

HOUSE BILL NO. 41

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Education

on \_\_\_\_\_)

(Patron Prior to Substitute--Delegate Green)

A BILL to amend and reenact §§ 22.1-253.13:1, as it shall become effective, and 22.1-253.13:4 of the Code of Virginia, relating to Standards of Learning; programs of instruction; civics education; instruction on local government.

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 22.1-253.13:1, as it shall become effective, and 22.1-253.13:4 of the Code of Virginia are amended and reenacted as follows:**

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

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

B. The Board shall establish educational objectives known as the Standards of Learning, which shall form the core of Virginia's educational program, and other educational objectives, which together are designed to ensure the development of the skills that are necessary for success in school and for

27 preparation for life in the years beyond. At a minimum, the Board shall establish Standards of Learning  
28 for English, mathematics, science, and history and social science. The Standards of Learning shall not be  
29 construed to be regulations as defined in § 2.2-4001.

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

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

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 shall establish a regular schedule,  
41 in a manner it deems appropriate, for the review, and revision as may be necessary, of the Standards of  
42 Learning in all subject areas. Such review of each subject area shall occur at least once every seven years.  
43 Nothing in this section shall be construed to prohibit the Board from conducting such review and revision  
44 on a more frequent basis.

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

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

54 school educators to submit recommendations for improvements relating to the Standards of Learning,  
55 when under review by the Board according to its established schedule, and related assessments required  
56 by the Standards of Quality pursuant to this chapter. Such website shall facilitate the submission of  
57 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 shall include in the Standards of Learning for history and social science the study of  
63 contributions to society of diverse people. For the purposes of this subsection, "diverse" includes  
64 consideration of disability, ethnicity, race, and gender.

65 The Board shall include in the Standards of Learning for Virginia and United States Government  
66 instruction on local government, including instruction on the (i) types of localities in the Commonwealth;  
67 (ii) structure and functions of local governments in the Commonwealth; (iii) duties and responsibilities of  
68 the governing bodies and offices of a locality, including the board of supervisors of a county, the council  
69 of a city or town, the chief law-enforcement officer, the treasurer, and the commissioner of revenue; and  
70 (iv) duties and responsibilities of the attorney for the Commonwealth. Such instruction shall emphasize  
71 the importance of youth civic engagement.

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

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

85 The Board shall establish content standards and curriculum guidelines for courses in career  
86 investigation in elementary school, middle school, and high school. Each school board shall (i) require  
87 each middle school student to take at least one course in career investigation or (ii) select an alternate  
88 means of delivering the career investigation course to each middle school student, provided that such  
89 alternative is equivalent in content and rigor and provides the foundation for such students to develop their  
90 academic and career plans. Any school board may require (a) such courses in career investigation at the  
91 high school level as it deems appropriate, subject to Board approval as required in subsection A of § 22.1-  
92 253.13:4, and (b) such courses in career investigation at the elementary school level as it deems  
93 appropriate. The Board shall develop and disseminate to each school board career investigation resource  
94 materials that are designed to ensure that students have the ability to further explore interest in career and  
95 technical education opportunities in middle and high school. In developing such resource materials, the  
96 Board shall consult with representatives of career and technical education, industry, skilled trade  
97 associations, chambers of commerce or similar organizations, and contractor organizations.

98 C. Local school boards shall develop and implement a program of instruction for grades K through  
99 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board. The  
100 program of instruction shall emphasize reading, writing, speaking, mathematical concepts and  
101 computations, proficiency in the use of computers and related technology, computer science and  
102 computational thinking, including computer coding, and scientific concepts and processes; essential skills  
103 and concepts of citizenship, including knowledge of Virginia history and world and United States history,  
104 economics, government, foreign languages, international cultures, health and physical education,  
105 environmental issues, and geography necessary for responsible participation in American society and in  
106 the international community; fine arts, which may include, but need not be limited to, music and art, and

**107** practical arts; knowledge and skills needed to qualify for further education, gainful employment, or  
**108** training in a career or technical field; and development of the ability to apply such skills and knowledge  
**109** in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

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

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

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

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

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

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

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

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

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

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

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

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

158           c. Competency-based career and technical education programs that integrate academic outcomes,  
159 career guidance, and job-seeking skills for all secondary students. Programs shall be based upon labor

160 market needs and student interest. Career guidance shall include counseling about available employment  
161 opportunities and placement services for students exiting school. Each school board shall develop and  
162 implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be  
163 developed with the input of area business and industry representatives and local comprehensive  
164 community colleges and shall be submitted to the Superintendent in accordance with the timelines  
165 established by federal law;

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

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

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

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

180 6. Early identification of gifted students and enrollment of such students in appropriately  
181 differentiated instructional programs.

