

Virginia Board of Education Agenda Item



Agenda Item: C

Date: October 22, 2015

Title	Final Review of Proposed <i>Guidelines for Graduation Requirements; Local Alternative Paths to Standard Units of Credit</i> Developed in Response to House Bill 1675 and Senate Bill 982 of the 2015 General Assembly		
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Purpose of Presentation:

Action required by state or federal law or regulation.

Previous Review or Action:

Previous review and action. Specify date and action taken below:

First Review: September 10, 2015

Action Requested:

Final review: Action requested at this meeting.

Alignment with Board of Education Goals: Please indicate (X) all that apply:

	Goal 1: Accountability for Student Learning
	Goal 2: Rigorous Standards to Promote College and Career Readiness
X	Goal 3: Expanded Opportunities to Learn
	Goal 4: Nurturing Young Learners
	Goal 5: Highly Qualified and Effective Educators
X	Goal 6: Sound Policies for Student Success
	Goal 7: Safe and Secure Schools
	Other Priority or Initiative. Specify:

Background Information and Statutory Authority:

Goal Three: The approval of these guidelines will further clarify options for students to use local alternative pathways: (a) to demonstrate mastery of important content and skills; and (b) to achieve standard credits outside of the traditional 140-clock-hour course requirement.

Goal Six: The approval of these guidelines will provide a flexible framework and clear guidance through which local school boards can craft innovative policies for expanded student academic achievement and success in meeting or exceeding graduation requirements.

House Bill (HB) [1675](#) (Greason) and Senate Bill (SB) [982](#) (Garrett) approved by the 2015 session of the Virginia General Assembly and signed into law by Governor Terence McAuliffe amended and reenacted §§ 22.1-79.1 and 22.1-253.13:4 of the *Code of Virginia*. The amendments pertain to the use of local alternative pathways in meeting the Commonwealth's graduation requirements and permit local school

divisions to waive the requirement for students to receive 140 clock hours of instruction to earn a standard unit of credit. The Virginia Board of Education (BOE) was directed to develop guidelines addressing how local school boards may approach this option, provide latitude for innovative practice, and ensure that rigor and quality are maintained and expanded. The specific amended sections of the *Code of Virginia* read as follows.

Be it enacted by the General Assembly of Virginia:

1. That §§ [22.1-79.1](#) and [22.1-253.13:4](#) of the Code of Virginia are amended and reenacted as follows:

§ [22.1-79.1](#). Opening of the school year; approvals for certain alternative schedules.

C. Individual schools may propose, and local school boards may approve, pursuant to guidelines developed by the Board of Education, alternative school schedule plans providing for the operation of schools on a four-day weekly calendar, so long as a minimum of 990 hours of instructional time is provided for grades one through twelve and 540 hours for kindergarten. ~~No alternative plan that reduces the instructional time in the core academics of English, mathematics, social studies, and science shall be approved.~~

§ [22.1-253.13:4](#). Standard 4. Student achievement and graduation requirements.

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

9. *Permit local school divisions to waive the requirement for students to receive 140 clock hours of instruction to earn a standard unit of credit upon providing the Board with satisfactory proof, based on Board guidelines, that the students for whom such requirements are waived have learned the content and skills included in the relevant Standards of Learning.*

In developing the draft proposed guidelines, Virginia Department of Education staff conducted a review of policies from other states related to options beyond traditional clock-hour requirements and the important points to consider with program flexibility and quality. Similarly, staff examined current provisions in the Commonwealth's existing regulations in order to determine how best to integrate the requirements of HB1675/SB982 and options in regulation at the present.

Governor McAuliffe approved the fast-track revisions to the [Regulations Establishing the Standards for Accrediting Public Schools in Virginia](#) regulations (SOA), which were published in the August 24, 2015, edition of the [Virginia Register of Regulations](#). The fast track regulations became effective October 8, 2015. The Governor approved these revisions with the condition that, as part of the comprehensive review of the SOA, specific guidelines for graduation requirements for local alternative paths to standard units of credit would be developed by the BOE. The pertinent sections of the revised SOA read as follows:

8VAC20-131-110. Standard and verified units of credit.

