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HOUSE BILL NO. 1087

Offered January 10, 2024

Prefiled January 10, 2024

A BILL to amend and reenact §§ 22.1-1, 22.1-206.3, and 22.1-253.13:1, as they shall become effective, 23.1-100, 23.1-203, 23.1-905.1, 23.1-907, 23.1-908, 23.1-2904, and 23.1-3137 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 13 of Title 22.1 an article numbered 5.1, consisting of sections numbered 22.1-237.1 through 22.1-237.5, relating to Department of Education and Virginia Community College System; College and Career Ready Virginia Program and Fund established.

Patrons—Coyner and Glass

Referred to Committee on Appropriations

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-1, 22.1-206.3, and 22.1-253.13:1, as they shall become effective, 23.1-100, 23.1-203, 23.1-905.1, 23.1-907, 23.1-908, 23.1-2904, and 23.1-3137 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 13 of Title 22.1 an article numbered 5.1, consisting of sections numbered 22.1-237.1 through 22.1-237.5, as follows:

§ 22.1-1. (For Effective Date, see 2022 Acts cc. 549, 550, cl. 2) Definitions.

As used in this title, unless the context requires a different meaning:

"Board" or "State Board" means the Board of Education.

"Department" means the Department of Education.

"Division superintendent" means the division superintendent of schools of a school division.

"Dual enrollment" means the enrollment of a qualified high school student in a postsecondary course that is creditable toward high school completion and a career certificate or an associate or baccalaureate degree at a public institution of higher education. "Dual enrollment" does not include the enrollment of a qualified high school student in a postsecondary course that is not creditable toward high school completion.

"Elementary" includes kindergarten.

"Elementary and secondary" and "elementary or secondary" include elementary, middle, and high school grades.

"Evidence-based literacy instruction" means structured instructional practices, including sequential, systematic, explicit, and cumulative teaching, that (i) are based on reliable, trustworthy, and valid evidence consistent with science-based reading research; (ii) are used in core or general instruction, supplemental instruction, intervention services, and intensive intervention services; (iii) have a demonstrated record of success in adequately increasing students' reading competency, vocabulary, oral language, and comprehension and in building mastery of the foundational reading skills of phonological and phonemic awareness, alphabetic principle, phonics, spelling, and text reading fluency; and (iv) are able to be differentiated in order to meet the individual needs of students.

"Governing body" or "local governing body" means the board of supervisors of a county, council of a city, or council of a town, responsible for appropriating funds for such locality, as the context may require.

"Middle school" means separate schools for early adolescents and the middle school grades that might be housed at elementary or high schools.

"Parent" or "parents" means any parent, guardian, legal custodian, or other person having control or charge of a child.

"Person of school age" means a person who will have reached his fifth birthday on or before September 30 of the school year and who has not reached twenty years of age on or before August 1 of the school year.

"School board" means the school board that governs a school division.

"Science-based reading research" means research that (i) applies rigorous, systematic, and objective observational or experimental procedures to obtain valid knowledge relevant to reading development, reading instruction, and reading and writing difficulties and (ii) explains how proficient reading and writing develop, why some children have difficulties developing key literacy skills, and how schools can best assess and instruct early literacy, including the use of evidence-based literacy instruction practices to promote reading and writing achievement.

"Superintendent" means the Superintendent of Public Instruction.

§ 22.1-206.3. (Effective July 1, 2024) Passport dual enrollment; course credit; guidelines.

INTRODUCED

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59 The Board shall, *consistent with the provisions of Article 5.1 (§ 22.1-237.1 et seq.)*, develop
60 guidelines and policies for prioritizing to the maximum extent practicable dual enrollment programs,
61 including the Passport Program, the ~~Uniform Certificate of General Studies~~ *Passport Plus* Program, the
62 New Economy Workforce Credential Grant Program, and other such programs that allow high school
63 students to receive credit toward the completion of an undergraduate course, degree, or credential
64 offered in the Virginia Community College System. Such guidelines and policies shall include
65 recommendations and strategies on how to ensure the prioritization of such programs to the maximum
66 extent practicable, including ways to direct prioritization of funding to such programs.

67 **§ 22.1-253.13:1. (For Effective Date, see 2022 Acts cc. 549, 550, cl. 2) Standard 1. Instructional**
68 **programs supporting the Standards of Learning and other educational objectives.**

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

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

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

91 The English Standards of Learning for reading in kindergarten through grade eight shall align with
92 evidence-based literacy instruction and science-based reading research.

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

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

107 In addition, the Department shall make available and maintain a website, either separately or through
108 an existing website utilized by the Department, enabling public elementary, middle, and high school
109 educators to submit recommendations for improvements relating to the Standards of Learning, when
110 under review by the Board according to its established schedule, and related assessments required by the
111 Standards of Quality pursuant to this chapter. Such website shall facilitate the submission of
112 recommendations by educators.

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

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

120 The Board shall include in the Standards of Learning for health instruction in emergency first aid,

cardiopulmonary resuscitation, and the use of an automated external defibrillator, including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Such instruction shall be based on the current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a program developed by the American Heart Association or the American Red Cross. No teacher who is in compliance with subdivision D 3 of § 22.1-298.1 shall be required to be certified as a trainer of cardiopulmonary resuscitation to provide instruction for non-certification.

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

The Board shall establish content standards and curriculum guidelines for courses in career investigation in elementary school, middle school, and high school. Each school board shall (i) require each middle school student to take at least one course in career investigation or (ii) select an alternate means of delivering the career investigation course to each middle school student, provided that such alternative is equivalent in content and rigor and provides the foundation for such students to develop their academic and career plans. Any school board may require (a) such courses in career investigation at the high school level as it deems appropriate, subject to Board approval as required in subsection A of § 22.1-253.13:4, and (b) such courses in career investigation at the elementary school level as it deems appropriate. The Board shall develop and disseminate to each school board career investigation resource materials that are designed to ensure that students have the ability to further explore interest in career and technical education opportunities in middle and high school. In developing such resource materials, the Board shall consult with representatives of career and technical education, industry, skilled trade associations, chambers of commerce or similar organizations, and contractor organizations.

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

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

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

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

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

The requirement for remediation may, however, be satisfied by the student's attendance in a program

182 of prevention, intervention or remediation that has been selected by his parent, in consultation with the
183 division superintendent or his designee, and is either (i) conducted by an accredited private school or (ii)
184 a special program that has been determined to be comparable to the required public school remediation
185 program by the division superintendent. The costs of such private school remediation program or other
186 special remediation program shall be borne by the student's parent.

