- Public Hearing
Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, Virginia.

March 20, 1997 - 2 p.m. -- Public Hearing
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia.

April 18, 1997 - Public comments may be submitted until 4 p.m. on 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 25-194-10 et seq. General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Car Wash Facilities.** The purpose of the proposed regulation is to establish a general permit to cover the car wash facility category of point source discharges to surface waters.

Request for Comments: The board is giving notice on the proposed adoption of 9 VAC 25-194-10 et seq. and the issuance of the General VPDES Permit (VAG75) to discharge to state waters and state certification under the State Water Control Law. The board is seeking written comments from interested persons on both the proposed regulatory action and the draft permit, and also comments regarding the cost and benefits of the stated alternative or any other alternatives. Comments shall include the name, address, and telephone number of the writer, and shall contain a complete, concise statement of the factual basis for comments. Only those comments received within this period will be considered by the board.

Other Information: The Department of Environmental Quality has conducted analyses on the proposed regulation related to the basis, purpose, substance, issues and estimated impacts. These are available upon request from Mr. Cosby at the address below.

Question and Answer Period: A question and answer period will be held one half hour prior to the public hearing at the same location. Interested citizens will have an opportunity to ask questions pertaining to the proposal at that time.

Accessibility to Persons with Disabilities: The public hearing will be held at facilities believed to be accessible to persons with disabilities. Any person with questions should contact George Cosby. Persons needing interpreter services for the deaf should notify Mr. Cosby no later than March 7, 1997.

Statutory Authority: § 62.1-44.15(10) of the Code of Virginia.

Contact: George Cosby, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4067.

Calendar of Events

Technical Advisory Committee

April 15, 1997 - 9 a.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street,
First Floor Training Room, Richmond, Virginia. ☒ (Interpreter
for the deaf provided upon request)

A meeting to discuss the reissuance of the board's general permit regulation governing discharges from the cleanup of petroleum from underground storage tanks (9 VAC 25-120-10 et seq.).

Contact: Richard Ayers, Technical Services Administrator, Department of Environmental Quality, 629 E. Main St., Richmond, VA 23219, telephone (804) 698-4075 or FAX (804) 698-4032.

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

April 10, 1997 - 8:30 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 discuss regulatory review, disciplinary cases, and other matters requiring board action. A public comment period will be held at the beginning of the meeting. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the board 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 St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-2474 or (804) 367-9753/TDD ☒

LEGISLATIVE

DIVISION OF LEGISLATIVE SERVICES

† **April 9, 1997 - 9 a.m.**
General Assembly Building, Senate Room B, Richmond, Virginia. ☒

The Division of Legislative Services is presenting its third annual program on "Recent Developments: 1997 Legislative Session." This program is designed to provide attorneys, regulators and lobbyists with an overview of legislation considered during the 1997 Session of the Virginia General Assembly. Division staff will make a series of presentations on legislation considered by the standing committees of the General Assembly. Ample opportunity will be available for questions and answers. Registration begins at 8:30 a.m. The cost is \$50 in advance and \$60 at the door. The program has been approved for 6.0 Virginia Mandatory

Continuing Legal Education credits (no ethics credits). Seating is limited, so register early. All participants will receive a copy of the 1997 *Session Summary*. Box lunches will be available only for those who request them in advance. Coffee and pastries will be provided in the morning. A copy of the registration form is on pages 1527-1528 and may also be obtained from the contact person listed below.

Contact: Sandra Levin, Division of Legislative Services, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

CHRONOLOGICAL LIST

OPEN MEETINGS

March 17

Alcoholic Beverage Control Board, Virginia
† Architects, Professional Engineers, Land Surveyors and Landscape Architects, Board for
- Board for Land Surveyors
† Conservation and Recreation, Department of
- Catoctin Creek Scenic River Advisory Board
† Library Board
- Archival and Information Services Committee
- Automation and Networking Committee
- Publications and Educational Services Committee
- Records Management Committee
Motor Vehicle Dealer Board
- Advertising Committee
- Dealer Licensing Committee
- Dealer Practices Committee
- Transaction Recovery Committee
† Nursing, Board of
Professional and Occupational Regulation, Board for
Water Control Board, State

March 18

Contractors, Board for
Corrections, Board of
- Correctional Services Committee
† Environmental Quality, Department of
- Virginia Groundwater Protection Steering Committee
Maternal and Child Health Council
- School Health Subcommittee
Medical Assistance Services, Board of
Mental Health, Mental Retardation and Substance Abuse Services Board, State
Motor Vehicle Dealer Board
- Finance Committee
- Franchise Review and Advisory Committee
Museum of Fine Arts, Virginia
- Board of Trustees
Nursing Home Administrators, Board of
Professional Counselors and Marriage and Family Therapists, Board of
Virginia Racing Commission

