

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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An Act to amend and reenact §§ 22.1-129.1, 22.1-199.4, 22.1-209.1:3, 22.1-227.1, 22.1-253.13:3, and 22.1-253.13:4 of the Code of Virginia, relating to the Board of Education; high school graduation requirements.

[S 336]

Approved

Be it enacted by the General Assembly of Virginia:
1. That §§ 22.1-129.1, 22.1-199.4, 22.1-209.1:3, 22.1-227.1, 22.1-253.13:3, and 22.1-253.13:4 of the Code of Virginia are amended and reenacted as follows:

§ 22.1-129.1. Transfer of assistive technology devices.

A. For the purposes of this section:

"Assistive technology device" means any device, including equipment or a product system, which is used to increase, maintain, or improve functional capabilities of a child with a disability. Assistive technology device shall not include surgically implanted medical devices, such as cochlear implants.

"Child with a disability" means the same as that term is defined in § 22.1-213.

"Transfer" means the process by which a school division that has purchased an assistive technology device may sell, lease, donate, or loan the device pursuant to subsection B.

B. An assistive technology device may be transferred to (i) the school division to which a child with a disability transfers from the school division that purchased the device; (ii) a state agency, including the Department for Aging and Rehabilitative Services, that provides services to a child with a disability following the child's graduation with a ~~standard or advanced studies diploma~~ or when a school division ceases to provide special education services for the student; or (iii) the parents of a child with a disability, or the child with a disability if the child with a disability is age 18 or older and has capacity to enter into a contract.

§ 22.1-199.4. At-Risk Student Academic Achievement Program and Fund.

A. From such funds as may be appropriated for such purpose and from such gifts, donations, grants, bequests, and other funds as may be received on its behalf, there is hereby established the At-Risk Student Academic Achievement Program, to be administered by the Board of Education, and a special nonreverting fund within the Department of the Treasury known as the At-Risk Student Academic Achievement Fund, hereafter referred to as the "Fund." The Fund shall be established on the books of the Comptroller, and any moneys remaining in such Fund at the end of the biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on such funds shall remain in the Fund and be credited to it.

The Department of the Treasury shall administer and manage the Fund, subject to the authority of the Board of Education to provide for its disbursement. The Fund shall be disbursed to award noncompetitive grants to public school divisions to implement research-based programs or programs identified as best practices that are designed to ~~(i) improve the academic achievement of at-risk public school students on the Standards of Learning assessments; (ii) and decrease the rate of dropout among at-risk public school students; and (iii) increase the number of such students obtaining the advanced studies diploma.~~

B. The amount of grants and required local matching funds shall be determined as provided in the appropriation act.

Funds received through this Program shall be used to supplement, not supplant, any local funds currently provided for at-risk programs within the school division.

C. The Board may issue guidelines governing the Program as it deems necessary and appropriate.

§ 22.1-209.1:3. Advancement Via Individual Determination (AVID) Programs.

A. With such funds as may be appropriated by the General Assembly for this purpose, local school boards may establish Advancement Via Individual Determination Programs in their respective school divisions to prepare at-risk students enrolled in the secondary grades in the public schools of the school division for post-secondary education eligibility.

B. Any school board adopting the Advancement Via Individual Determination Program shall establish policies and guidelines to ensure compliance with the provisions of this section. Programs established pursuant to subsection A shall include the following components:

1. A procedure for identifying at-risk students enrolled in the secondary grades in the public schools of the school division who demonstrate academic potential, a desire to attend college, and the willingness to pursue a rigorous academic program of study ~~or the advanced studies program~~ leading to

57 eligibility for college admission;

58 2. A procedure for obtaining participation in or support for the program by the parent, guardian or
59 other person having charge or control of a child engaged in the program;

60 3. An agreement executed with a two-year or four-year institution of higher education located within
61 or in the proximity of the school division to provide relevant support services including, but not limited
62 to, access to advanced course work, student mentorships and tutorials, and cultural and enrichment
63 experiences;

64 4. A curriculum developed for intensive, accelerated instruction designed to establish high standards
65 and academic achievement for participating students;

66 5. An emphasis on college preparation and college awareness, access to advanced level college
67 preparatory courses at the high school level, building self-esteem and the promotion of personal and
68 social responsibility, the availability of support services for students enrolled in the AVID Program, and
69 the development and fostering of a positive attitude toward learning and the advantages of higher
70 education;