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

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

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

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

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

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

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

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

213 d. Annual notice on its website to enrolled high school students and their parents of (i) the
214 availability of the postsecondary education and employment data published by the State Council of
215 Higher Education on its website pursuant to § 23.1-204.1 and (ii) the opportunity for such students to
216 obtain a nationally recognized career readiness certificate at a local public high school, comprehensive
217 community college, or workforce center; and

218 e. As part of each student's academic and career plan, a list of (i) the top 100 professions in the
219 Commonwealth by median pay and the education, training, and skills required for each such profession
220 and (ii) the top 10 degree programs at institutions of higher education in the Commonwealth by median
221 pay of program graduates. The Department shall annually compile such lists and provide them to each
222 local school board.

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

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

227 6. Early identification of gifted students and enrollment of such students in appropriately
228 differentiated instructional programs.

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

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

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

237 10. An agreement for postsecondary *credit and* degree attainment with ~~a~~ *any* comprehensive
238 community college in the Commonwealth specifying the options for students to complete an associate
239 degree ~~or a one-year Uniform Certificate of General Studies, the Passport Plus Program, or the~~
240 *Passport Program* from a comprehensive community college concurrent with a high school diploma,
241 *consistent with the requirements for the College and Career Ready Virginia Program set forth in Article*
242 *5.1 (§ 22.1-237.1 et seq.) of Chapter 13.* Such agreement shall specify the credit available for dual
243 enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher.

11. A plan to notify students and their parents of the availability of dual enrollment and advanced placement classes; career and technical education programs, including internships, externships, apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based learning experiences; the International Baccalaureate Program and Academic Year Governor's School Programs; the qualifications for enrolling in such classes, programs, and experiences; and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations. This plan shall include notification to students and parents of the *College and Career Ready Virginia Program established pursuant to Article 5.1. (§ 22.1-237.1 et seq.) of Chapter 13 and its* agreement with a comprehensive community college in the Commonwealth pursuant to subdivision 10 to enable students to complete an associate degree ~~or a one-year Uniform Certificate of General Studies, the Passport Plus Program, or the Passport Program~~ concurrent with a high school diploma.

12. Identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs, which programs may include dual language programs whereby such students receive instruction in English and in a second language.

13. Early identification, diagnosis, and assistance for students with mathematics problems and provision of instructional strategies and mathematics practices that benefit the development of mathematics skills for all students.

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

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

15. A program of physical activity available to all students in grades kindergarten through five consisting of at least 20 minutes per day or an average of 100 minutes per week during the regular school year and available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year. Such program may include any combination of (i) physical education classes, (ii) extracurricular athletics, (iii) recess, or (iv) other programs and physical activities deemed appropriate by the local school board. Each local school board shall implement such program during the regular school year. Any physical education class offered to students in grades seven and eight shall include at least one hour of personal safety training per school year in each such grade level that is developed and delivered in partnership with the local law-enforcement agency and consists of situational safety awareness training and social media education.

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

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

18. A program of instruction in the high school Virginia and U.S. Government course on all information and concepts contained in the civics portion of the U.S. Naturalization Test.

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

F. Each local school board may enter into agreements for postsecondary course credit, credential, certification, or license attainment, hereinafter referred to as College and Career Access Pathways Partnerships (Partnerships), with comprehensive community colleges or other public institutions of higher

305 education or educational institutions established pursuant to Title 23.1 that offer a career and technical
306 education curriculum. Such Partnerships shall (i) specify the options for students to take courses as part
307 of the career and technical education curriculum that lead to course credit or an industry-recognized
308 credential, certification, or license concurrent with a high school diploma; (ii) specify the credit,
309 credentials, certifications, or licenses available for such courses; and (iii) specify available options for
310 students to participate in pre-apprenticeship and apprenticeship programs at comprehensive community
311 colleges concurrent with the pursuit of a high school diploma and receive college credit and high school
312 credit for successful completion of any such program.

313 G. Each local school board shall provide a program of literacy instruction that is aligned with
314 science-based reading research and provides evidenced-based literacy instruction to students in
315 kindergarten through grade eight and is consistent with the school board's literacy plan as required by
316 subsection B of § 22.1-253.13:6. Pursuant to such program:

317 1. Each local school board shall provide reading intervention services to students in kindergarten
318 through grade eight who demonstrate substantial deficiencies based on their individual performance on
319 the Standards of Learning reading assessment or a literacy screener provided or approved by the
320 Department. Such reading intervention services shall consist of evidence-based literacy instruction, align
321 with science-based reading research, and be documented for each student in a written student reading
322 plan, consistent with the requirements in subdivision 2 and the list developed by the Department
323 pursuant to subdivision H 2.

324 2. A reading specialist, in collaboration with the teacher of any student who receives reading
325 intervention services pursuant to subdivision 1, shall develop, oversee implementation of, and monitor
326 student progress on a student reading plan. The parent of each student who receives reading intervention
327 services pursuant to subdivision 1 shall receive notice of and have the opportunity to participate in the
328 development of the student reading plan. Each student reading plan (i) shall follow the Department
329 template created pursuant to subdivision H 3; (ii) shall document such reading intervention services; (iii)
330 shall include, at a minimum, (a) the student's specific, diagnosed reading skill deficiencies as determined
331 or identified by diagnostic assessment data or the literacy screener provided or approved by the
332 Department; (b) the goals and benchmarks for student growth in reading; (c) a description of the specific
333 measures that will be used to evaluate and monitor the student's reading progress; (d) the specific
334 evidence-based literacy instruction that the student will receive; (e) the strategies, resources, and
335 materials that will be provided to the student's parent to support the student to make reading progress;
336 and (f) any additional services the teacher deems available and appropriate to accelerate the student's
337 reading skill development; and (iv) may include the following services for the student: instruction from
338 a reading specialist, trained aide, computer-based reading tutorial program, or classroom teacher with
339 support from an aide, extended instructional time in the school day or school year, or, for students in
340 grades six through eight, a literacy course, in addition to the course required by the Standards of
341 Learning in English, that provides the specific evidence-based literacy instruction identified in the
342 student's reading plan. In accordance with § 22.1-215.2, the parent of each student shall receive notice
343 before services begin and a copy of the student reading plan.

344 3. Each student who receives such reading intervention services shall be assessed utilizing either the
345 literacy screener provided or approved by the Department or the grade-level reading Standards of
346 Learning assessment again at the end of that school year.

347 Funds appropriated for prevention, intervention, and remediation, summer school remediation, the
348 at-risk add-on, or early intervention reading may be used to meet the requirements of this subsection.

