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SENATE BILL NO. 982  
AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the House Committee on Education  
on February 18, 2015)  
(Patron Prior to Substitute—Senator Garrett)

A BILL to amend and reenact §§ 22.1-79.1 and 22.1-253.13:4 of the Code of Virginia, relating to graduation requirements; local alternative paths to standard units of credit.

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-79.1 and 22.1-253.13:4 of the Code of Virginia is amended and reenacted as follows:

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

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

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

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

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

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

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

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

§ 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)

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60 the number and subject area requirements of standard and verified units of credit required for graduation  
61 pursuant to the standards for accreditation and (ii) the remaining number and subject area requirements  
62 of such units of credit the individual student requires for graduation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

121 School boards shall report annually to the Board of Education the number of Board-approved

122 industry certifications obtained, state licensure examinations passed, national occupational competency  
123 assessments passed, Virginia workplace readiness skills assessments passed, and the number of career  
124 and technical education completers who graduated. These numbers shall be reported as separate  
125 categories on the School Performance Report Card.

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

129 In addition, the Board may:

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

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

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

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

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

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

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

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

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

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

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