71 6. A low pupil-teacher ratio to promote a high level of interaction between the students and the
72 teacher;

73 7. A current program of staff development and training in the organizational structure, instructional
74 methods, strategies, and process used in and unique to the AVID Program for all teachers and
75 administrators assigned to the program;

76 8. Community outreach to build strong school, business, and community partnerships, and to promote
77 parental involvement in the educational process of participating children;

78 9. Specific, measurable goals and objectives and an evaluation component to determine the program's
79 effectiveness in preparing students participating in the program for college, increasing academic
80 achievement, and lessening the need for remediation of such students who attend college.

81 C. Upon completion of the initial school year of the Advancement Via Individual Determination
82 Program and at least annually thereafter, each school board implementing such program shall require
83 submission of interim evaluation reports of the program. If funded by an appropriation pursuant to
84 subsection A, each school board having an Advancement Via Individual Determination Program shall
85 report the status, effectiveness, and results of such program no later than November 30 of the year
86 following the completion of the initial school year to the Board of Education, which shall transmit such
87 reports to the Governor and the General Assembly.

88 **§ 22.1-227.1. Career and technical education.**

89 A. The Board of Education shall incorporate into career and technical education the Standards of
90 Learning for mathematics, science, English, and social studies, including history, and other subject areas
91 as may be appropriate. The Board may also authorize, in its regulations for accrediting public schools in
92 Virginia, the substitution of industry certification and state licensure examinations for Standards of
93 Learning assessments for the purpose of awarding ~~verified units of~~ credit for career and technical
94 education courses, where appropriate.

95 B. The Board shall also develop a plan for increasing the number of students receiving industry
96 certification and state licensure as part of their career and technical education. The plan shall include an
97 annual goal for school divisions. Where there is an accepted national industry certification for career and
98 technical education instructional personnel and programs for automotive technology, such certification
99 shall be mandatory.

100 C. With such funds as may be appropriated for such purpose, there shall be established, within the
101 Department of Education, a unit of specialists in career and technical education. The unit shall (i) assist
102 in developing and revising local career and technical curriculum to integrate the Standards of Learning,
103 (ii) provide professional development for career and technical instructional personnel to improve the
104 quality of career and technical education, (iii) conduct site visits to the schools providing career and
105 technical education, and (iv) seek the input of business and industry representatives regarding the content
106 and direction of career and technical education programs in the public schools of the Commonwealth.

107 D. The Board shall develop guidelines for the establishment of High School to Work Partnerships,
108 hereafter referred to as "Partnerships," between public high schools and local businesses to create
109 opportunities for students who may not seek further education after high school to (i) participate in an
110 apprenticeship, internship, or job shadow program in a variety of trades and skilled labor positions or
111 (ii) tour local businesses and meet with owners and employees. These guidelines shall include a model
112 waiver form to be used by high schools and local businesses in connection with Partnership programs to
113 protect both the students and the businesses from liability.

114 Each local school board may encourage the local school division's career and technical education
115 administrator or his designee to collaborate with the guidance counselor office of each public high
116 school in the Commonwealth to establish Partnerships and to educate the student body about available
117 opportunities.

118 Students who miss a partial or full day of school while participating in Partnership programs shall
119 not be counted as absent for the purposes of calculating average daily membership, but each local school
120 board shall develop policies and procedures for students to make up missed work and may determine the
121 maximum number of school days per academic year that a student may spend participating in a
122 Partnership program.

123 § 22.1-253.13:3. Standard 3. Accreditation, other standards, assessments, and releases from state
124 regulations.

125 A. The Board of Education shall promulgate regulations establishing standards for accreditation
126 pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), which shall include, but not be limited
127 to, student outcome measures, requirements and guidelines for instructional programs and for the
128 integration of educational technology into such instructional programs, administrative and instructional
129 staffing levels and positions, including staff positions for supporting educational technology, student
130 services, auxiliary education programs such as library and media services, ~~course and credit~~ requirements
131 for graduation from high school, community relations, and the philosophy, goals, and objectives of
132 public education in Virginia.

133 The Board of Education shall promulgate regulations establishing standards for accreditation of
134 public virtual schools under the authority of the local school board that enroll students full time.