Visually Handicapped, Department for the

March 19

Community Colleges, State Board for
 Corrections, Board of
 - Administration Committee
 Forestry, Department of
 - Reforestation of Timberlands Board
 Historic Resources, Department of
 - State Review Board and Board of Historic Resources
 Mental Health, Mental Retardation and Substance Abuse
 Services Board, State
 Transportation Board, Commonwealth
 Transportation Safety Board
 Treasury Board
 Visually Handicapped, Department for the

March 20

Agriculture and Consumer Services, Department of
 - Virginia Dark-fired Tobacco Board
 Community College, State Board for
 Corrections, Board of
 - Liaison Committee
 Environmental Quality, Department of
 † Health, Department of
 - Biosolids Use Information Committee
 - Biosolids Use Regulations Advisory Committee
 - Commissioner's Waterworks Advisory Committee
 Labor and Industry, Department of
 - Virginia Apprenticeship Council
 † Medicine, Board of
 Museum of Fine Arts, Virginia
 - Board of Trustees
 Pharmacy, Board of
 Soil and Water Conservation Board, Virginia
 Transportation Board, Commonwealth

March 21

Architects, Professional Engineers, Land Surveyors and
 Landscape Architects, Board for
 Correctional Education, Board of
 General Services, Department of
 - Design-Build/Construction Management Review
 Board
 † Health, Department of
 - Virginia HIV Community Planning Committee
 † Housing and Community Development, Department of
 - State Building Code Technical Review Board
 † Information Management, Council on
 Medicine, Board of
 Psychology, Board of
 - Examination Committee
 Veterinary Medicine, Board of

March 24

Conservation and Recreation, Department of
 - Goose Creek Scenic River Advisory Board
 Housing and Community Development, Board of
 † Independent Living Council, Statewide
 † Medical Assistance Services, Department of
 - Virginia Medicaid Pharmacy Liaison Committee
 † Nursing, Board of

March 25

Criminal Justice Services Board
 - Committee on Training
 † Conservation and Recreation, Department of
 - Historic Lower James Scenic River Advisory Board
 † Environmental Quality, Department of
 - State Air Pollution Control Board, State Water
 Control Board, and Virginia Waste Management Board
 † Housing Development Authority, Virginia
 Marine Resources Commission
 † Nursing, Board of
 † Psychology, Board of
 Soil Scientists, Board of
 Visually Handicapped, Department for the

March 26

† Child Fatality Review Team, State
 † Funeral Directors and Embalmers, Board of
 George Mason University
 - Board of Visitors
 † Nursing, Board of

March 27

† Chesapeake Bay Local Assistance Board
 Compensation Board
 † Competition Council, Commonwealth
 † Education, Board of
 † Health Professions, Department of
 - Administration and Budget Committee
 † Nursing, Board of
 Real Estate Board
 - Education Committee
 - Fair Housing Subcommittee
 Rehabilitative Services, Board of

March 31

Alcoholic Beverage Control Board, Virginia

April 1

† Contractors, Board for
 - Disciplinary Committee
 Visually Handicapped, Department for the

April 3

Conservation and Recreation, Department of
 - Falls of the James Scenic River Advisory Board
 - State Parks Foundation

April 4

Opticians, Board for

April 7

Cosmetology, Board of

April 8

† Medicine, Board of
 † Psychology, Board of

April 9

Agriculture and Consumer Services, Department of
 - Virginia Winegrowers Advisory Board
 † Legislative Services, Division of
 † Nursing Home Administrators, Board of

April 12

Visually Handicapped, Board for the

Calendar of Events

April 14

Barbers, Board for

April 15

Agriculture and Consumer Services, Department of
- Virginia Horse Industry Board
† Job Training Coordinating Council, Governor's
Water Control Board, State
- Technical Advisory Committee

April 16

† Accountancy, Board for
† Medicine, Board of
Treasury Board

April 18

General Services, Department of
- Design-Build/Construction Management Review
Board

April 21

Accountancy, Board for

April 22

Accountancy, Board for

April 23

Mines, Minerals and Energy, Department of
- Coal Surface Mining Reclamation Fund Advisory
Board

