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**HOUSE BILL NO. 2338****AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the House Committee on Education  
on January 30, 2019)

(Patron Prior to Substitute—Delegate Landes)

A *BILL to amend and reenact § 22.1-253.13:4 of the Code of Virginia, relating to graduation requirements; verified credits; Virginia and U.S. History.*

**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. (Effective until July 1, 2019) Require that students either (i) complete an Advanced Placement,  
69 honors, or International Baccalaureate course or (ii) earn a career and technical education credential that  
70 has been approved by the Board, except when a career and technical education credential in a particular  
71 subject area is not readily available or appropriate or does not adequately measure student competency,  
72 in which case the student shall receive satisfactory competency-based instruction in the subject area to  
73 earn credit. The career and technical education credential, when required, could include the successful  
74 completion of an industry certification, a state licensure examination, a national occupational competency  
75 assessment, the Armed Services Vocational Aptitude Battery, or the Virginia workplace readiness skills  
76 assessment.

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79 been approved by the Board, except when a career and technical education credential in a particular  
80 subject area is not readily available or appropriate or does not adequately measure student competency,  
81 in which case the student shall receive satisfactory competency-based instruction in the subject area to  
82 earn credit. The career and technical education credential, when required, could include the successful  
83 completion of an industry certification, a state licensure examination, a national occupational competency  
84 assessment, the Armed Services Vocational Aptitude Battery, or the Virginia workplace readiness skills  
85 assessment. The Department of Education shall develop, maintain, and make available to each local  
86 school board a catalogue of the testing accommodations available to English language learners for each  
87 such certification, examination, assessment, and battery. Each local school board shall develop and  
88 implement policies to require each high school principal or his designee to notify each English language  
89 learner of the availability of such testing accommodations prior to the student's participation in any such  
90 certification, examination, assessment, or battery.

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

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

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

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

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

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

107 School boards shall report annually to the Board of Education the number of Board-approved  
108 industry certifications obtained, state licensure examinations passed, national occupational competency  
109 assessments passed, Armed Services Vocational Aptitude Battery assessments passed, and Virginia  
110 workplace readiness skills assessments passed, and the number of career and technical education  
111 completers who graduated. These numbers shall be reported as separate categories on the School  
112 Performance Report Card.

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

116 In addition, the Board may:

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

120 b. Permit students completing career and technical education programs designed to enable such  
121 students to pass such industry certification examinations or state licensure examinations to be awarded,

122 upon obtaining satisfactory scores on such industry certification or licensure examinations, appropriate  
123 credit for one or more career and technical education classes into which relevant Standards of Learning  
124 for various classes taught at the same level have been integrated. Such industry certification and state  
125 licensure examinations may cover relevant Standards of Learning for various required classes and may,  
126 at the discretion of the Board, address some Standards of Learning for several required classes.

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

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

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

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

140 17. Permit students to exceed a full course load in order to participate in courses offered by an  
141 institution of higher education that lead to a degree, certificate, or credential at such institution.

142 18. Permit local school divisions to waive the requirement for students to receive 140 clock hours of  
143 instruction after the student has completed the course curriculum and relevant Standards of Learning  
144 end-of-course assessment, or Board-approved substitute, provided that such student subsequently receives  
145 instruction, coursework, or study toward an industry certification approved by the local school board.

146 19. Permit any English language learner who previously earned a sufficient score on an Advanced  
147 Placement or International Baccalaureate foreign language examination or an SAT II Subject Test in a  
148 foreign language to substitute computer coding course credit for any foreign language course credit  
149 required to graduate, except in cases in which such foreign language course credit is required to earn an  
150 advanced diploma offered by a nationally recognized provider of college-level courses.

151 20. *Require students to earn one verified credit in Virginia and U.S. history. Such verified credit*  
152 *shall be earned only by (i) successful completion of a Board-developed end-of-course Standards of*  
153 *Learning assessment; (ii) achievement of a passing score on a Board-approved standardized test*  
154 *administered on a statewide, multistate, or international basis that measures content that incorporates or*  
155 *exceeds the Standards of Learning content in the course for which the verified credit is given; or (iii)*  
156 *achievement of criteria for the receipt of a locally awarded verified credit from the local school board*  
157 *in accordance with criteria established in Board guidelines when the student has not passed a*  
158 *corresponding Standards of Learning assessment. Such end-of-course Standards of Learning assessment*  
159 *shall not be a performance-based assessment.*

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

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

165 2. The Board shall establish criteria for awarding a diploma seal for science, technology, engineering,  
166 and mathematics (STEM) for the Board of Education-approved diplomas. The Board shall consider  
167 including criteria for (i) relevant coursework; (ii) technical writing, reading, and oral communication  
168 skills; (iii) relevant training; and (iv) industry, professional, and trade association national certifications.

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

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

183 Board.

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

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

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

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

203 **2. That the provisions of this act shall become effective beginning with first-time ninth grade**  
204 **students in the 2019-2020 school year.**