135 The Board shall review annually the accreditation status of all schools in the Commonwealth.
136 However, the Board may review the accreditation status of a school once every three years if the school
137 has been fully accredited for three consecutive years. Upon such triennial review, the Board shall review
138 the accreditation status of the school for each individual year within that triennial review period. If the
139 Board finds that the school would have been accredited every year of that triennial review period the
140 Board may accredit the school for another three years. The Board shall review the accreditation status of
141 any school that (i) in any individual year within the triennial review period would have failed to achieve
142 full accreditation or (ii) in the previous year has had an adjustment of its boundaries by a school board
143 pursuant to subdivision 4 of § 22.1-79 that affects at least 10 percent of the student population of the
144 school.

145 Each local school board shall maintain schools that are fully accredited pursuant to the standards for
146 accreditation as prescribed by the Board of Education. Each local school board shall review the
147 accreditation status of all schools in the local school division annually in public session. Within the time
148 specified by the Board of Education, each school board shall submit corrective action plans for any
149 schools within its school division that have been designated as not meeting the standards as approved by
150 the Board.

151 When the Board of Education has obtained evidence through the school academic review process that
152 the failure of schools within a division to achieve full accreditation status is related to division level
153 failure to implement the Standards of Quality, the Board may require a division level academic review.
154 After the conduct of such review and within the time specified by the Board of Education, each school
155 board shall submit for approval by the Board a corrective action plan, consistent with criteria established
156 by the Board and setting forth specific actions and a schedule designed to ensure that schools within its
157 school division achieve full accreditation status. Such corrective action plans shall be part of the relevant
158 school division's comprehensive plan pursuant to § 22.1-253.13:6.

159 With such funds as are appropriated or otherwise received for this purpose, the Board shall adopt and
160 implement an academic review process, to be conducted by the Department of Education, to assist
161 schools that are accredited with warning. The Department shall forward a report of each academic
162 review to the relevant local school board, and such school board shall report the results of such
163 academic review and the required annual progress reports in public session. The local school board shall
164 implement any actions identified through the academic review and utilize them for improvement
165 planning.

166 B. The Superintendent of Public Instruction shall develop and the Board of Education shall approve
167 criteria for determining and recognizing educational performance in the Commonwealth's public school
168 divisions and schools. Such criteria, when approved, shall become an integral part of the accreditation
169 process and shall include student outcome measurements. The Superintendent of Public Instruction shall
170 annually identify to the Board those school divisions and schools that exceed or do not meet the
171 approved criteria. Such identification shall include an analysis of the strengths and weaknesses of public
172 education programs in the various school divisions in Virginia and recommendations to the General
173 Assembly for further enhancing student learning uniformly across the Commonwealth. In recognizing
174 educational performance in the school divisions, the Board shall include consideration of special school
175 division accomplishments, such as numbers of dual enrollments and students in Advanced Placement and
176 International Baccalaureate courses, and participation in academic year Governor's Schools.

177 The Superintendent of Public Instruction shall assist local school boards in the implementation of
178 action plans for increasing educational performance in those school divisions and schools that are

179 identified as not meeting the approved criteria. The Superintendent of Public Instruction shall monitor
180 the implementation of and report to the Board of Education on the effectiveness of the corrective actions
181 taken to improve the educational performance in such school divisions and schools.

182 C. With such funds as are available for this purpose, the Board of Education shall prescribe
183 assessment methods to determine the level of achievement of the Standards of Learning objectives by all
184 students. Such assessments shall evaluate knowledge, application of knowledge, critical thinking, and
185 skills related to the Standards of Learning being assessed. The Board shall, with the assistance of
186 independent testing experts, conduct a regular analysis and validation process for these assessments. The
187 Department of Education shall make available to school divisions Standards of Learning assessments
188 typically administered by the middle and high schools by December 1 of the school year in which such
189 assessments are to be administered or when newly developed assessments are available, whichever is
190 later.

191 The Board shall also provide the option of industry certification and state licensure examinations as a
192 student-selected ~~verified~~ credit.

193 The Board of Education shall make publicly available such assessments in a timely manner and as
194 soon as practicable following the administration of such tests, so long as the release of such assessments
195 does not compromise test security or deplete the bank of assessment questions necessary to construct
196 subsequent tests, or limit the ability to test students on demand and provide immediate results in the
197 web-based assessment system.

