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SENATE BILL NO. 683

Offered January 20, 2006

A *BILL to amend and reenact § 22.1-253.13:4 of the Code of Virginia, relating to the modified standard—English proficiency diploma.*

Patrons—Colgan, Potts, Puller, Quayle and Whipple; Delegate: Parrish

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-253.13:4 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-253.13:4. Standard 4. Student achievement and graduation requirements.

A. Each local school board shall award diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who earn the units of credit prescribed by the Board of Education, pass the prescribed tests, and meet such other requirements as may be prescribed by the local school board and approved by the Board of Education. Provisions shall be made for students who transfer between secondary schools and from nonpublic schools or from home instruction as outlined in the standards for accreditation. Further, reasonable accommodation to meet the requirements for diplomas shall be provided for otherwise qualified students with disabilities as needed.

In addition, each local school board may devise, vis-à-vis the award of diplomas to secondary school students, a mechanism for calculating class rankings that takes into consideration whether the student has taken a required class more than one time and has had any prior earned grade for such required class expunged.

Each local school board shall notify the parent of rising eleventh and twelfth grade students of (i) the number of standard and verified units of credit required for graduation pursuant to the standards of accreditation and (ii) the remaining number of such units of credit the individual student requires for graduation.

B. Students identified as disabled who complete the requirements of their individualized education programs shall be awarded special diplomas by local school boards.

Each local school board shall notify the parent of such students with disabilities who have an individualized education program and who fail to meet the requirements for graduation of the student's right to a free and appropriate education to age 21, inclusive, pursuant to Article 2 (§ 22.1-213 et seq.) of Chapter 13 of this title.

C. Students who have completed a prescribed course of study as defined by the local school board shall be awarded certificates of program completion by local school boards if they are not eligible to receive a standard, advanced studies, modified standard, or general achievement diploma.

Each local school board shall provide notification of the right to a free public education for students who have not reached 20 years of age on or before August 1 of the school year, pursuant to Chapter 1 (§ 22.1-1 et seq.) of this title, to the parent of students who fail to graduate or who have failed to achieve the number of verified units of credit required for graduation as provided in the standards of accreditation. If such student who does not graduate or achieve such verified units of credit is a student for whom English is a second language, the local school board shall notify the parent of the student's opportunity for a free public education in accordance with § 22.1-5.

D. In establishing course and credit requirements for a high school diploma, the Board shall:

1. Provide for the selection of integrated learning courses meeting the Standards of Learning and approved by the Board to satisfy graduation credit requirements, which shall include Standards of Learning testing, as necessary;

2. Establish the requirements for a *modified standard, modified standard—English proficiency, standard, modified standard*, or advanced studies high school diploma, which shall include one credit in fine, performing, or practical arts and one credit in United States and Virginia history.

The requirements for a standard high school diploma shall, ~~however,~~ include at least two sequential electives chosen from a concentration of courses selected from a variety of options that may be planned to ensure the completion of a focused sequence of elective courses. Students may take such focused sequence of elective courses in consecutive years or any two years of high school. Such focused sequence of elective courses shall provide a foundation for further education or training or preparation for employment and shall be developed by the school division, consistent with Board of Education guidelines and as approved by the local school board;

3. Provide, in the requirements for the verified units of credit stipulated for obtaining the standard or advanced studies diploma, that students completing elective classes into which the Standards of Learning

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59 for any required course have been integrated may take the relevant Standards of Learning test for the
60 relevant required course and receive, upon achieving a satisfactory score on the specific Standards of
61 Learning assessment, a verified unit of credit for such elective class that shall be deemed to satisfy the
62 Board's requirement for verified credit for the required course;

63 4. Establish a procedure to facilitate the acceleration of students that allows qualified students, with
64 the recommendation of the division superintendent, without completing the 140-hour class, to obtain
65 credit for such class upon demonstration of mastery of the course content and objectives. Having
66 received credit for the course, the student shall be permitted to sit for the relevant Standards of Learning
67 assessment and, upon receiving a passing score, shall earn a verified credit. Nothing in this section shall
68 preclude relevant school division personnel from enforcing compulsory attendance in public schools; and

69 5. Provide for the award of verified units of credit for passing scores on industry certifications, state
70 licensure examinations, and national occupational competency assessments approved by the Board of
71 Education; and

72 6. *Provide, in the requirements for obtaining the modified standard—English proficiency diploma,*
73 *that students who first entered Virginia schools on or after September 2002 at the high school level with*
74 *limited English proficiency or unable to speak any English and who are unlikely to meet the credit*
75 *requirements for a standard diploma may satisfy the following requirements: (i) successfully complete*
76 *courses that may be counted as standard units of credit towards a standard diploma; (ii) earn verified*
77 *units of credit for any four of such successfully completed courses by achieving passing scores on any*
78 *four standards of learning assessments relating to such courses; and (iii) be allowed to take the*
79 *standards of learning assessment for eighth grade English and, if successful in achieving the score*
80 *required of eighth graders, be allowed to substitute such satisfactory performance on such eighth grade*
81 *English standards of learning test in lieu of achieving satisfactory performance on the standards of*
82 *learning assessments for eleventh grade English.*

83 School boards shall report annually to the Board of Education the number of industry certifications
84 obtained and state licensure examinations passed, and the number shall be reported as a category on the
85 School Performance Report Card.

86 In addition, the Board may:

87 a. For the purpose of awarding verified units of credit, approve the use of additional or substitute
88 tests for the correlated Standards of Learning assessment, such as academic achievement tests, industry
89 certifications or state licensure examinations; and

90 b. Permit students completing career and technical education programs designed to enable such
91 students to pass such industry certification examinations or state licensure examinations to be awarded,
92 upon obtaining satisfactory scores on such industry certification or licensure examinations, the
93 appropriate verified units of credit for one or more career and technical education classes into which
94 relevant Standards of Learning for various classes taught at the same level have been integrated. Such
95 industry certification and state licensure examinations may cover relevant Standards of Learning for
96 various required classes and may, at the discretion of the Board, address some Standards of Learning for
97 several required classes.

98 E. In the exercise of its authority to recognize exemplary academic performance by providing for
99 diploma seals, the Board of Education shall develop criteria for recognizing exemplary performance in
100 career and technical education programs by students who have completed the requirements for a
101 standard or advanced studies diploma and shall award seals on the diplomas of students meeting such
102 criteria.

103 In addition, the Board shall establish criteria for awarding a diploma seal for advanced mathematics
104 and technology for the standard and advanced studies diplomas. The Board shall consider including
105 criteria for (i) technology courses; (ii) technical writing, reading, and oral communication skills; (iii)
106 technology-related practical arts training; and (iv) industry, professional, and trade association national
107 certifications.

108 The Board shall also establish criteria for awarding a diploma seal for excellence in civics education
109 and understanding of our state and federal constitutions and the democratic model of government for the
110 standard and advanced studies diplomas. The Board shall consider including criteria for (i) successful
111 completion of history, government, and civics courses, including courses that incorporate character
112 education; (ii) voluntary participation in community service or extracurricular activities; and (iii) related
113 requirements as it deems appropriate.

114 F. The Board shall establish, by regulation, requirements for the award of a general achievement
115 diploma for those persons who have (i) achieved a passing score on the GED examination; (ii)
116 successfully completed an education and training program designated by the Board of Education; and
117 (iii) satisfied other requirements as may be established by the Board for the award of such diploma.

118 **2. That the Board of Education shall promulgate regulations to implement the provisions of this**
119 **act to be effective within 280 days of its enactment.**