

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 22.1-79.1 and 22.1-253.13:4 of the Code of Virginia, relating to*
3 *graduation requirements; local alternative paths to standard units of credit.*

4 [H 1675]
5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That §§ 22.1-79.1 and 22.1-253.13:4 of the Code of Virginia are amended and reenacted as**
8 **follows:**

9 **§ 22.1-79.1. Opening of the school year; approvals for certain alternative schedules.**

10 A. Each local school board shall set the school calendar so that the first day students are required to
11 attend school shall be after Labor Day. The Board of Education may waive this requirement based on a
12 school board certifying that it meets one of the good cause requirements of subsection B.

13 B. For purposes of this section, "good cause" means:

14 1. A school division has been closed an average of eight days per year during any five of the last 10
15 years because of severe weather conditions, energy shortages, power failures, or other emergency
16 situations;

17 2. A school division is providing, in the school year for which the waiver is sought, an instructional
18 program or programs in one or more of its elementary or middle or high schools, excluding Virtual
19 Virginia, which are dependent on and provided in one or more elementary or middle or high schools of
20 another school division that qualifies for such waiver. However, any waiver granted by the Board of
21 Education pursuant to this subdivision shall only apply to the opening date for those schools where such
22 dependent programs are provided;

23 3. A school division is providing its students, in the school year for which the waiver is sought, with
24 an experimental or innovative program which requires an earlier opening date than that established in
25 subsection A of this section and which has been approved by the Department of Education pursuant to
26 the regulations of the Board of Education establishing standards for accrediting public schools. However,
27 any waiver or extension of the school year granted by the Board of Education pursuant to this
28 subdivision or its standards for accrediting public schools for such an experimental or innovative
29 program shall only apply to the opening date for those schools where such experimental or innovative
30 programs are offered generally to the student body of the school. For the purposes of this subdivision,
31 experimental or innovative programs shall include instructional programs that are offered on a
32 year-round basis by the school division in one or more of its elementary or middle or high schools; or

33 4. A school division is entirely surrounded by a school division that has an opening date prior to
34 Labor Day in the school year for which the waiver is sought. Such school division may open schools on
35 the same opening date as the surrounding school division.

36 C. Individual schools may propose, and local school boards may approve, pursuant to guidelines
37 developed by the Board of Education, alternative school schedule plans providing for the operation of
38 schools on a four-day weekly calendar, so long as a minimum of 990 hours of instructional time is
39 provided for grades one through twelve and 540 hours for kindergarten. ~~No alternative plan that reduces~~
40 ~~the instructional time in the core academics of English, mathematics, social studies, and science shall be~~
41 ~~approved.~~

42 **§ 22.1-253.13:4. Standard 4. Student achievement and graduation requirements.**

43 A. Each local school board shall award diplomas to all secondary school students, including students
44 who transfer from nonpublic schools or from home instruction, who earn the units of credit prescribed
45 by the Board of Education, pass the prescribed tests, and meet such other requirements as may be
46 prescribed by the local school board and approved by the Board of Education. Provisions shall be made
47 to facilitate the transfer and appropriate grade placement of students from other public secondary
48 schools, from nonpublic schools, or from home instruction as outlined in the standards for accreditation.
49 Course credits earned for online courses taken in the Department of Education's Virtual Virginia
50 program shall transfer to Virginia public schools in accordance with provisions of the standards for
51 accreditation. Further, reasonable accommodation to meet the requirements for diplomas shall be
52 provided for otherwise qualified students with disabilities as needed.

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

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

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

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

67 C. Students who have completed a prescribed course of study as defined by the local school board
68 shall be awarded certificates of program completion by local school boards if they are not eligible to
69 receive a Board of Education-approved diploma.

70 Each local school board shall provide notification of the right to a free public education for students
71 who have not reached 20 years of age on or before August 1 of the school year, pursuant to Chapter 1
72 (§ 22.1-1 et seq.), to the parent of students who fail to graduate or who have failed to achieve the
73 number of verified units of credit required for graduation as provided in the standards for accreditation.
74 If such student who does not graduate or achieve such verified units of credit is a student for whom
75 English is a second language, the local school board shall notify the parent of the student's opportunity
76 for a free public education in accordance with § 22.1-5.

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

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

81 2. Establish the requirements for a standard and an advanced studies high school diploma, which
82 shall each include at least one credit in fine or performing arts or career and technical education and one
83 credit in United States and Virginia history. The requirements for a standard high school diploma shall,
84 however, include at least two sequential electives chosen from a concentration of courses selected from a
85 variety of options that may be planned to ensure the completion of a focused sequence of elective
86 courses. Such focused sequence of elective courses shall provide a foundation for further education or
87 training or preparation for employment. The advanced studies diploma shall be the recommended
88 diploma for students pursuing baccalaureate study. Both the standard and the advanced studies diploma
89 shall prepare students for post-secondary education and the career readiness required by the
90 Commonwealth's economy.