- A. The standard unit of credit for graduation shall be based on a minimum of 140 clock hours of instruction and successful completion of the requirements of the course. When credit is awarded in less than whole units, the increment awarded must be no greater than the fractional part of the 140 hours of instruction provided. If a school division elects to award credit on a basis other than the 140 clock hours of instruction required for a standard unit of credit defined in this subsection, the local school division shall provide the Board of Education with satisfactory proof, based on board guidelines, that the students for whom the 140-clock-hour requirement is waived have learned the content and skills included in the relevant Standards of Learning. In addition, the local school division shall develop a written policy approved by the superintendent and school board that ensures:
1. That the content of the course for which credit is awarded is comparable to 140 clock hours of instruction; and
 2. That upon completion, the student will have met the aims and objectives of the course.
- B. A verified unit of credit for graduation shall be based on a minimum of 140 clock hours of instruction, successful completion of the requirements of the course, and the achievement by the student of a passing score on the end-of-course SOL test for that course or additional tests as described in this subsection. A student may also earn a verified unit of credit by the following methods:
1. In accordance with the provisions of the Standards of Quality, students may earn a standard and verified unit of credit for any elective course in which the core academic SOL course content has been integrated and the student passes the related end-of-course SOL test. Such course and test combinations must be approved by the Board of Education.
 2. ~~Upon the recommendation of the division superintendent and demonstration of mastery of course content and objectives~~ Upon waiver of the 140-clock-hour requirement according to Board of Education guidelines, qualified students may receive who have received a standard unit of credit and will be permitted to sit for the relevant SOL test to earn a verified credit without having to meet the 140-clock-hour requirement.

Summary of Important Issues:

In developing proposed guidelines, it was necessary to create a blueprint of “givens,” design assumptions, and operational conditions. These factors were identified as the following.

- The legislation permits a school division the choice of whether it allows the waiver option.
- The waiver option defined in the legislation is for standard credits only.
- The waiver option applies to all secondary courses, whether: (a) BOE-approved courses; (b) Career and Technical Education courses, as applicable; or (c) local elective courses.
- School divisions that exercise the waiver option must have an approved local board policy in place.
- Local school board policies should be explicit in waiver processes to ensure fairness, accessibility, and transparency.
- Local school board policies: (a) must ensure quality and rigor equal to programs having 140 clock hours; and (b) must maintain and have available to the BOE “proof” of such.
- State guidelines should be thorough but not restrictive and should succinctly clarify pathways for achieving a waiver.

The proposed guidelines are divided into two sections that address the overall design blueprint and the factors and considerations listed above. These sections include:

- local school board policy requirements and considerations if a school division chooses to use the waiver option; and
- a description of three general pathways and policy implications for attaining the waiver.

In addition, the proposed guidelines provide notification to school divisions that they will annually provide information to the Virginia Department of Education about their use of the 140-clock-hour requirement waiver on the Compliance through the *Standards of Quality* and Other Requirements data collection.

During the September 10, 2015, first review of the proposed guidelines, the BOE suggested several key changes, which were incorporated into revised proposed guidelines, Attachment A to this item. The revisions include:

- adding Standards of Learning assessments as measures for validating demonstrated mastery of learning when awarding standard credits through Waiver Pathway Option B. (Element 5.);
- requiring a school division to develop a process for determining qualifying scores for national or international assessments when awarding standard credits through Waiver Pathway Option C. (Element 5.); and
- ensuring equitable access for all students when monetary costs for assessments are involved when awarding standard credits through Waiver Pathway Option C. (Element 6).

The BOE's revisions, reflected in Attachment A, are indicated in double strikethrough and double underline format.

The revised proposed guidelines were distributed to key state education stakeholder groups for comment following the September 10, 2015, BOE meeting. These groups included the Virginia Association of School Superintendents, Virginia Association of Secondary School Principals, Virginia Middle School Association, the Virginia School Boards Association, and the Virginia Education Association. Three general comments were received. These were:

- concern about the role of the Standards of Learning assessment in awarding standard credit;
- what constitutes "satisfactory proof" that students who receive waivers have learned the necessary content and skills; and
- whether the local school board needs to develop policies for each of the three waiver options described in the guidelines.