349 H. In order to assist local school boards to implement the provisions of subsection G:

350 1. The Board shall provide guidance on the content of student reading plans;

351 2. The Department shall develop a list of core literacy curricula, supplemental instruction practices
352 and programs, and intervention programs that consist of evidence-based literacy instruction aligned with
353 science-based reading research for students in kindergarten through grade eight. The list shall be
354 approved by the Board;

355 3. The Department shall develop a template for student reading plans that aligns with the
356 requirements of subsection G;

357 4. The Department shall develop and implement a plan for the annual collection and public reporting
358 of division-level and school-level literacy data, at a time to be determined by the Superintendent, to
359 include results on the literacy screeners provided or approved by the Department and the reading
360 Standards of Learning assessments; and

361 5. The Department shall provide free online evidence-based literacy instruction resources that can be
362 accessed by parents and local school boards to support student literacy development at home.

363 *Article 5.1.*

364 *College and Career Ready Virginia Program and Fund.*

365 **§ 22.1-237.1. Definitions.**

366 *As used in this article, unless the context requires a different meaning:*

"Associate-degree-granting public institution of higher education," "baccalaureate public institution of higher education," "comprehensive community college," "Council," "public institution of higher education," and "System" have the same meanings as provided in § 23.1-100.

"Career and technical education" has the same meaning as provided in § 23.1-2900.

"Fund" means the College and Career Ready Virginia Fund.

"Program" means the College and Career Ready Virginia Program.

"Qualified high school student" means a student who is eligible to participate in the Program in accordance with subdivision 4 of § 22.1-237.4.

§ 22.1-237.2. College and Career Ready Virginia Program and Fund; establishment.

A. The Board and the State Board for Community Colleges shall establish the College and Career Ready Virginia Program.

B. The purpose of the Program is to offer consistent, structured opportunities for all qualified high school students in the Commonwealth to enroll in postsecondary coursework offered by a comprehensive community college that is creditable toward high school completion and a certificate or degree from a public institution of higher education. Academic credits earned through the Program shall enable students to complete a postsecondary credential in less time and at lower cost.

C. There is hereby created in the state treasury a special nonreverting fund to be known as the College and Career Ready Virginia Fund. The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purpose of administering the Program. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Chancellor of the System and the Superintendent.

D. Comprehensive community colleges and local school boards shall not charge qualified high school students tuition or fees for enrolling and participating in Program courses.

§ 22.1-237.3. College and Career Ready Virginia Program; requirements.

A. The Program shall consist of the dual enrollment and participation of qualified high school students at the high school in college courses pursuant to the Passport Program and the Passport Plus Program established in accordance with the requirements set forth in subsection B of § 23.1-907.

B. Each school board shall, pursuant to the Program, offer each qualified high school student in the local school division access to courses at the high school that are sufficient to complete the Passport Program and the Passport Plus Program at a public institution of higher education at no cost to such student.

C. Any credit earned through successful completion of Passport Program and Passport Plus Program courses through the Program shall transfer to each public institution of higher education pursuant to §§ 23.1-905.1 and 23.1-907.

D. The Program shall include appropriate counseling by high school and comprehensive community college staff to ensure that all high school students and parents of high school students receive thorough information about the availability of and process for enrolling in Program courses and the opportunity to earn Passport Program and Passport Plus Program credits that will transfer to public institutions of higher education.

E. The Program shall be data-driven and continually updated to (i) reduce socioeconomic, academic, and other barriers impeding students' access to Program courses; (ii) improve student academic and career outcomes; and (iii) align with the changing workforce needs of the Commonwealth.

F. The Auditor of Public Accounts shall annually audit the receipt and expenditure of any funds associated with the Program by any local school board, any comprehensive community college, the Department, or the System to ensure that such funds are expended exclusively in furtherance of the purposes of this article.

§ 22.1-237.4. College and Career Ready Virginia Program; administration.

The Department and the System shall administer the Program. In administering the Program, the Department and the System shall:

1. Establish an advisory committee composed of representatives from local school divisions from each of the eight Superintendent's regions, associate-degree-granting public institutions of higher education from each of the eight Superintendent's regions, the Office of the Secretary of Education, the State Council of Higher Education for Virginia, the Council of Independent Colleges in Virginia, the Virginia Office of Education Economics, the Virginia Chamber of Commerce, and the Federal Reserve Bank of Richmond, as well as parents of public school students from each of the eight Superintendent's regions, a parent of a student who receives home instruction, and a representative from the Department

428 *with expertise in state and federal requirements for meeting the needs of students with disabilities. Such*
429 *advisory committee shall provide guidance to the Department and the System to ensure that the*
430 *Program fulfills the purpose of the Program described in subsection B of § 22.1-237.2 and meets the*
431 *requirements set forth in § 22.1-237.3.*

432 *2. Coordinate with the Council in its performance of its responsibilities under §§ 23.1-905.1,*
433 *23.1-907, and 23.1-908.*

434 *3. Develop cost guidelines that require comprehensive community colleges and local school boards*
435 *to expend their own state general funds to cover their own Program costs.*

436 *4. Review existing regulations, including 8VAC20-131-140, and policies, including policy 6.6.3 in the*
437 *VCCS Policy Manual, on dual enrollment student eligibility and admission requirements and develop*
438 *consistent student eligibility and admission requirements for the Program that balance improving student*
439 *access to and ensuring student preparedness for Program courses.*

440 *5. Develop and implement policy recommendations to improve participation in the Program by*
441 *qualified high school students from groups of students that are underrepresented in baccalaureate public*
442 *institutions of higher education.*

443 *6. Develop policies directing school boards and comprehensive community colleges to provide notice*
444 *of and counseling relating to the Program to high school students and their parents.*

445 *7. Develop policies to ensure that local school boards and comprehensive community colleges*
446 *provide students enrolled in the Program with appropriate support, including academic support services*
447 *and activities, access and user privileges to adequate library collections and services, accommodations*
448 *for students with disabilities, transportation, and any other learning information or resources.*

449 *8. Establish and implement initiatives to increase the number of high school teachers across the*
450 *Commonwealth that meet the dual enrollment faculty qualification guidelines established by the Southern*
451 *Association of Colleges and Schools Commission on Colleges (SACSCOC) and the State Board for*
452 *Community Colleges.*

453 *9. In local school divisions in which in-person instruction is not available, ensure that school boards*
454 *provide students access to Program courses transmitted virtually, such as through the Online Virginia*
455 *Network pursuant to § 23.1-3137.*

456 *10. Consider the unique needs of local school divisions related to their location, size, and proximity*
457 *to a comprehensive community college when developing policy recommendations and implementing the*
458 *Program.*

459 *11. Make distributions from the Fund as set forth in subsection C of § 22.1-237.2.*

460 *12. Develop and implement a plan for the annual collection and public reporting of state-level and*
461 *division-level Program data, including high school and postsecondary student outcomes.*

462 *13. Develop and implement a plan for the annual collection from local school divisions and*
463 *comprehensive community colleges of data on their receipts and expenditures related to the Program.*

