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HOUSE BILL NO. 2054

Offered January 11, 2017

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A BILL to amend and reenact § 22.1-253.13:4 of the Code of Virginia, relating to high school graduation and dropout data; formula; on-time graduation.

Patron—Kory

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 meet the requirements prescribed by the Board of Education 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. The standards for accreditation shall include provisions relating to the completion of graduation requirements through Virtual Virginia. 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 requirements for graduation pursuant to the standards for accreditation and (ii) the requirements that have yet to be completed by the individual student.

B. Students identified as disabled who complete the requirements of their individualized education programs and meet certain requirements prescribed by the Board pursuant to regulations but do not meet the requirements for any named diploma shall be awarded Applied Studies 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 graduation requirements 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.

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 Board of Education-approved 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.), to the parent of students who fail to graduate or who have failed to achieve graduation requirements as provided in the standards for accreditation. If such student who does not graduate or complete such requirements 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. (For expiration date, see Acts 2016, cc. 720 and 750) 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 and an advanced studies high school diploma, which shall each include at least 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. Such focused sequence of elective courses shall provide a foundation for further education or training or preparation for employment. The advanced studies diploma shall be the recommended

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59 diploma for students pursuing baccalaureate study. Both the standard and the advanced studies diploma
60 shall prepare students for post-secondary education and the career readiness required by the
61 Commonwealth's economy.

62 Beginning with first-time ninth grade students in the 2013-2014 school year, requirements for the
63 standard diploma shall include a requirement to earn a career and technical education credential that has
64 been approved by the Board, except when a career and technical education credential in a particular
65 subject area is not readily available or appropriate or does not adequately measure student competency,
66 in which case the student shall receive satisfactory competency-based instruction in the subject area to
67 satisfy the standard diploma requirements. The career and technical education credential, when required,
68 could include the successful completion of an industry certification, a state licensure examination, a
69 national occupational competency assessment, or the Virginia workplace readiness skills assessment.

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

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

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

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

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

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

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

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

101 In addition, the Board may:

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

105 b. Permit students completing career and technical education programs designed to enable such
106 students to pass such industry certification examinations or state licensure examinations to be awarded,
107 upon obtaining satisfactory scores on such industry certification or licensure examinations, the
108 appropriate verified units of credit for one or more career and technical education classes into which
109 relevant Standards of Learning for various classes taught at the same level have been integrated. Such
110 industry certification and state licensure examinations may cover relevant Standards of Learning for
111 various required classes and may, at the discretion of the Board, address some Standards of Learning for
112 several required classes.

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

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

119 9. Permit local school divisions to waive the requirement for students to receive 140 clock hours of
120 instruction to earn a standard unit of credit upon providing the Board with satisfactory proof, based on

121 Board guidelines, that the students for whom such requirements are waived have learned the content and
122 skills included in the relevant Standards of Learning.

123 D. (For effective date, see Acts 2016, cc. 720 and 750) In establishing graduation requirements, the
124 Board shall:

125 1. Develop and implement, in consultation with stakeholders representing elementary and secondary
126 education, higher education, and business and industry in the Commonwealth and including parents,
127 policymakers, and community leaders in the Commonwealth, a Profile of a Virginia Graduate that
128 identifies the knowledge and skills that students should attain during high school in order to be
129 successful contributors to the economy of the Commonwealth, giving due consideration to critical
130 thinking, creative thinking, collaboration, communication, and citizenship.

131 2. Emphasize the development of core skill sets in the early years of high school.

132 3. Establish multiple paths toward college and career readiness for students to follow in the later
133 years of high school. Each such pathway shall include opportunities for internships, externships, and
134 credentialing.

135 4. Provide for the selection of integrated learning courses meeting the Standards of Learning and
136 approved by the Board to satisfy graduation requirements, which shall include Standards of Learning
137 testing, as necessary.

138 5. Require students to complete at least one course in fine or performing arts or career and technical
139 education, one course in United States and Virginia history, and two sequential elective courses chosen
140 from a concentration of courses selected from a variety of options that may be planned to ensure the
141 completion of a focused sequence of elective courses that provides a foundation for further education or
142 training or preparation for employment.

