

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 22.1-253.13:4 of the Code of Virginia, relating to Board of Education;*
 3 *requirements for graduation with an advanced studies diploma; simultaneous completion of International*
 4 *Baccalaureate diploma and advanced studies diploma; approval of alternatives for certain credit*
 5 *requirements; regulations.*

6 [H 595]

7 Approved

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That § 22.1-253.13:4 of the Code of Virginia is amended and reenacted as follows:**10 **§ 22.1-253.13:4. Standard 4. Student achievement and graduation requirements.**

11 A. Each local school board shall award diplomas to all secondary school students, including students who
 12 transfer from nonpublic schools or from home instruction, who meet the requirements prescribed by the
 13 Board and meet such other requirements as may be prescribed by the local school board and approved by the
 14 Board. Provisions shall be made to facilitate the transfer and appropriate grade placement of students from
 15 other public secondary schools, from nonpublic schools, or from home instruction as outlined in the standards
 16 for accreditation. The standards for accreditation shall include provisions relating to the completion of
 17 graduation requirements through Virtual Virginia. Further, reasonable accommodation to meet the
 18 requirements for diplomas shall be provided for otherwise qualified students with disabilities as needed.

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

23 Each local school board shall notify the parents of rising eleventh and twelfth grade students of (i) the
 24 requirements for graduation pursuant to the standards for accreditation and (ii) the requirements that have yet
 25 to be completed by the individual student.

26 B. Students identified as disabled who:

27 1. Complete alternative requirements, in the form of credit accommodations specified in their
 28 individualized education programs, to earn required standard and verified credits shall be awarded standard
 29 diplomas by local school boards. Such credit accommodations may include (i) approval of alternative courses
 30 to meet standard credit requirements, (ii) modifications to the requirements for local school divisions to
 31 award locally awarded verified credits, (iii) approval of additional tests to earn verified credits, (iv) adjusted
 32 cut scores required to earn verified credits, (v) allowance of work-based learning experiences, and (vi) special
 33 permission credit accommodations for locally awarded verified credits; and

34 2. Complete the requirements of their individualized education programs and meet certain requirements
 35 prescribed by the Board pursuant to regulations but do not meet the requirements for any named diploma
 36 shall be awarded Applied Studies diplomas by local school boards. The Board shall develop and implement
 37 statewide requirements for earning an Applied Studies diploma for implementation at the beginning of the
 38 2022-2023 school year.

39 The Department shall develop guidance, in multiple languages, for students and parents (i) informing
 40 them of the alternative path to earn a standard diploma through credit accommodations, including special
 41 permission credit accommodations for locally awarded verified credits; (ii) conveying (a) the limitations of
 42 the applied studies diploma, (b) key curriculum and testing decisions that reduce the likelihood that a student
 43 will be able to obtain a standard diploma, and (c) a statement that the pursuit of an applied studies diploma
 44 may preclude a student's ability to pursue a standard diploma; and (iii) supporting them to discuss these
 45 diploma options at the student's individualized education program meetings.

46 Each local school board shall develop a process for awarding locally verified credits to students with
 47 disabilities, require individualized education program teams to consider credit accommodations, including
 48 locally awarded verified credits, for students with disabilities to enable them to earn a standard diploma, and
 49 provide guidance from the Department to parents of students with disabilities regarding the availability of
 50 credit accommodations to earn a standard diploma and the limitations of the Applied Studies diploma at a
 51 student's annual individualized education program meeting corresponding to grades three through 12 when
 52 curriculum or statewide assessment decisions are being made that impact the type of diploma for which the
 53 student can qualify.

54 Each local school board shall notify the parent of such students with disabilities who have an
 55 individualized education program and who fail to meet the graduation requirements of the student's right to a
 56 free and appropriate education to age 21, inclusive, pursuant to Article 2 (§ 22.1-213 et seq.) of Chapter 13.

57 C. Students who have completed a prescribed course of study as defined by the local school board shall be
 58 awarded certificates of program completion by local school boards if they are not eligible to receive a Board-
 59 approved diploma.

60 Each local school board shall provide notification of the right to a free public education for students who
 61 have not reached 20 years of age on or before August 1 of the school year, pursuant to Chapter 1 (§ 22.1-1 et
 62 seq.), to the parent of students who fail to graduate or who have failed to achieve graduation requirements as
 63 provided in the standards for accreditation. If such student who does not graduate or complete such
 64 requirements is a student for whom English is a second language, the local school board shall notify the
 65 parent of the student's opportunity for a free public education in accordance with § 22.1-5.

66 D. In establishing graduation requirements, the Board shall:

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

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

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

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

79 5. Require students to complete at least one course in fine or performing arts or career and technical
 80 education, one course in United States and Virginia history *or an alternative approved by the Board pursuant*
 81 *to subdivision 22*, and two sequential elective courses chosen from a concentration of courses selected from a
 82 variety of options that may be planned to ensure the completion of a focused sequence of elective courses that
 83 provides a foundation for further education or training or preparation for employment.

