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HOUSE BILL NO. 1199

Offered January 13, 2010

Prefiled January 13, 2010

A BILL to amend and reenact § 22.1-253.13:4 of the Code of Virginia, relating to the authority of a local division superintendent or local school board to waive mandatory requirements for graduation under certain circumstances.

Patrons—Iaquinto, Cosgrove, Howell, A.T., Knight, Purkey, Stolle, Tata and Villanueva

Referred to Committee on Education

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 to facilitate the transfer and appropriate grade placement of students from other public secondary schools, from nonpublic schools, or from home instruction as outlined in the standards for accreditation. Course credits earned for online courses taken in the Department of Education's Virtual Virginia program shall transfer to Virginia public schools in accordance with provisions of 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-a-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 parents of rising eleventh and twelfth grade students of (i) the number and subject area requirements of standard and verified units of credit required for graduation pursuant to the standards for accreditation and (ii) the remaining number and subject area requirements 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 a standard or advanced studies diploma 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, special, 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 for 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 standard, modified standard, or advanced studies high school diploma, which shall include one credit in fine or performing arts or career and technical education 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

INTRODUCED

HB1199

59 further education or training or preparation for employment and shall be developed by the school
60 division, consistent with Board of Education guidelines and as approved by the local school board;.

61 3. Establish the requirements for a technical diploma. This diploma shall meet or exceed the
62 requirements of a standard diploma and will include a concentration in career and technical education, as
63 established in Board regulations. A student who meets the requirement for the advanced studies diploma
64 who also fulfills a concentration in career and technical education shall receive an advanced technical
65 diploma, or if he chooses, he shall receive an advanced studies diploma. The Board may develop or
66 designate assessments in career and technical education for the purposes of awarding verified credit
67 pursuant to subdivision 6;.

68 4. Provide, in the requirements for the verified units of credit stipulated for obtaining the standard or
69 advanced studies diploma, that students completing elective classes into which the Standards of Learning
70 for any required course have been integrated may take the relevant Standards of Learning test for the
71 relevant required course and receive, upon achieving a satisfactory score on the specific Standards of
72 Learning assessment, a verified unit of credit for such elective class that shall be deemed to satisfy the
73 Board's requirement for verified credit for the required course;.

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

81 6. Provide for the award of verified units of credit for passing scores on industry certifications, state
82 licensure examinations, and national occupational competency assessments approved by the Board of
83 Education.

84 School boards shall report annually to the Board of Education the number of industry certifications
85 obtained, state licensure examinations passed, and the number of career and technical education
86 completers that graduated. These numbers shall be reported as categories on the School Performance
87 Report Card.

88 For the purposes of this subdivision, a "career and technical education completer" is a student who
89 has met the requirements for a career and technical concentration or specialization and all requirements
90 for high school graduation or an approved alternative education program.

91 In addition, the Board may:

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

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

103 7. *Provide for the waiver of certain graduation requirements (i) upon the Board's initiative; (ii) at*
104 *the request of a local school board; or (iii) at the request of an individual school, upon approval of the*
105 *request by the relevant school board. Such waivers shall be granted only for good cause and subject to*
106 *reasonable procedures and criteria established by the Board.*

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

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

116 The Board shall also establish criteria for awarding a diploma seal for excellence in civics education
117 and understanding of our state and federal constitutions and the democratic model of government for the
118 standard and advanced studies diplomas. The Board shall consider including criteria for (i) successful
119 completion of history, government, and civics courses, including courses that incorporate character
120 education; (ii) voluntary participation in community service or extracurricular activities that includes the

121 types of activities that shall qualify as community service and the number of hours required; and (iii)
122 related requirements as it deems appropriate.

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

127 G. To ensure the uniform assessment of high school graduation rates, the Board shall collect,
128 analyze, and report high school graduation and dropout data using a formula prescribed by the Board.

129 The Board may promulgate such regulations as may be necessary and appropriate for the collection,
130 analysis, and reporting of such data.