91 Beginning with first-time ninth grade students in the 2013-2014 school year, requirements for the
92 standard diploma shall include a requirement to earn a career and technical education credential that has
93 been approved by the Board, that could include, but not be limited to, the successful completion of an
94 industry certification, a state licensure examination, a national occupational competency assessment, or
95 the Virginia workplace readiness skills assessment.

96 Beginning with first-time ninth grade students in the 2016-2017 school year, requirements for the
97 standard and advanced diplomas shall include a requirement to be trained in emergency first aid,
98 cardiopulmonary resuscitation, and the use of automated external defibrillators, including hands-on
99 practice of the skills necessary to perform cardiopulmonary resuscitation.

100 The Board shall make provision in its regulations for students with disabilities to earn a standard
101 diploma.

102 3. Provide, in the requirements to earn a standard or advanced studies diploma, the successful
103 completion of one virtual course. The virtual course may be a noncredit-bearing course.

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

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

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

118 Education.

119 School boards shall report annually to the Board of Education the number of Board-approved
120 industry certifications obtained, state licensure examinations passed, national occupational competency
121 assessments passed, Virginia workplace readiness skills assessments passed, and the number of career
122 and technical education completers who graduated. These numbers shall be reported as separate
123 categories on the School Performance Report Card.

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

127 In addition, the Board may:

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

131 b. Permit students completing career and technical education programs designed to enable such
132 students to pass such industry certification examinations or state licensure examinations to be awarded,
133 upon obtaining satisfactory scores on such industry certification or licensure examinations, the
134 appropriate verified units of credit for one or more career and technical education classes into which
135 relevant Standards of Learning for various classes taught at the same level have been integrated. Such
136 industry certification and state licensure examinations may cover relevant Standards of Learning for
137 various required classes and may, at the discretion of the Board, address some Standards of Learning for
138 several required classes.

139 7. Provide for the waiver of certain graduation requirements (i) upon the Board's initiative or (ii) at
140 the request of a local school board. Such waivers shall be granted only for good cause and shall be
141 considered on a case-by-case basis.

142 8. Consider all computer science course credits earned by students to be science course credits,
143 mathematics course credits, or career and technical education credits. The Board of Education shall
144 develop guidelines addressing how computer science courses can satisfy graduation requirements.

145 9. *Permit local school divisions to waive the requirement for students to receive 140 clock hours of*
146 *instruction to earn a standard unit of credit upon providing the Board with satisfactory proof, based on*
147 *Board guidelines, that the students for whom such requirements are waived have learned the content*
148 *and skills included in the relevant Standards of Learning.*

149 E. In the exercise of its authority to recognize exemplary academic performance by providing for
150 diploma seals, the Board of Education shall develop criteria for recognizing exemplary performance in
151 career and technical education programs by students who have completed the requirements for a Board
152 of Education-approved diploma and shall award seals on the diplomas of students meeting such criteria.

153 In addition, the Board shall establish criteria for awarding a diploma seal for advanced mathematics
154 and technology for the Board of Education-approved diplomas. The Board shall consider including
155 criteria for (i) technology courses; (ii) technical writing, reading, and oral communication skills; (iii)
156 technology-related training; and (iv) industry, professional, and trade association national certifications.

157 The Board shall also establish criteria for awarding a diploma seal for excellence in civics education
158 and understanding of our state and federal constitutions and the democratic model of government for the
159 Board of Education-approved diplomas. The Board shall consider including criteria for (i) successful
160 completion of history, government, and civics courses, including courses that incorporate character
161 education; (ii) voluntary participation in community service or extracurricular activities that includes the
162 types of activities that shall qualify as community service and the number of hours required; and (iii)
163 related requirements as it deems appropriate.

164 F. The Board shall establish, by regulation, requirements for the award of a general achievement
165 adult high school diploma for those persons who are not subject to the compulsory school attendance
166 requirements of § 22.1-254 and have (i) achieved a passing score on a high school equivalency
167 examination approved by the Board of Education; (ii) successfully completed an education and training
168 program designated by the Board of Education; (iii) earned a Board of Education-approved career and
169 technical education credential such as the successful completion of an industry certification, a state
170 licensure examination, a national occupational competency assessment, or the Virginia workplace
171 readiness skills assessment; and (iv) satisfied other requirements as may be established by the Board for
172 the award of such diploma.

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

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