198 The Board shall include in the student outcome measures that are required by the Standards for
199 Accreditation end-of-course or end-of-grade assessments for various grade levels and classes, including
200 the completion of the alternative assessments implemented by each local school board, in accordance
201 with the Standards of Learning. These assessments shall include end-of-course or end-of-grade tests for
202 English, mathematics, science, and history and social science and may be integrated to include multiple
203 subject areas.

204 The Standards of Learning assessments administered to students in grades three through eight shall
205 not exceed (a) reading and mathematics in grades three and four; (b) reading, mathematics, and science
206 in grade five; (c) reading and mathematics in grades six and seven; (d) reading, writing, and
207 mathematics in grade eight; (e) science after the student receives instruction in the grade six science, life
208 science, and physical science Standards of Learning and before the student completes grade eight; and
209 (f) Virginia Studies and Civics and Economics once each at the grade levels deemed appropriate by each
210 local school board.

211 Each school board shall annually certify that it has provided instruction and administered an
212 alternative assessment, consistent with Board guidelines, to students in grades three through eight in
213 each Standards of Learning subject area in which a Standards of Learning assessment was not
214 administered during the school year. Such guidelines shall (1) incorporate options for age-appropriate,
215 authentic performance assessments and portfolios with rubrics and other methodologies designed to
216 ensure that students are making adequate academic progress in the subject area and that the Standards of
217 Learning content is being taught; (2) permit and encourage integrated assessments that include multiple
218 subject areas; and (3) emphasize collaboration between teachers to administer and substantiate the
219 assessments and the professional development of teachers to enable them to make the best use of
220 alternative assessments.

221 Local school divisions shall provide targeted mathematics remediation and intervention to students in
222 grades six through eight who show computational deficiencies as demonstrated by their individual
223 performance on any diagnostic test or grade-level Standards of Learning mathematics test that measures
224 non-calculator computational skills.

225 In addition, to assess the educational progress of students, the Board of Education shall (A) develop
226 appropriate assessments, which may include criterion-referenced tests and other assessment instruments
227 that may be used by classroom teachers; (B) select appropriate industry certification and state licensure
228 examinations; and (C) prescribe and provide measures, which may include nationally normed tests to be
229 used to identify students who score in the bottom quartile at selected grade levels. An annual
230 justification that includes evidence that the student meets the participation criteria defined by the
231 Virginia Department of Education shall be provided for each student considered for the Virginia Grade
232 Level Alternative. Each Individual Education Program team shall review such justification and make the
233 final determination as to whether or not the Virginia Grade Level Alternative is appropriate for the
234 student. The superintendent and the school board chairman shall certify to the Board of Education, as a
235 part of certifying compliance with the Standards of Quality, that there is a justification in the Individual
236 Education Program for every student who takes the Virginia Grade Level Alternative. Compliance with
237 this requirement shall be monitored as a part of the special education monitoring process conducted by
238 the Department of Education. The Board shall report to the Governor and General Assembly in its
239 annual reports pursuant to § 22.1-18 any school division that is not in compliance with this requirement.

240 The Standards of Learning requirements, including all related assessments, shall be waived for any
 241 student awarded a scholarship under the Brown v. Board of Education Scholarship Program, pursuant to
 242 § 30-231.2, who is enrolled in a preparation program for a high school equivalency examination
 243 approved by the Board of Education or in an adult basic education program or an adult secondary
 244 education program to obtain the high school diploma or a high school equivalency certificate.

245 The Department of Education shall develop processes for informing school divisions of changes in
 246 the Standards of Learning.

247 The Board of Education may adopt special provisions related to the administration and use of any
 248 Standards of Learning test or tests in a content area as applied to accreditation ratings for any period
 249 during which the Standards of Learning content or assessments in that area are being revised and phased
 250 in. Prior to statewide administration of such tests, the Board of Education shall provide notice to local
 251 school boards regarding such special provisions.

252 D. The Board of Education may pursue all available civil remedies pursuant to § 22.1-19.1 or
 253 administrative action pursuant to § 22.1-292.1 for breaches in test security and unauthorized alteration of
 254 test materials or test results.

255 The Board may initiate or cause to be initiated a review or investigation of any alleged breach in
 256 security, unauthorized alteration, or improper administration of tests, including the exclusion of students
 257 from testing who are required to be assessed, by local school board employees responsible for the
 258 distribution or administration of the tests.

