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HOUSE BILL NO. 1676

Offered January 14, 2015

Prefiled January 9, 2015

A *BILL to amend and reenact §§ 22.1-253.13:1 and 23-9.2:3.02 of the Code of Virginia, relating to dual enrollment; career and technical education.*

Patrons—Byron, Bloxom, Cline, Cole, Fariss, Garrett, Head, Helsel, Hodges, Kilgore, LaRock, Marshall, D.W., Miller, Morefield, Murphy, O'Quinn, Pillion, Poindexter, Ramadan, Robinson, Rush, Taylor and Webert

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-253.13:1 and 23-9.2:3.02 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-253.13:1. Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives.

A. The General Assembly and the Board of Education believe that the fundamental goal of the public schools of the Commonwealth must be to enable each student to develop the skills that are necessary for success in school, preparation for life, and reaching their full potential. The General Assembly and the Board of Education find that the quality of education is dependent upon the provision of (i) the appropriate working environment, benefits, and salaries necessary to ensure the availability of high-quality instructional personnel; (ii) the appropriate learning environment designed to promote student achievement; (iii) quality instruction that enables each student to become a productive and educated citizen of Virginia and the United States of America; and (iv) the adequate commitment of other resources. In keeping with this goal, the General Assembly shall provide for the support of public education as set forth in Article VIII, Section 1 of the Constitution of Virginia.

B. The Board of Education shall establish educational objectives known as the Standards of Learning, which shall form the core of Virginia's educational program, and other educational objectives, which together are designed to ensure the development of the skills that are necessary for success in school and for preparation for life in the years beyond. At a minimum, the Board shall establish Standards of Learning for English, mathematics, science, and history and social science. The Standards of Learning shall not be construed to be regulations as defined in § 2.2-4001.

The Board shall seek to ensure that the Standards of Learning are consistent with a high-quality foundation educational program. The Standards of Learning shall include, but not be limited to, the basic skills of communication (listening, speaking, reading, and writing); computation and critical reasoning, including problem solving and decision making; proficiency in the use of computers and related technology; and the skills to manage personal finances and to make sound financial decisions.

The English Standards of Learning for reading in kindergarten through grade three shall be based on components of effective reading instruction, to include, at a minimum, phonemic awareness, phonics, fluency, vocabulary development, and text comprehension.

The Standards of Learning in all subject areas shall be subject to regular review and revision to maintain rigor and to reflect a balance between content knowledge and the application of knowledge in preparation for eventual employment and lifelong learning. The Board of Education shall establish a regular schedule, in a manner it deems appropriate, for the review, and revision as may be necessary, of the Standards of Learning in all subject areas. Such review of each subject area shall occur at least once every seven years. Nothing in this section shall be construed to prohibit the Board from conducting such review and revision on a more frequent basis.

To provide appropriate opportunity for input from the general public, teachers, and local school boards, the Board of Education shall conduct public hearings prior to establishing revised Standards of Learning. Thirty days prior to conducting such hearings, the Board shall give notice of the date, time, and place of the hearings to all local school boards and any other persons requesting to be notified of the hearings and publish notice of its intention to revise the Standards of Learning in the Virginia Register of Regulations. Interested parties shall be given reasonable opportunity to be heard and present information prior to final adoption of any revisions of the Standards of Learning.

In addition, the Department of Education shall make available and maintain a website, either separately or through an existing website utilized by the Department of Education, enabling public elementary, middle, and high school educators to submit recommendations for improvements relating to the Standards of Learning, when under review by the Board according to its established schedule, and

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57 related assessments required by the Standards of Quality pursuant to this chapter. Such website shall
58 facilitate the submission of recommendations by educators.

59 School boards shall implement the Standards of Learning or objectives specifically designed for their
60 school divisions that are equivalent to or exceed the Board's requirements. Students shall be expected to
61 achieve the educational objectives established by the school division at appropriate age or grade levels.
62 The curriculum adopted by the local school division shall be aligned to the Standards of Learning.

63 The Board of Education shall include in the Standards of Learning for history and social science the
64 study of contributions to society of diverse people. For the purposes of this subsection, "diverse"
65 includes consideration of disability, ethnicity, race, and gender.

66 The Board of Education shall include in the Standards of Learning for health instruction in
67 emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator,
68 including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Such
69 instruction shall be based on the current national evidence-based emergency cardiovascular care
70 guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a
71 program developed by the American Heart Association or the American Red Cross. No teacher who is
72 in compliance with subdivision D 4 of § 22.1-298.1 shall be required to be certified as a trainer of
73 cardiopulmonary resuscitation to provide instruction for non-certification.