464 *14. Establish a Program webpage that provides information necessary for students and parents to*
465 *understand and access the Program.*

466 *15. Complete an annual, comprehensive review of the effectiveness of the Program, including its cost,*
467 *student outcomes, and the quality and rigor of Program courses, and prepare a plan for continuous*
468 *Program improvement.*

469 *16. Annually report to the General Assembly the results of the review and the plan for continuous*
470 *Program improvement in subdivision 15.*

471 **§ 22.1-237.5. College and Career Ready Virginia Program; incorporation of career and technical**
472 **education coursework; work group.**

473 *A. In recognition of the fact that career and technical education is an essential element of workforce*
474 *readiness in the Commonwealth, the Department and the System shall establish the Program career and*
475 *technical education work group (the work group) for the purpose of developing and recommending a*
476 *career and technical education program of coursework that is available to all qualified high school*
477 *students as part of the Program.*

478 *B. The work group shall be composed of representatives from local school divisions from each of the*
479 *eight Superintendent's regions, associate-degree-granting public institutions of higher education from*
480 *each of the eight Superintendent's regions, the Office of the Secretary of Education, the State Council of*
481 *Higher Education for Virginia, the Council of Independent Colleges in Virginia, the Virginia Office of*
482 *Education Economics, the Virginia Chamber of Commerce, and the Federal Reserve Bank of Richmond,*
483 *as well as parents of public school students from each of the eight Superintendent's regions, a parent of*
484 *a student who receives home instruction, and a representative from the Department with expertise in*
485 *state and federal requirements for meeting the needs of students with disabilities.*

486 *C. The work group shall:*

487 *1. Review existing statutory requirements related to career and technical education, including*
488 *§ 23.1-2906.1, and assess their relevance to qualified dual enrollment students;*

489 *2. Gather data sufficient to understand (i) what career and technical education courses and pathways*

are currently offered through dual enrollment to students; (ii) how the current dual enrollment course offerings differ across local school divisions; (iii) whether existing state funding programs that support career and technical education, including the Get Skilled, Get a Job, Give Back (G3) Program established pursuant to § 23.1-2911.2, the New Economy Workforce Credential Grant Program established pursuant to Article 4.1 (§ 23.1-627.1 et seq.) of Chapter 6 of Title 23.1, and the FastForward Program established by the System, are available to dual enrollment students; (iv) the current availability of instructors who are qualified to teach dual enrollment career and technical education courses across local school divisions; (v) the current costs of dual enrollment in career and technical education courses for students across local school divisions; (vi) the current cost to comprehensive community colleges to provide career and technical education through dual enrollment; and (vii) the extent to which current dual enrollment career and technical education coursework meets industry needs across the Commonwealth; and

3. Develop recommendations for the Department and the System to incorporate career and technical education coursework into the Program. Such recommendations shall address (i) what career and technical education coursework shall be available through dual enrollment to qualified high school students through the Program; (ii) how to ensure that all qualified dual enrolled students can access career and technical courses available through the Program; (iii) how to ensure that such courses meet the industry needs of the Commonwealth; (iv) how to ensure that such courses are affordable for qualified high school students across the Commonwealth; (v) how to ensure that qualified instructors are available to teach career and technical education coursework through the Program; (vi) how to make career and technical education coursework offered through the Program available to qualified high school students through the Online Virginia Network; (vii) what measurable objectives and quantifiable goals the Department and the System should use to understand the cost, assess outcomes, and develop plans for continuous improvement of dual enrollment career and technical education coursework through the Program; and (viii) what legislative action is necessary to incorporate career and technical education coursework into the Program.

§ 23.1-100. Definitions.

As used in this title, unless the context requires a different meaning:

"Associate-degree-granting" means that an associate degree is the most advanced degree that is granted.

"Associate-degree-granting public institution of higher education" includes Richard Bland College and each comprehensive community college.

"Baccalaureate" means that bachelor's degrees or more advanced degrees, or both, are granted.

"Baccalaureate public institution of higher education" includes Christopher Newport University, George Mason University, James Madison University, Longwood University, the University of Mary Washington, Norfolk State University, Old Dominion University, Radford University, the University of Virginia, the University of Virginia's College at Wise as a division of the University of Virginia, Virginia Commonwealth University, Virginia Military Institute, Virginia Polytechnic Institute and State University, Virginia State University, and The College of William and Mary in Virginia.

"Chief executive officer" includes the Chancellor of the Virginia Community College System, the Chancellor of the University of Virginia's College at Wise, the Superintendent of Virginia Military Institute, and the president of each other public institution of higher education.

"Comprehensive community college" means an associate-degree-granting public institution of higher education governed by the State Board that offers instruction in one or more of the following fields:

1. Freshman and sophomore courses in arts and sciences acceptable for transfer to baccalaureate degree programs;

2. Diversified technical curricula, including programs leading to an associate degree;

3. Career and technical education leading directly to employment;

4. Courses in general and continuing education for adults in the fields set out in subdivisions 1, 2, and 3; or

5. Noncredit training and retraining courses and programs of varying lengths to meet the needs of business and industry in the Commonwealth.

"Council" means the State Council of Higher Education for Virginia.

"Dual enrollment" means the enrollment of a qualified high school student in a postsecondary course that is creditable toward high school completion and a career certificate or an associate or baccalaureate degree at a public institution of higher education. "Dual enrollment" does not include the enrollment of a qualified high school student in a postsecondary course that is not creditable toward high school completion.

"Governing board" includes the State Board and the board of visitors of each baccalaureate public institution of higher education. "Governing board" does not include local community college boards.

"Local community college board" means the board established to act in an advisory capacity to the

551 State Board and perform such duties with respect to the operation of a single comprehensive community
552 college as may be delegated to it by the State Board.

553 "Nonprofit private institution of higher education" means any postsecondary school, as that term is
554 defined in § 23.1-213, in the Commonwealth that is exempt from paying federal income taxes under
555 § 501(c)(3) of the Internal Revenue Code and is certified by the Council to offer degrees or exempt
556 from such certification pursuant to Article 3 (§ 23.1-213 et seq.) of Chapter 2.

557 "Non-Virginia student" means any student who has not established domicile in the Commonwealth
558 pursuant to § 23.1-502.

559 "Private institution of higher education" includes each nonprofit private institution of higher
560 education and proprietary private institution of higher education in the Commonwealth.

561 "Proprietary private institution of higher education" means any postsecondary school, as that term is
562 defined in § 23.1-213, in the Commonwealth that is privately owned, privately managed, and obligated
563 to pay federal income taxes in the Commonwealth and is certified by the Council to offer degrees or
564 exempt from such certification pursuant to Article 3 (§ 23.1-213 et seq.) of Chapter 2.