259 Records and other information furnished to or prepared by the Board during the conduct of a review
 260 or investigation may be withheld pursuant to subdivision 11 of § 2.2-3705.3. However, this section shall
 261 not prohibit the disclosure of records to (i) a local school board or division superintendent for the
 262 purpose of permitting such board or superintendent to consider or to take personnel action with regard to
 263 an employee or (ii) any requester, after the conclusion of a review or investigation, in a form that (a)
 264 does not reveal the identity of any person making a complaint or supplying information to the Board on
 265 a confidential basis and (b) does not compromise the security of any test mandated by the Board. Any
 266 local school board or division superintendent receiving such records or other information shall, upon
 267 taking personnel action against a relevant employee, place copies of such records or information relating
 268 to the specific employee in such person's personnel file.

269 Notwithstanding any other provision of state law, no test or examination authorized by this section,
 270 including the Standards of Learning assessments, shall be released or required to be released as
 271 minimum competency tests, if, in the judgment of the Board, such release would breach the security of
 272 such test or examination or deplete the bank of questions necessary to construct future secure tests.

273 E. With such funds as may be appropriated, the Board of Education may provide, through an
 274 agreement with vendors having the technical capacity and expertise to provide computerized tests and
 275 assessments, and test construction, analysis, and security, for (i) web-based computerized tests and
 276 assessments, including computer-adaptive Standards of Learning assessments, for the evaluation of
 277 student progress during and after remediation and (ii) the development of a remediation item bank
 278 directly related to the Standards of Learning.

279 F. To assess the educational progress of students as individuals and as groups, each local school
 280 board shall require the use of Standards of Learning assessments, alternative assessments, and other
 281 relevant data, such as industry certification and state licensure examinations, to evaluate student progress
 282 and to determine educational performance. Each local school shall require the administration of
 283 appropriate assessments to students, which may include criterion-referenced tests and teacher-made tests
 284 and shall include the Standards of Learning assessments, the local school board's alternative assessments,
 285 and the National Assessment of Educational Progress state-by-state assessment. Each school board shall
 286 analyze and report annually, in compliance with any criteria that may be established by the Board of
 287 Education, the results from the Stanford Achievement Test Series, Ninth Edition (Stanford Nine)
 288 assessment, if administered, industry certification examinations, and the Standards of Learning
 289 Assessments to the public.

290 The Board of Education shall not require administration of the Stanford Achievement Test Series,
 291 Ninth Edition (Stanford Nine) assessment, except as may be selected to facilitate compliance with the
 292 requirements for home instruction pursuant to § 22.1-254.1.

293 The Board shall include requirements for the reporting of the Standards of Learning assessment
 294 scores and averages for each year, regardless of accreditation frequency, as part of the Board's
 295 requirements relating to the School Performance Report Card. Such scores shall be disaggregated for
 296 each school by student subgroups on the Virginia assessment program as appropriate and shall be
 297 reported to the public within three months of their receipt. These reports (i) shall be posted on the
 298 portion of the Department of Education's website relating to the School Performance Report Card, in a
 299 format and in a manner that allows year-to-year comparisons, and (ii) may include the National
 300 Assessment of Educational Progress state-by-state assessment.

301 G. Each local school division superintendent shall regularly review the division's submission of data
 302 and reports required by state and federal law and regulations to ensure that all information is accurate
 303 and submitted in a timely fashion. The Superintendent of Public Instruction shall provide a list of the
 304 required reports and data to division superintendents annually. The status of compliance with this
 305 requirement shall be included in the Board of Education's annual report to the Governor and the General
 306 Assembly as required by § 22.1-18.

307 H. Any school board may request the Board of Education for release from state regulations or, on
 308 behalf of one or more of its schools, for approval of an Individual School Accreditation Plan for the
 309 evaluation of the performance of one or more of its schools as authorized for certain other schools by
 310 the Standards of Accreditation pursuant to 8 VAC 20-131-280 C of the Virginia Administrative Code.
 311 Waivers of regulatory requirements may be granted by the Board of Education based on submission of a
 312 request from the division superintendent and chairman of the local school board. The Board of
 313 Education may grant, for a period up to five years, a waiver of regulatory requirements that are not (i)
 314 mandated by state or federal law or (ii) designed to promote health or safety. The school board shall
 315 provide in its waiver request a description of how the releases from state regulations are designed to
 316 increase the quality of instruction and improve the achievement of students in the affected school or
 317 schools. The Department of Education shall provide (a) guidance to any local school division that
 318 requests releases from state regulations and (b) information about opportunities to form partnerships with
 319 other agencies or entities to any local school division in which the school or schools granted releases
 320 from state regulations have demonstrated improvement in the quality of instruction and the achievement
 321 of students.