74 With such funds as are made available for this purpose, the Board shall regularly review and revise
75 the competencies for career and technical education programs to require the full integration of English,
76 mathematics, science, and history and social science Standards of Learning. Career and technical
77 education programs shall be aligned with industry and professional standard certifications, where they
78 exist.

79 C. Local school boards shall develop and implement a program of instruction for grades K through
80 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board of
81 Education. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts
82 and computations, proficiency in the use of computers and related technology, and scientific concepts
83 and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and
84 world and United States history, economics, government, foreign languages, international cultures, health
85 and physical education, environmental issues, and geography necessary for responsible participation in
86 American society and in the international community; fine arts, which may include, but need not be
87 limited to, music and art, and practical arts; knowledge and skills needed to qualify for further
88 education, gainful employment, or training in a career or technical field; and development of the ability
89 to apply such skills and knowledge in preparation for eventual employment and lifelong learning and to
90 achieve economic self-sufficiency.

91 Local school boards shall also develop and implement programs of prevention, intervention, or
92 remediation for students who are educationally at risk including, but not limited to, those who fail to
93 achieve a passing score on any Standards of Learning assessment in grades three through eight or who
94 fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include
95 components that are research-based.

96 Any student who achieves a passing score on one or more, but not all, of the Standards of Learning
97 assessments for the relevant grade level in grades three through eight may be required to attend a
98 remediation program.

99 Any student who fails to achieve a passing score on all of the Standards of Learning assessments for
100 the relevant grade level in grades three through eight or who fails an end-of-course test required for the
101 award of a verified unit of credit shall be required to attend a remediation program or to participate in
102 another form of remediation. Division superintendents shall require such students to take special
103 programs of prevention, intervention, or remediation, which may include attendance in public summer
104 school programs, in accordance with clause (ii) of subsection A of § 22.1-254 and § 22.1-254.01.

105 Remediation programs shall include, when applicable, a procedure for early identification of students
106 who are at risk of failing the Standards of Learning assessments in grades three through eight or who
107 fail an end-of-course test required for the award of a verified unit of credit. Such programs may also
108 include summer school for all elementary and middle school grades and for all high school academic
109 courses, as defined by regulations promulgated by the Board of Education, or other forms of
110 remediation. Summer school remediation programs or other forms of remediation shall be chosen by the
111 division superintendent to be appropriate to the academic needs of the student. Students who are
112 required to attend such summer school programs or to participate in another form of remediation shall
113 not be charged tuition by the school division.

114 The requirement for remediation may, however, be satisfied by the student's attendance in a program
115 of prevention, intervention or remediation that has been selected by his parent, in consultation with the
116 division superintendent or his designee, and is either (i) conducted by an accredited private school or (ii)
117 a special program that has been determined to be comparable to the required public school remediation
118 program by the division superintendent. The costs of such private school remediation program or other

119 special remediation program shall be borne by the student's parent.

120 The Board of Education shall establish standards for full funding of summer remedial programs that
 121 shall include, but not be limited to, the minimum number of instructional hours or the equivalent thereof
 122 required for full funding and an assessment system designed to evaluate program effectiveness. Based on
 123 the number of students attending and the Commonwealth's share of the per pupil instructional costs,
 124 state funds shall be provided for the full cost of summer and other remediation programs as set forth in
 125 the appropriation act, provided such programs comply with such standards as shall be established by the
 126 Board, pursuant to § 22.1-199.2.

127 D. Local school boards shall also implement the following:

128 1. Programs in grades K through three that emphasize developmentally appropriate learning to
 129 enhance success.

130 2. Programs based on prevention, intervention, or remediation designed to increase the number of
 131 students who earn a high school diploma and to prevent students from dropping out of school. Such
 132 programs shall include components that are research-based.