565 "Public institution of higher education" includes the System as a whole and each
566 associate-degree-granting and baccalaureate public institution of higher education in the Commonwealth.

567 "State Board" means the State Board for Community Colleges.

568 "System" means the Virginia Community College System.

569 "Virginia student" means any student who has established domicile in the Commonwealth pursuant to
570 § 23.1-502.

571 **§ 23.1-203. Duties of Council.**

572 The Council shall:

573 1. Develop a statewide strategic plan that (i) reflects the goals set forth in subsection A of
574 § 23.1-1002 or (ii) once adopted, reflects the goals and objectives developed pursuant to subdivision B 5
575 of § 23.1-309 for higher education in the Commonwealth, identifies a coordinated approach to such state
576 and regional goals, and emphasizes the future needs for higher education in the Commonwealth at both
577 the undergraduate and the graduate levels and the mission, programs, facilities, and location of each of
578 the existing institutions of higher education, each public institution's six-year plan, and such other
579 matters as the Council deems appropriate. The Council shall revise such plan at least once every six
580 years and shall submit such recommendations as are necessary for the implementation of the plan to the
581 Governor and the General Assembly.

582 2. Review and approve or disapprove any proposed change in the statement of mission of any public
583 institution of higher education and define the mission of all newly created public institutions of higher
584 education. The Council shall report such approvals, disapprovals, and definitions to the Governor and
585 the General Assembly at least once every six years. No such actions shall become effective until 30
586 days after adjournment of the session of the General Assembly next following the filing of such a
587 report. Nothing in this subdivision shall be construed to authorize the Council to modify any mission
588 statement adopted by the General Assembly or empower the Council to affect, either directly or
589 indirectly, the selection of faculty or the standards and criteria for admission of any public institution of
590 higher education, whether relating to academic standards, residence, or other criteria. Faculty selection
591 and student admission policies shall remain a function of the individual public institutions of higher
592 education.

593 3. Study any proposed escalation of any public institution of higher education to a degree-granting
594 level higher than that level to which it is presently restricted and submit a report and recommendation to
595 the Governor and the General Assembly relating to the proposal. The study shall include the need for
596 and benefits or detriments to be derived from the escalation. No such institution shall implement any
597 such proposed escalation until the Council's report and recommendation have been submitted to the
598 General Assembly and the General Assembly approves the institution's proposal.

599 4. Review and approve or disapprove all enrollment projections proposed by each public institution
600 of higher education. The Council's projections shall be organized numerically by level of enrollment and
601 shall be used solely for budgetary, fiscal, and strategic planning purposes. The Council shall develop
602 estimates of the number of degrees to be awarded by each public institution of higher education and
603 include those estimates in its reports of enrollment projections. The student admissions policies for such
604 institutions and their specific programs shall remain the sole responsibility of the individual governing
605 boards but all baccalaureate public institutions of higher education shall adopt dual admissions policies
606 with comprehensive community colleges as required by § 23.1-907.

607 5. Review and approve or disapprove all new undergraduate or graduate academic programs that any
608 public institution of higher education proposes.

609 6. Review and require the discontinuance of any undergraduate or graduate academic program that is
610 presently offered by any public institution of higher education when the Council determines that such
611 academic program is (i) nonproductive in terms of the number of degrees granted, the number of
612 students served by the program, the program's effectiveness, and budgetary considerations or (ii)

supported by state funds and unnecessarily duplicative of academic programs offered at other public institutions of higher education. The Council shall make a report to the Governor and the General Assembly with respect to the discontinuance of any such academic program. No such discontinuance shall become effective until 30 days after the adjournment of the session of the General Assembly next following the filing of such report.

7. Review and approve or disapprove the establishment of any department, school, college, branch, division, or extension of any public institution of higher education that such institution proposes to establish, whether located on or off the main campus of such institution. If any organizational change is determined by the Council to be proposed solely for the purpose of internal management and the institution's curricular offerings remain constant, the Council shall approve the proposed change. Nothing in this subdivision shall be construed to authorize the Council to disapprove the establishment of any such department, school, college, branch, division, or extension established by the General Assembly.

8. Review the proposed closure of any academic program in a high demand or critical shortage area, as defined by the Council, by any public institution of higher education and assist in the development of an orderly closure plan, when needed.

9. Develop a uniform, comprehensive data information system designed to gather all information necessary to the performance of the Council's duties. The system shall include information on admissions, enrollment, self-identified students with documented disabilities, personnel, programs, financing, space inventory, facilities, and such other areas as the Council deems appropriate. When consistent with the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.), the Virginia Unemployment Compensation Act (§ 60.2-100 et seq.), and applicable federal law, the Council, acting solely or in partnership with the Virginia Department of Education or the Virginia Employment Commission, may contract with private entities to create de-identified student records in which all personally identifiable information has been removed for the purpose of assessing the performance of institutions and specific programs relative to the workforce needs of the Commonwealth.

10. In cooperation with public institutions of higher education, develop guidelines for the assessment of student achievement. Each such institution shall use an approved program that complies with the guidelines of the Council and is consistent with the institution's mission and educational objectives in the development of such assessment. The Council shall report each institution's assessment of student achievement in the revisions to the Commonwealth's statewide strategic plan for higher education.

11. In cooperation with the appropriate state financial and accounting officials, develop and establish uniform standards and systems of accounting, recordkeeping, and statistical reporting for public institutions of higher education.

12. Review biennially and approve or disapprove all changes in the inventory of educational and general space that any public institution of higher education proposes and report such approvals and disapprovals to the Governor and the General Assembly. No such change shall become effective until 30 days after the adjournment of the session of the General Assembly next following the filing of such report.

13. Visit and study the operations of each public institution of higher education at such times as the Council deems appropriate and conduct such other studies in the field of higher education as the Council deems appropriate or as may be requested by the Governor or the General Assembly.

14. Provide advisory services to each accredited nonprofit private institution of higher education whose primary purpose is to provide collegiate or graduate education and not to provide religious training or theological education on academic, administrative, financial, and space utilization matters. The Council may review and advise on joint activities, including contracts for services between public institutions of higher education and such private institutions of higher education or between such private institutions of higher education and any agency or political subdivision of the Commonwealth.

15. Adopt such policies and regulations as the Council deems necessary to implement its duties established by state law. Each public institution of higher education shall comply with such policies and regulations.

16. Issue guidelines consistent with the provisions of the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g), requiring public institutions of higher education to release a student's academic and disciplinary record to a student's parent.