322 The Board of Education may also grant local school boards waivers of specific requirements in
 323 § 22.1-253.13:2, based on submission of a request from the division superintendent and chairman of the
 324 local school board, permitting the local school board to assign instructional personnel to the schools with
 325 the greatest needs, so long as the school division employs a sufficient number of personnel divisionwide
 326 to meet the total number required by § 22.1-253.13:2 and all pupil/teacher ratios and class size
 327 maximums set forth in subsection C of § 22.1-253.13:2 are met. The school board shall provide in its
 328 request a description of how the waivers from specific Standards of Quality staffing standards are
 329 designed to increase the quality of instruction and improve the achievement of students in the affected
 330 school or schools. The waivers may be renewed in up to five-year increments, or revoked, based on
 331 student achievement results in the affected school or schools.

332 **§ 22.1-253.13:4. Standard 4. Student achievement and graduation requirements.**

333 A. Each local school board shall award diplomas to all secondary school students, including students
 334 who transfer from nonpublic schools or from home instruction, who ~~earn the units of credit meet the~~
 335 ~~requirements~~ prescribed by the Board of Education, ~~pass the prescribed tests,~~ and meet such other
 336 requirements as may be prescribed by the local school board and approved by the Board of Education.
 337 Provisions shall be made to facilitate the transfer and appropriate grade placement of students from other
 338 public secondary schools, from nonpublic schools, or from home instruction as outlined in the standards
 339 for accreditation. ~~Course credits earned for online courses taken in the Department of Education's Virtual~~
 340 ~~Virginia program shall transfer to Virginia public schools in accordance with provisions of the~~ *The*
 341 standards for accreditation *shall include provisions relating to the completion of graduation requirements*
 342 *through Virtual Virginia.* Further, reasonable accommodation to meet the requirements for diplomas shall
 343 be provided for otherwise qualified students with disabilities as needed.

344 In addition, each local school board may devise, vis-a-vis the award of diplomas to secondary school
 345 students, a mechanism for calculating class rankings that takes into consideration whether the student has
 346 taken a required class more than one time and has had any prior earned grade for such required class
 347 expunged.

348 Each local school board shall notify the parents of rising eleventh and twelfth grade students of (i)
 349 the ~~number and subject area requirements of standard and verified units of credit required requirements~~
 350 for graduation pursuant to the standards for accreditation and (ii) the ~~remaining number and subject area~~
 351 requirements of ~~such units of credit that have yet to be completed by the individual student requires for~~
 352 graduation.

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

357 Each local school board shall notify the parent of such students with disabilities who have an
 358 individualized education program and who fail to meet the *graduation* requirements ~~for a standard or~~
 359 ~~advanced studies diploma~~ of the student's right to a free and appropriate education to age 21, inclusive,
 360 pursuant to Article 2 (§ 22.1-213 et seq.) of Chapter 13.

361 C. Students who have completed a prescribed course of study as defined by the local school board

362 shall be awarded certificates of program completion by local school boards if they are not eligible to
363 receive a Board of Education-approved diploma.

364 Each local school board shall provide notification of the right to a free public education for students
365 who have not reached 20 years of age on or before August 1 of the school year, pursuant to Chapter 1
366 (§ 22.1-1 et seq.), to the parent of students who fail to graduate or who have failed to achieve the
367 number of verified units of credit required for graduation requirements as provided in the standards for
368 accreditation. If such student who does not graduate or achieve complete such verified units of credit
369 requirements is a student for whom English is a second language, the local school board shall notify the
370 parent of the student's opportunity for a free public education in accordance with § 22.1-5.