April 24

Compensation Board

May 1

Conservation and Recreation, Department of
- Falls of the James Scenic River Advisory Board
Real Estate Board
- Education Committee
- Fair Housing Subcommittee

May 5

Game and Inland Fisheries, Board of

May 6

Asbestos Licensing and Lead Certification, Board for
Game and Inland Fisheries, Board of

May 13

Real Estate Appraiser Board

May 15

† Medical Assistance Services, Department of
- Virginia Medicaid Drug Utilization Review Board
- Virginia Medicaid Prior Authorization Advisory
Committee

May 16

General Services, Department of
- Design-Build/Construction Management Review
Board

May 21

Treasury Board

May 29

† Voluntary Formulary Board, Virginia

June 10

† Psychology, Board of

PUBLIC HEARINGS

March 18

Rehabilitative Services, Department of
- State Rehabilitation Advisory Council
Water Control Board, State

March 19

Professional Counselors and Marriage and Family
Therapists, Board of
Rehabilitative Services, Department of
- State Rehabilitation Advisory Council
Waste Management Board, Virginia
Water Control Board, State

March 20

Game and Inland Fisheries, Board of
Rehabilitative Services, Department of
- State Rehabilitation Advisory Council
Waste Management Board,
Water Control Board, State

March 24

Game and Inland Fisheries, Board of
Rehabilitative Services, Department of
- State Rehabilitation Advisory Council

March 25

† Education, Board of
† Environmental Quality, Department of

March 26

† Education, Board of

April 1

† Education, Board of

April 8

† Education, Board of
Mines, Minerals and Energy, Department of
- Board of Coal Mining Examiners
Psychology, Board of

April 9

† Education, Board of

April 11

Medicine, Board of

April 15

† Education, Board of
Mines, Minerals and Energy, Department of
- Virginia Gas and Oil Board

April 16

† Education, Board of

April 23

† Voluntary Formulary Board, Virginia

May 14

Psychology, Board of

TOPIC AREAS:

General Laws

Business,
Trade & Commerce

Taxation & Finance

Transportation

Local Government

Environment &
Natural Resources

Education

Health

Welfare &
Social Services

Courts of Justice

Constitutional issues &
Privileges & Elections

Interim activities,
legislative studies

*Division of Legislative Services
General Assembly Building, 2nd Floor
910 Capitol Square
Richmond, Virginia 23219*

Third Annual

*Recent
Developments:*

*1997
Legislative
Session*

Richmond: April 9

Presented by



Virginia Division of
Legislative Services

Approved for 6 MCLE Credits

Registration Form

NAME(S): _____

ORGANIZATION: _____

ADDRESS: _____

PHONE NUMBER: _____

Please enclose a check, made payable to the Treasurer of Virginia, for the following:

April 9: Richmond

___ Attendees at \$50.00 each \$ _____

(\$60.00 at the door)

___ Lunch(s) at \$6.00 each \$ _____

1997 Session Summary

___ Extra copies at \$10.00 each \$ _____

(Copies may be ordered without attending this presentation; add \$4.00 per copy if to be mailed.)

Total..... \$ _____

Please indicate below any particular bills or topics addressed by the 1997 Session of the General Assembly you would like to learn more about:

Please mail to:
 Ms. Sandra Levin
 Division of Legislative Services
 General Assembly Building, 2nd Floor
 Richmond, Virginia 23219
 PHONE: (804) 786-3591
 FAX: (804) 371-0169

No return mail confirmation will be made.

DATE & LOCATION:

Wednesday, April 9, 1997:

Senate Room B
 General Assembly Building
 Richmond, Virginia

TIME:

9 a.m. to 4:30 p.m.
 (registration begins at 8:30)

COST:

\$50.00 (\$60.00 at the door)

MCLE CREDIT:

Approved for 6.0 Virginia Mandatory
 Continuing Legal Education credits
 (no ethics credits)



This program is designed to provide attorneys, regulators and lobbyists with an overview of legislation considered during the 1997 Session of the Virginia General Assembly. Division of Legislative Services staff will make a series of presentations on legislation considered by the standing committees of the General Assembly. Ample opportunity will be available for questions and answers.

The Division of Legislative Services is the legal and research arm of the General Assembly. Division staff draft a majority of bills and amendments considered during the legislative session. The staff is made up of attorneys and research specialists with expertise in the areas of responsibilities of the legislature's standing committees.

● Seating is limited, so please register early.

● All participants will receive a copy of the 1997 Session Summary. (Additional copies may be ordered using this form.)

● Box lunches will be available only for those who request in advance.

● Coffee and pastries will be provided.