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

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

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

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

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

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

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



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

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

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

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

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

235 18. A program of instruction in the high school Virginia and U.S. Government course on all  
236 information and concepts contained in the civics portion of the U.S. Naturalization Test. Any Virginia and  
237 U.S. Government course or civic education course offered to students in grade 12 shall include instruction

238 on local government, including instruction on the (i) types of localities in the Commonwealth; (ii) structure  
239 and functions of local governments in the Commonwealth; (iii) duties and responsibilities of the governing  
240 bodies and offices of a locality, including the board of supervisors of a county, the council of a city or  
241 town, the chief law-enforcement officer, the treasurer, and the commissioner of revenue; and (iv) duties  
242 and responsibilities of the attorney for the Commonwealth. Such instruction shall emphasize the  
243 importance of youth civic engagement.

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

257 F. Each local school board may enter into agreements for postsecondary course credit, credential,  
258 certification, or license attainment, hereinafter referred to as College and Career Access Pathways  
259 Partnerships (Partnerships), with comprehensive community colleges or other public institutions of higher  
260 education or educational institutions established pursuant to Title 23.1 that offer a career and technical  
261 education curriculum. Such Partnerships shall (i) specify the options for students to take courses as part  
262 of the career and technical education curriculum that lead to course credit or an industry-recognized  
263 credential, certification, or license concurrent with a high school diploma; (ii) specify the credit,  
264 credentials, certifications, or licenses available for such courses; and (iii) specify available options for

265 students to participate in pre-apprenticeship and apprenticeship programs at comprehensive community  
266 colleges concurrent with the pursuit of a high school diploma and receive college credit and high school  
267 credit for successful completion of any such program.

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

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

279 2. A reading specialist, in collaboration with the teacher of any student who receives reading  
280 intervention services pursuant to subdivision 1, shall develop, oversee implementation of, and monitor  
281 student progress on a student reading plan. The parent of each student who receives reading intervention  
282 services pursuant to subdivision 1 shall receive notice of and have the opportunity to participate in the  
283 development of the student reading plan. Each student reading plan (i) shall follow the Department  
284 template created pursuant to subdivision H 3; (ii) shall document such reading intervention services; (iii)  
285 shall include, at a minimum, (a) the student's specific, diagnosed reading skill deficiencies as determined  
286 or identified by diagnostic assessment data or the literacy screener provided or approved by the  
287 Department; (b) the goals and benchmarks for student growth in reading; (c) a description of the specific  
288 measures that will be used to evaluate and monitor the student's reading progress; (d) the specific evidence-  
289 based literacy instruction that the student will receive; (e) the strategies, resources, and materials that will  
290 be provided to the student's parent to support the student to make reading progress; and (f) any additional  
291 services the teacher deems available and appropriate to accelerate the student's reading skill development;

292 and (iv) may include the following services for the student: instruction from a reading specialist, trained  
293 aide, computer-based reading tutorial program, or classroom teacher with support from an aide, extended  
294 instructional time in the school day or school year, or, for students in grades six through eight, a literacy  
295 course, in addition to the course required by the Standards of Learning in English, that provides the  
296 specific evidence-based literacy instruction identified in the student's reading plan. In accordance with §  
297 22.1-215.2, the parent of each student shall receive notice before services begin and a copy of the student  
298 reading plan.

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

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

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

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

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

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

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

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

318 **§ 22.1-253.13:4. Standard 4. Student achievement and graduation requirements.**

319 A. Each local school board shall award diplomas to all secondary school students, including  
320 students who transfer from nonpublic schools or from home instruction, who meet the requirements  
321 prescribed by the Board and meet such other requirements as may be prescribed by the local school board  
322 and approved by the Board. Provisions shall be made to facilitate the transfer and appropriate grade  
323 placement of students from other public secondary schools, from nonpublic schools, or from home  
324 instruction as outlined in the standards for accreditation. The standards for accreditation shall include  
325 provisions relating to the completion of graduation requirements through Virtual Virginia. Further,  
326 reasonable accommodation to meet the requirements for diplomas shall be provided for otherwise  
327 qualified students with disabilities as needed.

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

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

335 B. Students identified as disabled who complete the requirements of their individualized education  
336 programs and meet certain requirements prescribed by the Board pursuant to regulations but do not meet  
337 the requirements for any named diploma shall be awarded Applied Studies diplomas by local school  
338 boards. The Board shall develop and implement statewide requirements for earning an Applied Studies  
339 diploma for implementation at the beginning of the 2022-2023 school year.