17. Require each institution of higher education formed, chartered, or established in the Commonwealth after July 1, 1980, to ensure the preservation of student transcripts in the event of institutional closure or revocation of approval to operate in the Commonwealth. An institution may ensure the preservation of student transcripts by binding agreement with another institution of higher education with which it is not corporately connected or in such other way as the Council may authorize by regulation. In the event that an institution closes or has its approval to operate in the Commonwealth revoked, the Council, through its director, may take such action as is necessary to secure and preserve the student transcripts until such time as an appropriate institution accepts all or some of the transcripts.

674 Nothing in this subdivision shall be deemed to interfere with the right of a student to his own transcripts
675 or authorize disclosure of student records except as may otherwise be authorized by law.

676 18. Require the development and submission of articulation, dual admissions, and guaranteed
677 admissions agreements between associate-degree-granting and baccalaureate public institutions of higher
678 education.

679 19. Provide periodic updates of base adequacy funding guidelines adopted by the Joint Subcommittee
680 Studying Higher Education Funding Policies for each public institution of higher education.

681 20. Develop, pursuant to the provisions of § 23.1-907, guidelines for articulation, dual admissions,
682 and guaranteed admissions agreements, including guidelines related to a one-year ~~Uniform Certificate of~~
683 ~~General Studies Passport Plus~~ Program and a one-semester Passport Program to be offered at each
684 comprehensive community college. The guidelines developed pursuant to this subdivision shall be
685 developed in consultation with all public institutions of higher education in the Commonwealth, the
686 Department of Education, and the Virginia Association of School Superintendents and shall ensure
687 standardization, quality, and transparency in the implementation of the programs and agreements. At the
688 discretion of the Council, private institutions of higher education eligible for tuition assistance grants
689 may also be consulted.

690 21. Cooperate with the Board of Education in matters of interest to both public elementary and
691 secondary schools and public institutions of higher education, particularly in connection with
692 coordination of the college admission requirements, coordination of teacher training programs with the
693 public school programs, and the Board of Education's Six-Year Educational Technology Plan for
694 Virginia. The Council shall encourage public institutions of higher education to design programs that
695 include the skills necessary for the successful implementation of such Plan.

696 22. Advise and provide technical assistance to the Brown v. Board of Education Scholarship
697 Committee in the implementation and administration of the Brown v. Board of Education Scholarship
698 Program pursuant to Chapter 34.1 (§ 30-231.01 et seq.) of Title 30.

699 23. Insofar as possible, seek the cooperation and utilize the facilities of existing state departments,
700 institutions, and agencies in carrying out its duties.

701 24. Serve as the coordinating council for public institutions of higher education.

702 25. Serve as the planning and coordinating agency for all postsecondary educational programs for all
703 health professions and occupations and make recommendations, including those relating to financing, for
704 providing adequate and coordinated educational programs to produce an appropriate supply of properly
705 trained personnel. The Council may conduct such studies as it deems appropriate in furtherance of the
706 requirements of this subdivision. All state departments and agencies shall cooperate with the Council in
707 the execution of its responsibilities under this subdivision.

708 26. Carry out such duties as the Governor may assign to it in response to agency designations
709 requested by the federal government.

710 27. Insofar as practicable, preserve the individuality, traditions, and sense of responsibility of each
711 public institution of higher education in carrying out its duties.

712 28. Insofar as practicable, seek the assistance and advice of each public institution of higher
713 education in fulfilling its duties and responsibilities.

714 29. Administer the Virginia Longitudinal Data System as a multiagency partnership for the purposes
715 of developing educational, health, social service, and employment outcome data; improving the efficacy
716 of state services; and aiding decision making.

717 30. Assist the Department of Education with collecting and compiling information for distribution to
718 high school students that assist such students in making more informed decisions about post-high-school
719 educational and training opportunities pursuant to § 22.1-206.2.

720 **§ 23.1-905.1. Course credit; dual enrollment courses.**

721 A. The Council, in consultation with each public institution of higher education, shall establish a
722 policy for granting undergraduate course credit to any entering student who has successfully completed a
723 dual enrollment course. The policy shall:

724 1. Outline the conditions necessary for each public institution of higher education to grant course
725 credit for the successful completion of a dual enrollment course;

726 2. Identify whether each dual enrollment course offered in the Commonwealth is transferrable to a
727 public institution of higher education as (i) a ~~Uniform Certificate of General Studies Passport Plus~~
728 Program or Passport Program course credit, (ii) a general elective course credit, or (iii) a course credit
729 meeting other academic requirements of a public institution of higher education, or if such course is not
730 likely to transfer for course credit. The policy shall also require that each school division and
731 comprehensive community college offering a dual enrollment course clearly specify such transfer
732 information on any website, literature, or other materials describing or advertising the course;

733 3. Require each public institution of higher education offering a dual enrollment course to identify
734 the equivalent non-dual enrollment course;

735 4. Ensure that the grant of course credit is consistent across each public institution of higher

education and each such dual enrollment course; and

5. Require that the following information be made available on the online portal maintained by the System pursuant to subsection C of § 23.1-908: (i) a description of each dual enrollment course offered in the Commonwealth; (ii) the specific academic, career, or technical programs in the System that will accept the course credit and which specific comprehensive community colleges offer such programs; and (iii) if available, the pathway maps in which the dual enrollment course is included.

B. The Council and each public institution of higher education shall make the policy available to the public on their websites. The Council shall also forward the policy to the System for inclusion in the online portal maintained by the System pursuant to § 23.1-908.

C. The Council shall annually report to the House Committee on Education and the Senate Committee on Education and Health on the implementation of the course credit policy by each public institution of higher education.

§ 23.1-907. Articulation, dual admissions, and guaranteed admissions agreements; admission of certain comprehensive community college graduates.

A. The board of visitors of each baccalaureate public institution of higher education shall develop, consistent with Council guidelines and the institution's six-year plan as set forth in § 23.1-306, articulation, dual admissions, and guaranteed admissions agreements with each associate-degree-granting public institution of higher education. Such guaranteed admissions agreements may provide for the guaranteed admission of a student who earns an associate degree concurrently with a high school diploma through a dual enrollment program, in addition to any guaranteed admission for a student who earns an associate degree post-high school.

B. The System, in cooperation with the Council and each public institution of higher education, and consistent with the guidelines developed pursuant to subdivision 20 of § 23.1-203, shall establish a one-semester Passport Program and a one-year ~~Uniform Certificate of General Studies Passport Plus~~ Program. The Passport Program shall consist of 15 course credit hours and shall be a component of the 30-credit-hour ~~Uniform Certificate of General Studies Passport Plus~~ Program. Each ~~Uniform Certificate of General Studies Passport Plus~~ Program and Passport Program course shall be transferable and shall satisfy a lower division general education requirement at any public institution of higher education. The ~~Uniform Certificate of General Studies Passport Plus~~ Program and Passport Program shall be available at each comprehensive community college and through the Online Virginia Network.

