

## 1 HOUSE BILL NO. 271

## 2 AMENDMENT IN THE NATURE OF A SUBSTITUTE

3 (Proposed by the House Committee on Appropriations

4 on February 2, 2022)

5 (Patron Prior to Substitute--Delegate Byron)

6 A BILL to amend and reenact §§ 22.1-253.13:1 and 23.1-907 of the Code of Virginia, relating to local  
7 school boards and comprehensive community colleges; compensation structure for adjunct  
8 instructors; workforce credentials.

9 **Be it enacted by the General Assembly of Virginia:**10 **1. That §§ 22.1-253.13:1 and 23.1-907 of the Code of Virginia are amended and reenacted as follows:**11 **§ 22.1-253.13:1. Standard 1. Instructional programs supporting the Standards of Learning**  
12 **and other educational objectives.**

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

23 B. The Board of Education shall establish educational objectives known as the Standards of  
24 Learning, which shall form the core of Virginia's educational program, and other educational objectives,  
25 which together are designed to ensure the development of the skills that are necessary for success in school  
26 and for preparation for life in the years beyond. At a minimum, the Board shall establish Standards of

27 Learning for English, mathematics, science, and history and social science. The Standards of Learning  
28 shall not be construed to be regulations as defined in § 2.2-4001.

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

35 The English Standards of Learning for reading in kindergarten through grade three shall be based  
36 on components of effective reading instruction, to include, at a minimum, phonemic awareness, systematic  
37 phonics, fluency, vocabulary development, and text comprehension.

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

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

52 In addition, the Department of Education shall make available and maintain a website, either  
53 separately or through an existing website utilized by the Department of Education, enabling public

54 elementary, middle, and high school educators to submit recommendations for improvements relating to  
55 the Standards of Learning, when under review by the Board according to its established schedule, and  
56 related assessments required by the Standards of Quality pursuant to this chapter. Such website shall  
57 facilitate the submission of recommendations by educators.

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

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

65 The Board of Education shall include in the Standards of Learning for health instruction in  
66 emergency first aid, cardiopulmonary resuscitation, and the use of an automated external defibrillator,  
67 including hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. Such  
68 instruction shall be based on the current national evidence-based emergency cardiovascular care  
69 guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a  
70 program developed by the American Heart Association or the American Red Cross. No teacher who is in  
71 compliance with subdivision D 3 of § 22.1-298.1 shall be required to be certified as a trainer of  
72 cardiopulmonary resuscitation to provide instruction for non-certification.

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

78 The Board shall establish content standards and curriculum guidelines for courses in career  
79 investigation in elementary school, middle school, and high school. Each school board shall (i) require  
80 each middle school student to take at least one course in career investigation or (ii) select an alternate

81 means of delivering the career investigation course to each middle school student, provided that such  
82 alternative is equivalent in content and rigor and provides the foundation for such students to develop their  
83 academic and career plans. Any school board may require (a) such courses in career investigation at the  
84 high school level as it deems appropriate, subject to Board approval as required in subsection A of § 22.1-  
85 253.13:4, and (b) such courses in career investigation at the elementary school level as it deems  
86 appropriate. The Board shall develop and disseminate to each school board career investigation resource  
87 materials that are designed to ensure that students have the ability to further explore interest in career and  
88 technical education opportunities in middle and high school. In developing such resource materials, the  
89 Board shall consult with representatives of career and technical education, industry, skilled trade  
90 associations, chambers of commerce or similar organizations, and contractor organizations.

91 C. Local school boards shall develop and implement a program of instruction for grades K through  
92 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board of  
93 Education. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts  
94 and computations, proficiency in the use of computers and related technology, computer science and  
95 computational thinking, including computer coding, and scientific concepts and processes; essential skills  
96 and concepts of citizenship, including knowledge of Virginia history and world and United States history,  
97 economics, government, foreign languages, international cultures, health and physical education,  
98 environmental issues, and geography necessary for responsible participation in American society and in  
99 the international community; fine arts, which may include, but need not be limited to, music and art, and  
100 practical arts; knowledge and skills needed to qualify for further education, gainful employment, or  
101 training in a career or technical field; and development of the ability to apply such skills and knowledge  
102 in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

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

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

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

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

126 The requirement for remediation may, however, be satisfied by the student's attendance in a  
127 program of prevention, intervention or remediation that has been selected by his parent, in consultation  
128 with the division superintendent or his designee, and is either (i) conducted by an accredited private school  
129 or (ii) a special program that has been determined to be comparable to the required public school  
130 remediation program by the division superintendent. The costs of such private school remediation program  
131 or other special remediation program shall be borne by the student's parent.