84 6. Require that students (i) complete an Advanced Placement, honors, International Baccalaureate, or dual
 85 enrollment course; (ii) complete a high-quality work-based learning experience, as defined by the Board; or
 86 (iii) earn a career and technical education credential that has been approved by the Board, including its
 87 diploma seal of biliteracy established pursuant to subdivision E 4, except when a career and technical
 88 education credential in a particular subject area is not readily available or appropriate or does not adequately
 89 measure student competency, in which case the student shall receive satisfactory competency-based
 90 instruction in the subject area to earn credit. The career and technical education credential, when required,
 91 could include the successful completion of an industry certification, a state licensure examination, a national
 92 occupational competency assessment, the Armed Services Vocational Aptitude Battery, the Virginia
 93 workplace readiness skills assessment, or, in the case of the diploma seal of biliteracy, any examination set
 94 forth in subdivision E 4. The Department shall develop, maintain, and make available to each local school
 95 board a catalogue of the testing accommodations available to English language learners for each such
 96 certification, examination, assessment, and battery. Each local school board shall develop and implement
 97 policies to require each high school principal or his designee to notify each English language learner of the
 98 availability of such testing accommodations prior to the student's participation in any such certification,
 99 examination, assessment, or battery.

100 7. Require students to be trained in emergency first aid, cardiopulmonary resuscitation, and the use of
 101 automated external defibrillators, including hands-on practice of the skills necessary to perform
 102 cardiopulmonary resuscitation, *provided, however, that the Board shall grant a waiver from this requirement*
 103 *for any student who (i) pursuant to his individualized education program or Section 504 Plan, cannot*
 104 *successfully complete such training or (ii) after grade 10, transfers from a school or other education program*
 105 *that does not require or give credit for health and physical education courses to a public school that provides*
 106 *such training as a part of a health or physical education course to students in grades nine or 10.*

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

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

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

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

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

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

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

127 In addition, the Board may:

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

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

138 13. Provide for the waiver of certain graduation requirements and the subsequent award of a high school
 139 diploma (i) upon the Board's initiative, (ii) at the request of a local school board, or (iii) upon the request of
 140 the parent of any high school senior who died in good standing prior to graduation during the student's senior
 141 year. Such waivers shall be granted only for good cause and shall be considered on a case-by-case basis.

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

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

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

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

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

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

163 20. Permit a student who is pursuing an advanced studies diploma and whose individualized education
 164 program specifies a credit accommodation for world language to substitute two standard units of credit in
 165 computer science for two standard units of credit in a world language. For any student that elects to substitute
 166 a credit in computer science for credit in world language, his or her school counselor must provide notice to
 167 the student and parent or guardian of possible impacts related to college entrance requirements.

168 21. Permit any student to substitute elective credits for completion of any industry-approved workforce
 169 credential, provided that such credential is included on the list of credentials that are uniformly accepted as
 170 substitutes for such required credits developed and maintained by the Board pursuant to subsection F of
 171 § 22.1-253.13:1.

172 22. *Permit any student who (i) after grade 10, transfers into a public high school in the Commonwealth
 173 and (ii) is simultaneously pursuing an advanced studies diploma and an International Baccalaureate (IB)
 174 diploma to complete certain courses or sequences of courses required for an IB diploma (a) as substitutes for
 175 the Virginia and U.S. history course and Virginia and U.S. government course for the purposes of satisfying
 176 the history and social science credit requirements and (b) for the purposes of satisfying the economics and
 177 personal finance credit requirement. The Board shall approve the courses or sequences of courses required
 178 for an IB diploma that any such student may complete to satisfy the credit requirements pursuant to this
 179 subdivision.*

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

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

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

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

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

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

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

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

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

220 **2. That the Board of Education shall amend its regulations in 8VAC20-132-51 of the Virginia**
 221 **Administrative Code in accordance with the provisions of this act to expressly provide that any student**
 222 **who completes the requirements to be eligible for the award of an International Baccalaureate (IB)**
 223 **diploma shall be deemed to have satisfied all of the course and credit requirements for graduation with**
 224 **an advanced studies diploma without being required to complete any additional course or credit**
 225 **verification requirements, except (i) to the extent completion of a course or credit is required of all high**
 226 **school students pursuant to applicable law and (ii) that any such student may be required to complete**
 227 **(a) the training in emergency first aid, cardiopulmonary resuscitation, and the use of automated**
 228 **external defibrillators, unless such student is eligible for a waiver from such graduation requirement**
 229 **pursuant to subdivision D 7 of § 22.1-253.13:4 of the Code of Virginia, as amended by this act, or (b)**
 230 **the Virginia and U.S. history course and Virginia and U.S. government course, except as provided in**
 231 **subdivision D 22 of § 22.1-253.13:4 of the Code of Virginia, as amended by this act.**