371 D. In establishing course and credit graduation requirements for a high school diploma, the Board
372 shall:

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

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

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

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

386 2. Establish the requirements for a standard and an advanced studies high school diploma, which
387 shall each include 5. *Require students to complete at least one credit course in fine or performing arts or*
388 *career and technical education and, one credit course in United States and Virginia history. The*
389 *requirements for a standard high school diploma shall, however, include at least, and two sequential*
390 *electives elective courses chosen from a concentration of courses selected from a variety of options that*
391 *may be planned to ensure the completion of a focused sequence of elective courses. Such focused*
392 *sequence of elective courses shall provide that provides a foundation for further education or training or*
393 *preparation for employment. The advanced studies diploma shall be the recommended diploma for*
394 *students pursuing baccalaureate study. Both the standard and the advanced studies diploma shall prepare*
395 *students for post-secondary education and the career readiness required by the Commonwealth's*
396 *economy.*

397 Beginning with first-time ninth grade students in the 2013-2014 school year, requirements for the
398 standard diploma shall include a requirement to 6. *Graduation requirements shall include a requirement*
399 *that students either (i) complete an Advanced Placement, honors, or International Baccalaureate course*
400 *or (ii) earn a career and technical education credential that has been approved by the Board, except*
401 *when a career and technical education credential in a particular subject area is not readily available or*
402 *appropriate or does not adequately measure student competency, in which case the student shall receive*
403 *satisfactory competency-based instruction in the subject area to satisfy the standard diploma requirements*
404 *earn credit. The career and technical education credential, when required, could include the successful*
405 *completion of an industry certification, a state licensure examination, a national occupational competency*
406 *assessment, or the Virginia workplace readiness skills assessment.*

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

411 The Board shall make 8. *Make provision in its regulations for students with disabilities to earn a*
412 *standard diploma.*

413 3. Provide, in the requirements to earn a standard or advanced studies diploma, the successful
414 completion of 9. *Require students to complete one virtual course. The virtual course, which may be a*
415 *noncredit-bearing course.*

416 4. 10. Provide, in the requirements for the verified units of credit stipulated for obtaining the
417 standard or advanced studies diploma, that students completing *who complete* elective classes into which
418 the Standards of Learning for any required course have been integrated *may take and achieve a passing*
419 *score on the relevant Standards of Learning test for the relevant required course and receive, upon*
420 *achieving a satisfactory score on the specific Standards of Learning assessment, a verified unit of credit*
421 *for such elective class that shall be deemed to satisfy the Board's requirement for verified credit for the*
422 *required course.*

423 5- 11. Establish a procedure to facilitate the acceleration of students that allows qualified students,
 424 with the recommendation of the division superintendent, without completing the 140-hour class, to
 425 obtain credit for such class upon ~~demonstration of demonstrating~~ mastery of the course content and
 426 objectives. ~~Having received credit for the course, the student shall be permitted to sit for the relevant~~
 427 ~~Standards of Learning assessment and, upon receiving a passing score, shall earn a verified credit on the~~
 428 ~~relevant Standards of Learning assessment.~~ Nothing in this section shall preclude relevant school
 429 division personnel from enforcing compulsory attendance in public schools.

430 6- 12. Provide for the award of ~~verified units of~~ credit for passing scores on industry certifications,
 431 state licensure examinations, and national occupational competency assessments approved by the Board
 432 of Education.

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

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

441 In addition, the Board may:

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

445 b. Permit students completing career and technical education programs designed to enable such
 446 students to pass such industry certification examinations or state licensure examinations to be awarded,
 447 upon obtaining satisfactory scores on such industry certification or licensure examinations, ~~the~~
 448 appropriate ~~verified units of~~ credit for one or more career and technical education classes into which
 449 relevant Standards of Learning for various classes taught at the same level have been integrated. Such
 450 industry certification and state licensure examinations may cover relevant Standards of Learning for
 451 various required classes and may, at the discretion of the Board, address some Standards of Learning for
 452 several required classes.

453 7- 13. Provide for the waiver of certain graduation requirements (i) upon the Board's initiative or (ii)
 454 at the request of a local school board. Such waivers shall be granted only for good cause and shall be
 455 considered on a case-by-case basis.

456 8- 14. Consider all computer science course credits earned by students to be science course credits,
 457 mathematics course credits, or career and technical education credits. The Board of Education shall
 458 develop guidelines addressing how computer science courses can satisfy graduation requirements.

