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SENATE BILL NO. 664

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Education and Health
on February 8, 2018)

(Patron Prior to Substitute—Senator McPike)

A BILL to amend and reenact § 22.1-253.13:4 of the Code of Virginia, relating to graduation requirements; clock hours.

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. (From Acts 2016, cc. 720 & 750: The graduation requirements established by the Board of Education pursuant to the provisions of subdivisions D 1, 2, and 3 shall apply to each student who enrolls in high school as (i) a freshman after July 1, 2018; (ii) a sophomore after July 1, 2019; (iii) a junior after July 1, 2020; or (iv) a senior after July 1, 2021) In establishing graduation requirements, the Board shall:

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

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

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

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

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

68 6. Require that students either (i) complete an Advanced Placement, honors, or International
69 Baccalaureate course or (ii) earn a career and technical education credential that has been approved by
70 the Board, except when a career and technical education credential in a particular subject area is not
71 readily available or appropriate or does not adequately measure student competency, in which case the
72 student shall receive satisfactory competency-based instruction in the subject area to earn credit. The
73 career and technical education credential, when required, could include the successful completion of an
74 industry certification, a state licensure examination, a national occupational competency assessment, the
75 Armed Services Vocational Aptitude Battery, or the Virginia workplace readiness skills assessment.

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

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

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

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

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

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

92 School boards shall report annually to the Board of Education the number of Board-approved
93 industry certifications obtained, state licensure examinations passed, national occupational competency
94 assessments passed, Armed Services Vocational Aptitude Battery assessments passed, and Virginia
95 workplace readiness skills assessments passed, and the number of career and technical education
96 completers who graduated. These numbers shall be reported as separate categories on the School
97 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 credit, approve the use of additional or substitute tests for the
103 correlated Standards of Learning assessment, such as academic achievement tests, industry certifications
104 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, appropriate
108 credit for one or more career and technical education classes into which relevant Standards of Learning
109 for various classes taught at the same level have been integrated. Such industry certification and state
110 licensure examinations may cover relevant Standards of Learning for various required classes and may,
111 at the discretion of the Board, address some Standards of Learning for several required classes.

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

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

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

122 16. Provide for the award of verified units of credit for a satisfactory score, as determined by the
123 Board, on the Preliminary ACT (PreACT) or Preliminary SAT/National Merit Scholarship Qualifying
124 Test (PSAT/NMSQT) examination.

125 17. *Permit local school divisions to waive the requirement for students to receive 140 clock hours of*
126 *instruction after the student has completed the course curriculum and relevant Standards of Learning*
127 *end-of-course assessment, or Board-approved substitute, provided that such student subsequently*
128 *receives instruction, coursework, or study toward an industry certification approved by the local school.*

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

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

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

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

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

153 F. The Board shall establish, by regulation, requirements for the award of a general achievement
154 adult high school diploma for those persons who are not subject to the compulsory school attendance
155 requirements of § 22.1-254 and have (i) achieved a passing score on a high school equivalency
156 examination approved by the Board of Education; (ii) successfully completed an education and training
157 program designated by the Board of Education; (iii) earned a Board of Education-approved career and
158 technical education credential such as the successful completion of an industry certification, a state
159 licensure examination, a national occupational competency assessment, the Armed Services Vocational
160 Aptitude Battery, or the Virginia workplace readiness skills assessment; and (iv) satisfied other
161 requirements as may be established by the Board for the award of such diploma.

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

165 H. The Board shall also collect, analyze, report, and make available to the public high school
166 graduation and dropout data using a formula that excludes any student who fails to graduate because
167 such student is in the custody of the Department of Corrections, the Department of Juvenile Justice, or
168 local law enforcement. For the purposes of the Standards of Accreditation, the Board shall use the
169 graduation rate required by this subsection.

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