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

344 The Department shall develop guidance, in multiple languages, for students and parents conveying  
345 (i) the limitations of the applied studies diploma, (ii) key curriculum and testing decisions that reduce the

346 likelihood that a student will be able to obtain a standard diploma, and (iii) a statement that the pursuit of  
347 an applied studies diploma may preclude a student's ability to pursue a standard diploma.

348 Each local school board shall provide guidance from the Department to parents of students with  
349 disabilities regarding the Applied Studies diploma and its limitations at a student's annual individualized  
350 education program meeting corresponding to grades three through 12 when curriculum or statewide  
351 assessment decisions are being made that impact the type of diploma for which the student can qualify.

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

355 Each local school board shall provide notification of the right to a free public education for students  
356 who have not reached 20 years of age on or before August 1 of the school year, pursuant to Chapter 1 (§  
357 22.1-1 et seq.), to the parent of students who fail to graduate or who have failed to achieve graduation  
358 requirements as provided in the standards for accreditation. If such student who does not graduate or  
359 complete such requirements is a student for whom English is a second language, the local school board  
360 shall notify the parent of the student's opportunity for a free public education in accordance with § 22.1-  
361 5.

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

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

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

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

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

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

381 6. Require that students (i) complete an Advanced Placement, honors, International Baccalaureate,  
382 or dual enrollment course; (ii) complete a high-quality work-based learning experience, as defined by the  
383 Board; or (iii) earn a career and technical education credential that has been approved by the Board, except  
384 when a career and technical education credential in a particular subject area is not readily available or  
385 appropriate or does not adequately measure student competency, in which case the student shall receive  
386 satisfactory competency-based instruction in the subject area to earn credit. The career and technical  
387 education credential, when required, could include the successful completion of an industry certification,  
388 a state licensure examination, a national occupational competency assessment, the Armed Services  
389 Vocational Aptitude Battery, or the Virginia workplace readiness skills assessment. The Department shall  
390 develop, maintain, and make available to each local school board a catalogue of the testing  
391 accommodations available to English language learners for each such certification, examination,  
392 assessment, and battery. Each local school board shall develop and implement policies to require each  
393 high school principal or his designee to notify each English language learner of the availability of such  
394 testing accommodations prior to the student's participation in any such certification, examination,  
395 assessment, or battery.

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

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

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

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

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

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

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

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

420 In addition, the Board may:

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

424 b. Permit students completing career and technical education programs designed to enable such  
425 students to pass such industry certification examinations or state licensure examinations to be awarded,  
426 upon obtaining satisfactory scores on such industry certification or licensure examinations, appropriate



427 credit for one or more career and technical education classes into which relevant Standards of Learning  
428 for various classes taught at the same level have been integrated. Such industry certification and state  
429 licensure examinations may cover relevant Standards of Learning for various required classes and may,  
430 at the discretion of the Board, address some Standards of Learning for several required classes.

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

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

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

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

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

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

452 19. Permit any English language learner who previously earned a sufficient score on an Advanced  
453 Placement or International Baccalaureate foreign language examination or an SAT II Subject Test in a

454 foreign language to substitute computer coding course credit for any foreign language course credit  
455 required to graduate, except in cases in which such foreign language course credit is required to earn an  
456 advanced diploma offered by a nationally recognized provider of college-level courses.

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

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

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

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

472           3. The Board shall establish criteria for awarding a diploma seal for excellence in civics education  
473 and understanding of our state and federal constitutions and the democratic model of government for the  
474 Board-approved diplomas. The Board shall consider including criteria for (i) successful completion of  
475 history, government, and civics courses, including courses that incorporate character education and  
476 instruction on the structures and functions of local government; (ii) voluntary participation in community  
477 service or extracurricular activities that includes the types of activities that shall qualify as community  
478 service and the number of hours required; and (iii) related requirements as it deems appropriate.

479           4. The Board shall establish criteria for awarding a diploma seal of biliteracy to any student who  
480 demonstrates proficiency in English and at least one other language for the Board-approved diplomas. The

481 Board shall consider criteria including the student's (i) score on a College Board Advanced Placement  
482 foreign language examination, (ii) score on an SAT II Subject Test in a foreign language, (iii) proficiency  
483 level on an ACTFL Assessment of Performance toward Proficiency in Languages (AAPPL) measure or  
484 another nationally or internationally recognized language proficiency test, or (iv) cumulative grade point  
485 average in a sequence of foreign language courses approved by the Board.

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

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

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

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

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