132 The Board of Education shall establish standards for full funding of summer remedial programs  
133 that shall include, but not be limited to, the minimum number of instructional hours or the equivalent  
134 thereof required for full funding and an assessment system designed to evaluate program effectiveness.

135 Based on the number of students attending and the Commonwealth's share of the per pupil instructional  
136 costs, state funds shall be provided for the full cost of summer and other remediation programs as set forth  
137 in the appropriation act, provided such programs comply with such standards as shall be established by  
138 the Board, pursuant to § 22.1-199.2.

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

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

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

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

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

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

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

159 d. Annual notice on its website to enrolled high school students and their parents of (i) the  
160 availability of the postsecondary education and employment data published by the State Council of Higher  
161 Education on its website pursuant to § 23.1-204.1 and (ii) the opportunity for such students to obtain a

162 nationally recognized career readiness certificate at a local public high school, comprehensive community  
163 college, or workforce center; and

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

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

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

173 6. Early identification of gifted students and enrollment of such students in appropriately  
174 differentiated instructional programs.

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

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

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

183 10. An agreement for postsecondary degree attainment with a comprehensive community college  
184 in the Commonwealth specifying the options for students to complete an associate degree or a one-year  
185 Uniform Certificate of General Studies from a comprehensive community college concurrent with a high  
186 school diploma. Such agreement shall specify the credit available for dual enrollment courses and  
187 Advanced Placement courses with qualifying exam scores of three or higher.

188           11. A plan to notify students and their parents of the availability of dual enrollment and advanced  
189 placement classes; career and technical education programs, including internships, externships,  
190 apprenticeships, credentialing programs, certification programs, licensure programs, and other work-  
191 based learning experiences; the International Baccalaureate Program and Academic Year Governor's  
192 School Programs; the qualifications for enrolling in such classes, programs, and experiences; and the  
193 availability of financial assistance to low-income and needy students to take the advanced placement and  
194 International Baccalaureate examinations. This plan shall include notification to students and parents of  
195 the agreement with a comprehensive community college in the Commonwealth to enable students to  
196 complete an associate degree or a one-year Uniform Certificate of General Studies concurrent with a high  
197 school diploma.

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

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

204           Local school divisions shall provide reading intervention services to students in kindergarten  
205 through grade three who demonstrate deficiencies based on their individual performance on the Standards  
206 of Learning reading test or any reading diagnostic test that meets criteria established by the Department  
207 of Education. Local school divisions shall report the results of the diagnostic tests to the Department of  
208 Education on an annual basis, at a time to be determined by the Superintendent of Public Instruction. Such  
209 reading intervention services shall be evidence-based, including services that are grounded in the science  
210 of reading, and include (i) the components of effective reading instruction and (ii) explicit, systematic,  
211 sequential, and cumulative instruction, to include phonemic awareness, systematic phonics, fluency,  
212 vocabulary development, and text comprehension as appropriate based on the student's demonstrated  
213 reading deficiencies. The parent of each student who receives such reading intervention services shall be  
214 notified before the services begin in accordance with the provisions of § 22.1-215.2, and the progress of



215 each such student shall be monitored throughout the provision of services. Each student who receives such  
216 reading intervention services shall be assessed again at the end of that school year. The local school  
217 division, in its discretion, shall provide such reading intervention services prior to promoting a student  
218 from grade three to grade four. Such reading intervention services may be administered through the use  
219 of reading specialists; trained aides; trained volunteers under the supervision of a certified teacher;  
220 computer-based reading tutorial programs; aides to instruct in-class groups while the teacher provides  
221 direct instruction to the students who need extra assistance; and extended instructional time in the school  
222 day or school year for these students. Funds appropriated for prevention, intervention, and remediation;  
223 summer school remediation; at-risk; or early intervention reading may be used to meet the requirements  
224 of this subdivision.

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

233 As used in this subdivision:

234 "Science of reading" means the study of the relationship between cognitive science and educational  
235 outcomes.

