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SENATE BILL NO. 916
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Education
on February 11, 2015)
(Patron Prior to Substitute—Senator Wexton)

A BILL to amend and reenact §§ 22.1-253.13:4 and 22.1-254.2 of the Code of Virginia, relating to diploma seals; biliteracy.

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-253.13:4 and 22.1-254.2 of the Code of Virginia are amended and reenacted as follows:

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

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

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

Each local school board shall notify the parents of rising eleventh and twelfth grade students of (i) the number and subject area requirements of standard and verified units of credit required for graduation pursuant to the standards for accreditation and (ii) the remaining number and subject area requirements of such units of credit the individual student requires for graduation.

B. Students identified as disabled who complete the requirements of their individualized education programs shall be awarded special diplomas by local school boards.

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

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

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

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

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

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

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60 Beginning with first-time ninth grade students in the 2013-2014 school year, requirements for the
61 standard diploma shall include a requirement to earn a career and technical education credential that has
62 been approved by the Board, that could include, but not be limited to, the successful completion of an
63 industry certification, a state licensure examination, a national occupational competency assessment, or
64 the Virginia workplace readiness skills assessment.

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

69 The Board shall make provision in its regulations for students with disabilities to earn a standard
70 diploma.

71 3. Provide, in the requirements to earn a standard or advanced studies diploma, the successful
72 completion of one virtual course. The virtual course may be a noncredit-bearing course.

73 4. Provide, in the requirements for the verified units of credit stipulated for obtaining the standard or
74 advanced studies diploma, that students completing elective classes into which the Standards of Learning
75 for any required course have been integrated may take the relevant Standards of Learning test for the
76 relevant required course and receive, upon achieving a satisfactory score on the specific Standards of
77 Learning assessment, a verified unit of credit for such elective class that shall be deemed to satisfy the
78 Board's requirement for verified credit for the required course.

79 5. Establish a procedure to facilitate the acceleration of students that allows qualified students, with
80 the recommendation of the division superintendent, without completing the 140-hour class, to obtain
81 credit for such class upon demonstration of mastery of the course content and objectives. Having
82 received credit for the course, the student shall be permitted to sit for the relevant Standards of Learning
83 assessment and, upon receiving a passing score, shall earn a verified credit. Nothing in this section shall
84 preclude relevant school division personnel from enforcing compulsory attendance in public schools.

85 6. Provide for the award of verified units of credit for passing scores on industry certifications, state
86 licensure examinations, and national occupational competency assessments approved by the Board of
87 Education.

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

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

96 In addition, the Board may:

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

100 b. Permit students completing career and technical education programs designed to enable such
101 students to pass such industry certification examinations or state licensure examinations to be awarded,
102 upon obtaining satisfactory scores on such industry certification or licensure examinations, the
103 appropriate verified units of credit for one or more career and technical education classes into which
104 relevant Standards of Learning for various classes taught at the same level have been integrated. Such
105 industry certification and state licensure examinations may cover relevant Standards of Learning for
106 various required classes and may, at the discretion of the Board, address some Standards of Learning for
107 several required classes.

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

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

114 E. In the exercise of its authority to recognize exemplary academic performance by providing for
115 diploma seals, the Board of Education shall develop criteria for recognizing exemplary performance in
116 career and technical education programs by students who have completed the requirements for a Board
117 of Education-approved diploma and shall award seals on the diplomas of students meeting such criteria.

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

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

129 F. *The Board shall award a diploma seal for biliteracy to any student who (i) achieves a score of*
130 *proficient or higher on the eleventh-grade end-of-course reading and writing Standards of Learning*
131 *assessments, (ii) achieves a cumulative grade point average of 2.0 or higher, and (iii) demonstrates*
132 *proficiency in a foreign language by achieving:*

- 133 1. *A score of 3 or higher on a College Board Advanced Placement foreign language examination;*
- 134 2. *A score of 600 or higher on an SAT II Subject Test in a foreign language;*
- 135 3. *(i) intermediate mid proficiency or higher on an ACTFL Assessment of Performance toward*
136 *Proficiency in Languages (AAPPL) measure or (ii) an equivalent proficiency or higher on a nationally*
137 *or internationally recognized language proficiency test; or*
- 138 4. *A cumulative grade point average of 3.0 or higher in a sequence of foreign language courses*
139 *approved by the Board.*

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

149 G. H. To ensure the uniform assessment of high school graduation rates, the Board shall collect,
150 analyze, and report high school graduation and dropout data using a formula prescribed by the Board.

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

153 **§ 22.1-254.2. Testing for high school equivalency; eligibility; guidelines.**

154 A. The Board of Education shall establish a program of testing for high school equivalency through
155 which a person may pass a high school equivalency examination approved by the Board of Education
156 through which persons may earn a high school equivalency certificate or may earn a diploma as
157 provided in subsection F G of § 22.1-253.13:4. The following persons may participate in the testing
158 program:

- 159 1. Persons who are at least 18 years of age and not enrolled in public school or not otherwise
160 meeting the school attendance requirements set forth in § 22.1-254;
- 161 2. Persons 16 years of age or older who have been instructed by their parents in their home pursuant
162 to § 22.1-254.1 and who have completed such home school instruction;
- 163 3. Persons who have been excused from school attendance pursuant to subsections B and D of
164 § 22.1-254;
- 165 4. Persons for whom an individual student alternative education plan has been granted pursuant to
166 subsection E of § 22.1-254;
- 167 5. Persons 16 through 18 years of age who are housed in adult correctional facilities and who are
168 actively pursuing a passing score on a high school equivalency examination approved by the Board of
169 Education but who are not enrolled in an individual student alternative education plan pursuant to
170 subsection E of § 22.1-254;
- 171 6. Persons 16 years of age or older who have been expelled from school pursuant to §§ 22.1-277.06
172 through 22.1-277.08; and
- 173 7. Persons required by court order to participate in the testing program.

174 Under no circumstances shall persons under the age of 16 be eligible for the testing program.

175 B. From such funds as may be appropriated for this purpose, local school boards shall implement
176 programs of preparation and testing for high school equivalency consistent with guidelines to be
177 developed by the Board of Education. Such guidelines shall include a provision that allows preparatory
178 and testing programs to be offered jointly by two or more school boards.