459 9- 15. Permit local school divisions to waive the requirement for students to receive 140 clock hours
 460 of instruction to ~~earn a standard unit of credit~~ upon providing the Board with satisfactory proof, based
 461 on Board guidelines, that the students for whom such requirements are waived have learned the content
 462 and skills included in the relevant Standards of Learning.

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

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

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

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

479 4. The Board shall establish criteria for awarding a diploma seal of biliteracy to any student who
 480 demonstrates proficiency in English and at least one other language for the Board of Education-approved
 481 diplomas. The Board shall consider criteria including the student's (i) score on a College Board
 482 Advanced Placement foreign language examination, (ii) score on an SAT II Subject Test in a foreign
 483 language, (iii) proficiency level on an ACTFL Assessment of Performance toward Proficiency in

484 Languages (AAPPL) measure or another nationally or internationally recognized language proficiency
 485 test, or (iv) cumulative grade point average in a sequence of foreign language courses approved by the
 486 Board.

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

496 G. (Effective until July 1, 2016) To ensure the uniform assessment of high school graduation rates,
 497 the Board shall collect, analyze, and report high school graduation and dropout data using a formula
 498 prescribed by the Board.

499 The Board may promulgate such regulations as may be necessary and appropriate for the collection,
 500 analysis, and reporting of such data.

501 G. (Effective July 1, 2016) To ensure the uniform assessment of high school graduation rates, the
 502 Board shall collect, analyze, report, and make available to the public high school graduation and dropout
 503 data using a formula prescribed by the Board.

504 H. (Effective July 1, 2016) The Board shall also collect, analyze, report, and make available to the
 505 public high school graduation and dropout data using a formula that excludes any student who fails to
 506 graduate because such student is in the custody of the Department of Corrections, the Department of
 507 Juvenile Justice, or local law enforcement. For the purposes of the Standards of Accreditation, the Board
 508 shall use the graduation rate required by this subsection.

509 I. (Effective July 1, 2016) The Board may promulgate such regulations as may be necessary and
 510 appropriate for the collection, analysis, and reporting of such data required by subsections G and H.

511 **2. That no later than August 1, 2016, the Board of Education shall notify each local school board**
 512 **of its plan for the implementation of the provisions of subdivisions D 1, 2, and 3 of § 22.1-253.13:4**
 513 **of the Code of Virginia, as amended by this act, which plan shall include provisions by which the**
 514 **Board shall solicit comments from each local school board and from the public on its website for a**
 515 **period of at least 12 months.**

516 **3. That no later than July 31, 2017, the Board of Education shall conduct at least one public**
 517 **hearing in each of the eight superintendent's regions relating to its plan for the implementation of**
 518 **subdivisions D 1, 2, and 3 of § 22.1-253.13:4 of the Code of Virginia, as amended by this act.**

519 **4. That no later than September 1, 2017, the Board of Education shall submit (i) to the Registrar**
 520 **of Regulations proposed regulations to establish graduation requirements pursuant to the**
 521 **provisions of subdivisions D 1, 2, and 3 of § 22.1-253.13:4 of the Code of Virginia, as amended by**
 522 **this act and (ii) to the Chairmen of the House Committee on Education and the Senate Committee**
 523 **on Education and Health a report on such proposed regulations.**

524 **5. That after September 1, 2017, the Board of Education shall conduct at least one public hearing**
 525 **in each of the eight superintendent's regions relating to its proposed regulations to establish**
 526 **graduation requirements pursuant to the provisions of subdivisions D 1, 2, and 3 of § 22.1-253.13:4**
 527 **of the Code of Virginia, as amended by this act.**

528 **6. That no later than December 1, 2017, the Board of Education shall submit to the Registrar of**
 529 **Regulations final regulations to establish graduation requirements pursuant to the provisions of**
 530 **subdivisions D 1, 2, and 3 of § 22.1-253.13:4 of the Code of Virginia, as amended by this act.**

531 **7. That the graduation requirements established by the Board of Education pursuant to the**
 532 **provisions of subdivisions D 1, 2, and 3 of § 22.1-253.13:4 of the Code of Virginia, as amended by**
 533 **this act, shall apply to each student who enrolls in high school as (i) a freshman after July 1,**
 534 **2018; (ii) a sophomore after July 1, 2019; (iii) a junior after July 1, 2020; or (iv) a senior after**
 535 **July 1, 2021.**