C. The Council shall establish procedures under which a baccalaureate public institution of higher education may seek a waiver from the Council from accepting the transfer of a ~~Uniform Certificate of General Studies Passport Plus~~ Program or Passport Program course to satisfy the requirements for the completion of a specific pathway or degree. A waiver shall not be granted allowing a baccalaureate public institution to (i) generally reject the transfer of all coursework that is a part of the ~~Uniform Certificate of General Studies Passport Plus~~ Program or Passport Program or (ii) generally reject the transfer of a course from the ~~Uniform Certificate of General Studies Passport Plus~~ Program or Passport Program for all pathway maps and degrees. An application for a waiver shall identify with particularity the course for which the institution is seeking a waiver and the particular pathway or degree to which the waiver would apply. The application shall provide justification for the waiver and shall designate alternative courses offered through the System that may be completed by a student in order to complete a transferable, 30-credit-hour ~~Uniform Certificate Passport Plus~~ or 15-credit-hour Passport. The Council shall adopt guidelines regarding the criteria to be used to review and issue decisions regarding waiver requests. Such waiver requests shall only be granted if the baccalaureate public institution of higher education provides evidence that the specified pathway or degree requires a specialized, lower division course not available through the System. Once approved, notice of a waiver granted by the Council shall be included in the online portal established pursuant to § 23.1-908.

D. The Council shall develop guidelines for associate-degree-granting and baccalaureate public institutions of higher education to use in mapping pathways for the completion of credits in particular programs of study, including the courses recommended to be taken in a dual enrollment, comprehensive community college, and baccalaureate public institution setting in order to pursue a specific degree or career. Such guidelines shall define the elements of a pathway map and identify the pathway maps to be developed. Initial guidelines adopted for mapping such pathways shall establish a multiyear schedule for the development and implementation of pathway maps for all fields of study.

E. Each baccalaureate public institution of higher education, in cooperation and consultation with the System, shall develop pathway maps consistent with the guidelines established pursuant to subsection D. Such pathways maps shall clearly set forth the courses that a student at a comprehensive community college is encouraged to complete prior to transferring to the baccalaureate institution. The goal of the career education pathway maps shall be to assist students in achieving optimal efficiencies in the time and cost of completing a degree program. Such program map shall also clearly identify the courses, if any, for which the baccalaureate institution has received a waiver from transfer pursuant to subsection C.

F. The Council shall prepare a comprehensive annual report on the effectiveness of transferring from comprehensive community colleges to baccalaureate public institutions of higher education, including a review of the effectiveness of the use of pathway maps in achieving efficiencies and cost savings in the completion of a degree program. The report shall include the following elements: completion rates, average time to degree, credit accumulation, post-transfer student academic performance, and comparative efficiency. The Council shall adopt guidelines for data submission from public institutions of higher education necessary for such report, and all institutions shall report such data in accordance with the guidelines. The report shall be made publicly available on the Council website and on the online portal maintained pursuant to § 23.1-908.

G. Each comprehensive community college shall develop agreements for postsecondary *credit and degree* attainment with the public high schools in the school divisions that such comprehensive community college serves specifying the options for students to complete an associate degree, the Passport *Plus* Program, or the ~~Uniform Certificate of General Studies~~ *Passport* Program concurrent with a high school diploma *consistent with the requirements for the College and Career Ready Virginia Program set forth in Article 5.1 (§ 22.1-237.1 et seq.) of Chapter 13 of Title 22.1*. Such agreements shall specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher.

H. The provisions of this section shall not apply to any public institution of higher education established pursuant to Chapter 25 (§ 23.1-2500 et seq.).

§ 23.1-908. State Transfer Tool.

A. The Council shall develop, in cooperation with the System and each public institution of higher education, a State Transfer Tool that designates each general education course, in addition to the courses that comprise the ~~Uniform Certificate of General Studies~~ *Passport Plus* Program and the Passport Program, that is offered in an associate degree program at an associate-degree-granting public institution of higher education and transferable for course credit to a baccalaureate public institution of higher education. In developing the State Transfer Tool, the Council shall also seek the participation of private institutions of higher education.

B. The Council shall develop guidelines to govern the development and implementation of articulation, dual admissions, and guaranteed admissions agreements between associate-degree-granting public institutions of higher education and baccalaureate public institutions of higher education. Dual admissions agreements shall set forth (i) the obligations of each student accepted to such a program, including grade point average requirements, acceptable associate degree majors, and completion timetables, and (ii) the extent to which each student accepted to such a program may access the privileges of enrollment at both institutions while he is enrolled at either institution. Such agreements are subject to the admissions requirements of the baccalaureate public institutions of higher education.

C. Each baccalaureate public institution of higher education shall update its transfer agreements immediately following any program modifications and shall send a copy of its updated agreement and any other transfer-related documents and resources to the System. The Council shall also send to the System a copy of any transfer-related guidelines and resources that it possesses. The System shall maintain an online portal that allows access to all such agreements, documents, and resources. The online portal shall also include (i) documents and resources related to course equivalency, (ii) pathway maps established pursuant to subsection E of § 23.1-907, (iii) the transfer tool established pursuant to subsection A, (iv) information regarding dual enrollment courses as described in § 23.1-905.1, and (v) any other information required to be included by law or deemed relevant by the System. The online portal shall be available to the public on the websites of the Council, the System, each public institution of higher education, and each school division offering a dual enrollment course.

§ 23.1-2904. State Board; duties.

In addition to the duties of governing boards of public institutions of higher education set forth in Chapter 13 (§ 23.1-1300 et seq.), the State Board shall:

1. Be the state agency with primary responsibility for coordinating workforce training at the postsecondary through the associate degree level, exclusive of the career and technical education programs provided through and administered by the public school system. This responsibility shall not preclude other agencies from also providing such services as appropriate, but these activities shall be coordinated with the comprehensive community colleges;

2. Report on actions that comprehensive community colleges have taken to meet the requirements of § 23.1-2906 in its annual report to the General Assembly on workforce development activities required by the general appropriation act;

3. Prepare and administer a plan providing standards and policies for the establishment, development, and administration of comprehensive community colleges under its authority. It shall determine the need for comprehensive community colleges and develop a statewide plan for their location and a time schedule for their establishment. In the development of such plan, a principal objective is to provide and maintain a system of comprehensive community colleges, as that term is defined in § 23.1-100 to make

appropriate educational opportunities and programs available throughout the Commonwealth. In providing these offerings, the State Board shall recognize the need for excellence in all curricula and shall establish and maintain standards appropriate to the various purposes the respective programs are designed to serve;