143 6. Graduation requirements shall include a requirement that students either (i) complete an Advanced
144 Placement, honors, or International Baccalaureate course or (ii) earn a career and technical education
145 credential that has been approved by the Board, except when a career and technical education credential
146 in a particular subject area is not readily available or appropriate or does not adequately measure student
147 competency, in which case the student shall receive satisfactory competency-based instruction in the
148 subject area to earn credit. The career and technical education credential, when required, could include
149 the successful completion of an industry certification, a state licensure examination, a national
150 occupational competency assessment, or the Virginia workplace readiness skills assessment.

151 7. Beginning with first-time ninth grade students in the 2016-2017 school year, require students to be
152 trained in emergency first aid, cardiopulmonary resuscitation, and the use of automated external
153 defibrillators, including hands-on practice of the skills necessary to perform cardiopulmonary
154 resuscitation.

155 8. Make provision in its regulations for students with disabilities to earn a diploma.

156 9. Require students to complete one virtual course, which may be a noncredit-bearing course.

157 10. Provide that students who complete elective classes into which the Standards of Learning for any
158 required course have been integrated and achieve a passing score on the relevant Standards of Learning
159 test for the relevant required course receive credit for such elective class.

160 11. Establish a procedure to facilitate the acceleration of students that allows qualified students, with
161 the recommendation of the division superintendent, without completing the 140-hour class, to obtain
162 credit for such class upon demonstrating mastery of the course content and objectives and receiving a
163 passing score on the relevant Standards of Learning assessment. Nothing in this section shall preclude
164 relevant school division personnel from enforcing compulsory attendance in public schools.

165 12. Provide for the award of credit for passing scores on industry certifications, state licensure
166 examinations, and national occupational competency assessments approved by the Board of Education.

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

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

175 In addition, the Board may:

176 a. For the purpose of awarding credit, approve the use of additional or substitute tests for the
177 correlated Standards of Learning assessment, such as academic achievement tests, industry certifications
178 or state licensure examinations; and

179 b. Permit students completing career and technical education programs designed to enable such
180 students to pass such industry certification examinations or state licensure examinations to be awarded,
181 upon obtaining satisfactory scores on such industry certification or licensure examinations, appropriate

182 credit for one or more career and technical education classes into which relevant Standards of Learning
183 for various classes taught at the same level have been integrated. Such industry certification and state
184 licensure examinations may cover relevant Standards of Learning for various required classes and may,
185 at the discretion of the Board, address some Standards of Learning for several required classes.

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

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

192 15. Permit local school divisions to waive the requirement for students to receive 140 clock hours of
193 instruction upon providing the Board with satisfactory proof, based on Board guidelines, that the
194 students for whom such requirements are waived have learned the content and skills included in the
195 relevant Standards of Learning.

196 E. In the exercise of its authority to recognize exemplary performance by providing for diploma
197 seals:

198 1. The Board shall develop criteria for recognizing exemplary performance in career and technical
199 education programs by students who have completed the requirements for a Board of
200 Education-approved diploma and shall award seals on the diplomas of students meeting such criteria.

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

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

212 4. The Board shall establish criteria for awarding a diploma seal of biliteracy to any student who
213 demonstrates proficiency in English and at least one other language for the Board of Education-approved
214 diplomas. The Board shall consider criteria including the student's (i) score on a College Board
215 Advanced Placement foreign language examination, (ii) score on an SAT II Subject Test in a foreign
216 language, (iii) proficiency level on an ACTFL Assessment of Performance toward Proficiency in
217 Languages (AAPPL) measure or another nationally or internationally recognized language proficiency
218 test, or (iv) cumulative grade point average in a sequence of foreign language courses approved by the
219 Board.

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

229 G. To ensure the uniform assessment of high school graduation rates, the Board shall collect,
230 analyze, report, and make available to the public high school graduation and dropout data using a
231 formula prescribed by the Board.

232 H. The Board shall also collect, analyze, report, and make available to the public high school
233 graduation and dropout data using a formula that excludes any student who fails to graduate (i) because
234 such student is in the custody of the Department of Corrections, the Department of Juvenile Justice, or
235 local law enforcement or (ii) on time because of an extenuating circumstance enumerated by the Board
236 pursuant to regulation. For the purposes of the Standards of Accreditation, the Board shall use the
237 graduation rate required by this subsection.

238 I. The Board may promulgate such regulations as may be necessary and appropriate for the
239 collection, analysis, and reporting of such data required by subsections G and H.