133 3. Career and technical education programs incorporated into the K through 12 curricula that include:

134 a. Knowledge of careers and all types of employment opportunities, including, but not limited to,
 135 apprenticeships, entrepreneurship and small business ownership, the military, and the teaching
 136 profession, and emphasize the advantages of completing school with marketable skills;

137 b. Career exploration opportunities in the middle school grades;

138 c. Competency-based career and technical education programs that integrate academic outcomes,
 139 career guidance, and job-seeking skills for all secondary students. Programs shall be based upon labor
 140 market needs and student interest. Career guidance shall include counseling about available employment
 141 opportunities and placement services for students exiting school. Each school board shall develop and
 142 implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be
 143 developed with the input of area business and industry representatives and local community colleges and
 144 shall be submitted to the Superintendent of Public Instruction in accordance with the timelines
 145 established by federal law; and

146 d. Annual notice on its website to enrolled high school students and their parents of the availability
 147 of the postsecondary education and employment data published by the State Council of Higher
 148 Education on its website pursuant to § 23-9.2:3.04.

149 4. Educational objectives in middle and high school that emphasize economic education and financial
 150 literacy pursuant to § 22.1-200.03.

151 5. Early identification of students with disabilities and enrollment of such students in appropriate
 152 instructional programs consistent with state and federal law.

153 6. Early identification of gifted students and enrollment of such students in appropriately
 154 differentiated instructional programs.

155 7. Educational alternatives for students whose needs are not met in programs prescribed elsewhere in
 156 these standards. Such students shall be counted in average daily membership (ADM) in accordance with
 157 the regulations of the Board of Education.

158 8. Adult education programs for individuals functioning below the high school completion level.
 159 Such programs may be conducted by the school board as the primary agency or through a collaborative
 160 arrangement between the school board and other agencies.

161 9. A plan to make achievements for students who are educationally at risk a divisionwide priority
 162 that shall include procedures for measuring the progress of such students.

163 10. An agreement for postsecondary degree, *credential, certification, and license* attainment with a
 164 community college in the Commonwealth specifying the options for students to complete an associate's
 165 degree or a one-year Uniform Certificate of General Studies *or take courses as part of the career and*
 166 *technical education curriculum leading to an industry-recognized credential, certification, or license*
 167 from a community college concurrent with a high school diploma. Such agreement shall specify the
 168 credit, *credentials, certifications, and licenses* available for dual enrollment courses and *the credit*
 169 *available for Advanced Placement courses with qualifying exam scores of three or higher.*

170 11. A plan to notify students and their parents of the availability of dual enrollment and advanced
 171 placement classes, the International Baccalaureate Program, and Academic Year Governor's School
 172 Programs, the qualifications for enrolling in such classes and programs, and the availability of financial
 173 assistance to low-income and needy students to take the advanced placement and International
 174 Baccalaureate examinations. This plan shall include notification to students and parents of the agreement
 175 with a community college in the Commonwealth to enable students to complete an associate's degree or
 176 a one-year Uniform Certificate of General Studies concurrent with a high school diploma.

177 12. Identification of students with limited English proficiency and enrollment of such students in
 178 appropriate instructional programs.

179 13. Early identification, diagnosis, and assistance for students with reading and mathematics problems

180 and provision of instructional strategies and reading and mathematics practices that benefit the
181 development of reading and mathematics skills for all students.

182 Local school divisions shall provide reading intervention services to students in kindergarten through
183 grade three who demonstrate deficiencies based on their individual performance on the Standards of
184 Learning reading test or any reading diagnostic test that meets criteria established by the Department of
185 Education. Local school divisions shall report the results of the diagnostic tests to the Department of
186 Education on an annual basis, at a time to be determined by the Superintendent of Public Instruction.
187 Each student who receives early intervention reading services will be assessed again at the end of that
188 school year. The local school division, in its discretion, shall provide such reading intervention services
189 prior to promoting a student from grade three to grade four. Reading intervention services may include
190 the use of: special reading teachers; trained aides; volunteer tutors under the supervision of a certified
191 teacher; computer-based reading tutorial programs; aides to instruct in-class groups while the teacher
192 provides direct instruction to the students who need extra assistance; and extended instructional time in
193 the school day or school year for these students. Funds appropriated for prevention, intervention, and
194 remediation; summer school remediation; at-risk; or early intervention reading may be used to meet the
195 requirements of this subdivision.

196 Local school divisions shall provide algebra readiness intervention services to students in grades six
197 through nine who are at risk of failing the Algebra I end-of-course test, as demonstrated by their
198 individual performance on any diagnostic test that has been approved by the Department of Education.
199 Local school divisions shall report the results of the diagnostic tests to the Department of Education on
200 an annual basis, at a time to be determined by the Superintendent of Public Instruction. Each student
201 who receives algebra readiness intervention services will be assessed again at the end of that school
202 year. Funds appropriated for prevention, intervention, and remediation; summer school remediation;
203 at-risk; or algebra readiness intervention services may be used to meet the requirements of this
204 subdivision.