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

238 15. A program of physical activity available to all students in grades kindergarten through five  
239 consisting of at least 20 minutes per day or an average of 100 minutes per week during the regular school  
240 year and available to all students in grades six through 12 with a goal of at least 150 minutes per week on  
241 average during the regular school year. Such program may include any combination of (i) physical

242 education classes, (ii) extracurricular athletics, (iii) recess, or (iv) other programs and physical activities  
243 deemed appropriate by the local school board. Each local school board shall implement such program  
244 during the regular school year.

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

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

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

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

265 F. Each local school board may enter into agreements for postsecondary course credit, credential,  
266 certification, or license attainment, hereinafter referred to as College and Career Access Pathways  
267 Partnerships (Partnerships), with comprehensive community colleges or other public institutions of higher  
268 education or educational institutions established pursuant to Title 23.1 that offer a career and technical

269 education curriculum. Such Partnerships shall (i) specify the options for students to take courses as part  
270 of the career and technical education curriculum that lead to course credit or an industry-recognized  
271 credential, certification, or license concurrent with a high school diploma; (ii) specify the credit,  
272 credentials, certifications, or licenses available for such courses; and (iii) specify available options for  
273 students to participate in pre-apprenticeship and apprenticeship programs at comprehensive community  
274 colleges concurrent with the pursuit of a high school diploma and receive college credit and high school  
275 credit for successful completion of any such program.

276 G. Each local school board is encouraged to enter into a collaborative agreement with one or more  
277 comprehensive community colleges and other local school boards in the region for the establishment and  
278 implementation of a competitive compensation structure to recruit and retain adjunct instructors who  
279 would be jointly compensated by the relevant school boards and colleges to prepare both high school  
280 students and college students to earn credit-bearing workforce credentials or noncredit workforce  
281 credentials, as that term is defined in § 23.1-627.1.

282 **§ 23.1-907. Articulation, dual admissions, guaranteed admissions, and adjunct instructor**  
283 **agreements; admission of certain comprehensive community college graduates.**

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

291 B. The System, in cooperation with the Council and each public institution of higher education,  
292 and consistent with the guidelines developed pursuant to subdivision 20 of § 23.1-203, shall establish a  
293 one-semester Passport Program and a one-year Uniform Certificate of General Studies Program. The  
294 Passport Program shall consist of 15 course credit hours and shall be a component of the 30-credit-hour  
295 Uniform Certificate of General Studies Program. Each Uniform Certificate of General Studies Program

296 and Passport Program course shall be transferable and shall satisfy a lower division general education  
297 requirement at any public institution of higher education. The Uniform Certificate of General Studies  
298 Program and Passport Program shall be available at each comprehensive community college and through  
299 the Online Virginia Network.

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

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

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

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

339 G. Each comprehensive community college shall develop agreements for postsecondary  
340 attainment with the public high schools in the school divisions that such comprehensive community  
341 college serves specifying the options for students to complete an associate degree, the Passport Program,  
342 or the Uniform Certificate of General Studies Program concurrent with a high school diploma. Such  
343 agreements shall specify the credit available for dual enrollment courses and Advanced Placement courses  
344 with qualifying exam scores of three or higher.

345 H. Each comprehensive community college is encouraged to enter into a collaborative agreement  
346 with one or more school boards and other comprehensive community colleges in the region for the  
347 establishment and implementation of a competitive compensation structure to recruit and retain adjunct  
348 instructors who would be jointly compensated by the relevant school boards and colleges to prepare both

349 high school students and college students to earn credit-bearing workforce credentials or noncredit  
350 workforce credentials, as that term is defined in § 23.1-627.1.

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

353 **2. That school boards and comprehensive community colleges that seek to enter into or enter into**  
354 **a collaborative agreement pursuant to the provisions of this act shall report as soon as practicable**  
355 **to the Department of Education the results of the collaborative agreement process, including a copy**  
356 **of the finalized agreement, if applicable, and a detailed explanation of the reasons that the relevant**  
357 **parties were not able to enter into such an agreement, if applicable. The Department shall compile**  
358 **such responses and submit a report to the Chairmen of the House Committee on Appropriations,**  
359 **the House Committee on Education, the Senate Committee on Finance and Appropriations, and the**  
360 **Senate Committee on Education and Health no later than November 1, 2022, and November 1, 2023.**

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