

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 high school graduation*
 3 *requirements; history and social studies credits; certain substitutions permitted.*

4 [H 182]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 22.1-253.13:4 of the Code of Virginia is amended and reenacted as follows:**8 **§ 22.1-253.13:4. Standard 4. Student achievement and graduation requirements.**

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

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

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

24 B. Students identified as disabled who:

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

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

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

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

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

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

57 approved diploma.

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

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

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

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

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

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

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

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

98 7. Require students to be trained in emergency first aid, cardiopulmonary resuscitation, and the use of
99 automated external defibrillators, including hands-on practice of the skills necessary to perform
100 cardiopulmonary resuscitation.

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

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

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

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

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

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

118 For the purposes of this subdivision, "career and technical education completer" means a student who has

119 met the requirements for a career and technical concentration or specialization and all requirements for high
 120 school graduation or an approved alternative education program.

121 In addition, the Board may:

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

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

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

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

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

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

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

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

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

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

162 21. Permit any student to substitute elective credits for completion of any industry-approved workforce
 163 credential, provided that such credential is included on the list of credentials that are uniformly accepted as
 164 substitutes for such required credits developed and maintained by the Board pursuant to subsection F of
 165 § 22.1-253.13:1.

166 22. *Permit any student to substitute the African American History course or the Advanced Placement*
 167 *African American Studies course for the World History I course or the World Geography course for the*
 168 *purpose of satisfying the history and social studies credit requirements, provided that (i) enrollment in such*
 169 *African American History course or Advanced Placement African American Studies course is available to the*
 170 *student and (ii) any such student shall be required to complete and receive a passing score on an applicable*
 171 *local alternative assessment, as that term is defined in subsection K of § 22.1-253.13:3, or an equivalent*
 172 *Board-approved assessment, in order to satisfy history and social studies credit requirements for graduation.*

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

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

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

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

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

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

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

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

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

213 **2. That the Board of Education shall amend its regulations as necessary to (i) permit any student to**
214 **substitute the African American History course or the Advanced Placement African American Studies**
215 **course for the World History I course or the World Geography course for the purpose of satisfying the**
216 **history and social studies credit requirements, in accordance with subdivision D 22 of § 22.1-253.13:4**
217 **of the Code of Virginia, as amended by this act, and (ii) ensure that any student electing to make such**
218 **substitution pursuant to clause (i) is not required to earn a verified credit for the World History I**
219 **course or World Geography course in order to graduate.**