205 14. Incorporation of art, music, and physical education as a part of the instructional program at the
206 elementary school level.

207 15. A program of physical fitness available to all students with a goal of at least 150 minutes per
208 week on average during the regular school year. Such program may include any combination of (i)
209 physical education classes, (ii) extracurricular athletics, or (iii) other programs and physical activities
210 deemed appropriate by the local school board. Each local school board shall incorporate into its local
211 wellness policy a goal for the implementation of such program during the regular school year.

212 16. A program of student services for kindergarten through grade 12 that shall be designed to aid
213 students in their educational, social, and career development.

214 17. The collection and analysis of data and the use of the results to evaluate and make decisions
215 about the instructional program.

216 E. From such funds as may be appropriated or otherwise received for such purpose, there shall be
217 established within the Department of Education a unit to (i) conduct evaluative studies; (ii) provide the
218 resources and technical assistance to increase the capacity for school divisions to deliver quality
219 instruction; and (iii) assist school divisions in implementing those programs and practices that will
220 enhance pupil academic performance and improve family and community involvement in the public
221 schools. Such unit shall identify and analyze effective instructional programs and practices and
222 professional development initiatives; evaluate the success of programs encouraging parental and family
223 involvement; assess changes in student outcomes prompted by family involvement; and collect and
224 disseminate among school divisions information regarding effective instructional programs and practices,
225 initiatives promoting family and community involvement, and potential funding and support sources.
226 Such unit may also provide resources supporting professional development for administrators and
227 teachers. In providing such information, resources, and other services to school divisions, the unit shall
228 give priority to those divisions demonstrating a less than 70 percent passing rate on the Standards of
229 Learning assessments.

230 *F. Each local school board may implement an agreement for postsecondary credential, certification,*
231 *and license attainment with a private educational entity in the Commonwealth specifying the options for*
232 *students to take courses as part of the career and technical education curriculum leading to an*
233 *industry-recognized credential, certification, or license from the private educational entity concurrent*
234 *with a high school diploma. Such agreement shall specify the credentials, certifications, and licenses*
235 *available for such courses.*

236 **§ 23-9.2:3.02. Articulation, dual admissions, and guaranteed admissions agreements; admission**
237 **of certain community college graduates.**

238 A. The governing board of each four-year public institution of higher education shall develop,
239 consistent with the State Council of Higher Education Guidelines and the institution's six-year plan as
240 set forth in § 23-38.87:17, articulation, dual admissions, and guaranteed admissions agreements with all
241 institutions within the Virginia Community College System and any two-year public institution of higher

242 education.

243 B. A Uniform Certificate of General Studies shall be developed by the State Council of Higher
244 Education, the Virginia Community College System, and the public institutions of higher education as
245 set forth in subdivision 20 of § 23-9.6:1. All credits earned in academic subject coursework by students
246 attending a two-year college who complete an approved one-year certificate of general studies program
247 shall be transferrable to a four-year public institution of higher education in accordance with Council
248 guidelines.

249 C. The State Council of Higher Education for Virginia shall prepare an annual report on the pertinent
250 aspects of the pipeline of students transferring from institutions within the Virginia Community College
251 System to four-year public institutions of higher education.

252 D. The State Council of Higher Education, consistent with its responsibility to facilitate the
253 development of articulation, dual admissions, and guaranteed admissions agreements set forth in
254 §§ 23-9.6:1 and 23-9.14:2, shall develop guidelines for such agreements.

255 E. Each institution within the Virginia Community College System shall develop agreements for
256 postsecondary degree, *credential, certification, and license* attainment with the public high schools in the
257 school divisions that they serve, specifying the options for students to complete an associate's degree or
258 a one-year Uniform Certificate of General Studies *or take courses as part of the career and technical*
259 *education curriculum leading to an industry-recognized credential, certification, or license* concurrent
260 with a high school diploma. Such agreements shall specify the credit, *credentials, certifications, and*
261 *licenses* available for dual enrollment courses and *the credit available for* Advanced Placement courses
262 with qualifying exam scores of three or higher. ~~Agreements shall be submitted by the institutions to the~~
263 ~~Chancellor of the Virginia Community College System and the Superintendent of Public Instruction by~~
264 ~~April 15, 2013.~~