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SENATE BILL NO. 112

Offered January 8, 2020

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A *BILL to amend and reenact § 22.1-253.13:4 of the Code of Virginia, relating to public schools; standard diploma requirements; dual-enrollment and work-based learning options.*

Patron—Suetterlein

Referred to Committee on Education and Health

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.

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

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

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

70 6. Require that students ~~either~~ (i) complete an Advanced Placement, honors, ~~or~~ International
71 Baccalaureate, *or dual-enrollment* course, ~~or~~ (ii) *complete a high-quality work-based learning*
72 *experience, as defined by the Board, or* (iii) earn a career and technical education credential that has
73 been approved by the Board, except when a career and technical education credential in a particular
74 subject area is not readily available or appropriate or does not adequately measure student competency,
75 in which case the student shall receive satisfactory competency-based instruction in the subject area to
76 earn credit. The career and technical education credential, when required, could include the successful
77 completion of an industry certification, a state licensure examination, a national occupational competency
78 assessment, the Armed Services Vocational Aptitude Battery, or the Virginia workplace readiness skills
79 assessment. The Department of Education shall develop, maintain, and make available to each local
80 school board a catalogue of the testing accommodations available to English language learners for each
81 such certification, examination, assessment, and battery. Each local school board shall develop and
82 implement policies to require each high school principal or his designee to notify each English language
83 learner of the availability of such testing accommodations prior to the student's participation in any such
84 certification, examination, assessment, or battery.

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

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

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

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

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

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

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

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

110 In addition, the Board may:

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

114 b. Permit students completing career and technical education programs designed to enable such
115 students to pass such industry certification examinations or state licensure examinations to be awarded,
116 upon obtaining satisfactory scores on such industry certification or licensure examinations, appropriate
117 credit for one or more career and technical education classes into which relevant Standards of Learning
118 for various classes taught at the same level have been integrated. Such industry certification and state
119 licensure examinations may cover relevant Standards of Learning for various required classes and may,
120 at the discretion of the Board, address some Standards of Learning for several required classes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

181 H. The Board shall also collect, analyze, report, and make available to the public high school

182 graduation and dropout data using a formula that excludes any student who fails to graduate because
183 such student is in the custody of the Department of Corrections, the Department of Juvenile Justice, or
184 local law enforcement. For the purposes of the Standards of Accreditation, the Board shall use the
185 graduation rate required by this subsection.

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