4. Establish policies providing for the creation of a local community college board for each comprehensive community college established under this chapter and the procedures and regulations under which such local boards shall operate. These boards shall assist in ascertaining educational needs and enlisting community involvement and support and shall perform such other duties as may be prescribed by the State Board;

5. Adhere to the policies of the Council for the coordination of higher education as required by law;

6. Develop a mental health referral policy directing comprehensive community colleges to designate at least one individual at each college to serve as a point of contact with an emergency services system clinician at a local community services board, or another qualified mental health services provider, for the purposes of facilitating screening and referral of students who may have emergency or urgent mental health needs and of assisting the college in carrying out the duties specified by §§ 23.1-802 and 23.1-805. Each comprehensive community college may establish relationships with community services boards or other mental health providers for referral and treatment of persons with less serious mental health needs;

7. Develop and implement, in coordination with the Council, the Department of Education, and the Virginia Association of School Superintendents, (i) a plan to achieve and maintain the same standards regarding quality, consistency, and level of evaluation and review for dual enrollment courses offered by local school divisions pursuant to § 23.1-907 as are required for all courses taught in the System and (ii) a process and criteria for determining whether any dual enrollment course offered in the Commonwealth that meets or exceeds such standards is transferable to a public institution of higher education as (a) a ~~uniform certificate of general studies program~~ *Passport Plus Program* or ~~passport program~~ *Passport Program* course credit, (b) a general elective course credit, or (c) a course credit meeting other academic requirements of a public institution of higher education;

8. Prepare and administer a plan to standardize across all comprehensive community colleges the courses offered and the quality and content of such courses, as well as to standardize the application and registration process at all comprehensive community colleges. Such plan shall allow for a comprehensive community college to provide additional courses, beyond the standard class content offered across the System, that meet specific regional interests and needs. Regional courses shall be subject to the standards of quality applied to all courses offered in the System;

9. Develop and implement a plan to standardize across all comprehensive community colleges the courses offered for health care-related degree, credential, or licensure programs, excluding any registered nursing programs. Such plan shall include procedures and criteria for (i) standardizing such courses by name, curriculum, coursework, quality, academic rigor, and standard of evaluation; (ii) awarding credit toward the completion of any such health care-related program for any student enrolled in a comprehensive community college; and (iii) standardizing the manner in which academic and clinical hour credits are awarded for such courses to ensure that they are stackable and transferrable across the System; and

10. Develop and implement accountability measures to periodically, but in no case less than every three years, review the performance of each comprehensive community college to ensure that all standards established by the Board are being met, with a goal of ensuring a consistent quality of education and opportunity across the System. If it is found that such standards are not being met at a particular institution, the Board shall develop a plan for corrective action specific to the issues presented at that institution.

§ 23.1-3137. Duties of the Authority.

The Authority shall:

1. Expand access to affordable higher education in the Commonwealth by establishing the Online Virginia Network (the Network) for the purpose of coordinating the online delivery of courses that facilitate the completion of degrees at George Mason University, Old Dominion University, James Madison University, and comprehensive community colleges;

2. Encourage each public institution of higher education and each consortium of public institutions of higher education that offers online courses, online degree programs, or online credential programs to offer any such course, degree program, or credential program through the Network;

3. Oversee a process of approval for public institutions of higher education and consortia of such institutions to participate in the Network, with such funds as are appropriated for such purpose and made available to it;

4. Serve as a resource for residents of the Commonwealth and disseminate information regarding the opportunities for online learning offered by institutions and consortia that participate in the Network;

920 5. Coordinate the maintenance of an online portal through which potential students may examine and
921 enroll seamlessly in Network offerings;

922 6. Collaborate with institutions and consortia that participate in the Network to ensure that the needs
923 of enrolled students are met before, during, and after enrollment through online student support systems;

924 7. To the extent practicable, ensure that courses and degree programs offered through the Network (i)
925 are accredited by an accrediting agency recognized by the U.S. Department of Education or authorized
926 by the Council, as applicable; (ii) expand access to underserved populations based on income, race,
927 geography, and age; (iii) are responsive to the employment demands of the Commonwealth; (iv) employ
928 learning and delivery technologies, which may include competency-based and experiential learning, in an
929 efficient and cost-effective manner to promote flexibility for each student to pursue online courses and
930 programs at his own pace and in his own location throughout the year; (v) minimize student expenses
931 and reduce time-to-degree or time-to-credential; and (vi) are offered in collaboration with existing public
932 and private providers of online courses;

933 8. Promote the refinement and implementation of articulation agreements to ensure that credits earned
934 through the Network are transferable to each other public institution of higher education and contribute
935 to on-time degree completion at each such institution;

936 9. Assist in developing processes to help institutions and consortia that participate in the Network to
937 expand their online offerings;

938 10. Ensure that the Passport Program and the ~~Uniform Certificate of General Studies~~ *Passport Plus*
939 Program, established pursuant to § 23.1-907, be made available through the Network;

940 11. Develop specific goals for meeting the demand in the Commonwealth for affordable and
941 accessible higher education through online learning;

942 12. Review and report annually to the Governor and the General Assembly on the cost structure of
943 funds allocated to the establishment, maintenance, and expansion of the Network. In addition, the
944 Authority shall examine ways to reduce the cost of online education and develop a budget that
945 incorporates estimated expected tuition revenue from online students and its use in supporting the
946 Network and assumes that any financial aid will come from existing financial aid programs; and

947 13. Accept, administer, and account for any state, federal, or private moneys that it may receive. Any
948 moneys, including interest thereon, that have not been expended by the Authority by the end of each
949 fiscal year shall not revert to the general fund but shall remain in the accounts of the Authority.

950 **2. That the College and Career Ready Virginia Program career and technical education work**
951 **group established by the Department of Education (the Department) and the Virginia Community**
952 **College System (the System) pursuant to § 22.1-237.5 of the Code of Virginia, as created by this**
953 **act, shall submit its recommendations to the Department and the System as required pursuant to**
954 **subdivision C 3 of § 22.1-237.5 of the Code of Virginia, as created by this act, no later than**
955 **November 1, 2024.**

956 **3. That each comprehensive community college and school board shall make such amendments to**
957 **its agreements for postsecondary credit and degree attainment as required by subdivision D 10 of**
958 **§ 22.1-253.13:1 of the Code of Virginia, as amended by this act, and subsection G of § 23.1-907 of**
959 **the Code of Virginia, as amended by this act, as it deems necessary to comply with the provisions**
960 **of this act.**

961 **4. That the Secretary of Education, the Superintendent of Public Instruction, and the Chancellor**
962 **of the Virginia Community College System shall make such amendments to their *Governing***
963 ***Principles for Dual Enrollment between Virginia Public Schools and the Virginia Community College***
964 ***System* as they deem necessary to comply with the provisions of this act.**