Impact on Fiscal and Human Resources:

There may be a cost to the Commonwealth for the additional Standards of Learning assessments used to confirm student mastery of learning through the independent study option (Waiver Pathway Option B). At this time, the Department of Education is unable to project the potential demand for this option. Otherwise, there is minimal or no impact on state resources.

Timetable for Further Review/Action:

If the Board accepts the Superintendent's recommendation, the Department will notify school divisions of the Board's approval via a Superintendent's Memorandum and will post the approved guidelines on the [Virginia Town Hall](#) Web site and the Department of Education website.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education approve the

proposed guidelines: *Graduation Requirements; Local Alternative Paths to Standard Units of Credit (Alternatives to the 140-Clock-hour Requirement)*.

Rationale:

Several key education stakeholder groups have reviewed the revised proposed guidelines. The proposed guidelines: (a) have been reviewed by the BOE; (b) have been revised for flexibility and clarity; and (c) meet the intent of HB1675/SB982, ensuring standard credits awarded via waiver will be equal to progress and learning achieved in 140 clock hours of instruction. Action by the BOE at this meeting allows the Department of Education to make approved guidelines available to school divisions early in the 2015-2016 school year, thus providing adequate time for local school board policy development and application of the waiver option for students.

Proposed Guidelines: Graduation Requirements; Local Alternative Paths to Standard Units of Credit (Alternatives to the 140 Clock-hour Requirement)

Background

House Bill (HB) [1675](#) (Greason) and Senate Bill (SB) [982](#) (Garrett) approved by the 2015 session of the Virginia General Assembly and signed into law by Governor Terence McAuliffe amended and reenacted §§ [22.1-79.1](#) and [22.1-253.13:4](#) of the *Code of Virginia*. Amendments to the *Code of Virginia* in the bills are included below.

Be it enacted by the General Assembly of Virginia:

1. That §§ [22.1-79.1](#) and [22.1-253.13:4](#) of the Code of Virginia are amended and reenacted as follows:

§ [22.1-79.1](#). Opening of the school year; approvals for certain alternative schedules.

C. Individual schools may propose, and local school boards may approve, pursuant to guidelines developed by the Board of Education, alternative school schedule plans providing for the operation of schools on a four-day weekly calendar, so long as a minimum of 990 hours of instructional time is provided for grades one through twelve and 540 hours for kindergarten. ~~No alternative plan that reduces the instructional time in the core academics of English, mathematics, social studies, and science shall be approved.~~

§ [22.1-253.13:4](#). Standard 4. Student achievement and graduation requirements.

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

9. *Permit local school divisions to waive the requirement for students to receive 140 clock hours of instruction to earn a standard unit of credit upon providing the Board with satisfactory proof, based on Board guidelines, that the students for whom such requirements are waived have learned the content and skills included in the relevant Standards of Learning.*

The Governor approved the fast-track revisions to the SOA regulations, and they were published in the August 24, 2015, edition of the Virginia Register of Regulations, making them effective October 8, 2015. It is important to note that the Governor approved these revisions with the condition that, as part of the comprehensive review of the SOA, specific guidelines for graduation requirements for local alternative paths to standard units of credit will be developed and written into these regulations. These revised regulations include the following:

8VAC20-131-110. Standard and verified units of credit.

- A. The standard unit of credit for graduation shall be based on a minimum of 140 clock hours of instruction and successful completion of the requirements of the course. When credit is awarded in less than whole units, the increment awarded must be no greater than the fractional part of the 140 hours of instruction provided. If a school division elects to award credit on a basis other than the 140 clock hours of instruction required for a standard unit of credit defined in this subsection, the local school division shall provide the Board of Education with satisfactory proof, based on board guidelines, that the students for whom the 140-clock-hour requirement is waived have learned the content and skills included in the relevant Standards of Learning. In addition, the local school division shall develop a written policy approved by the superintendent and school board that ensures:
1. That the content of the course for which credit is awarded is comparable to 140 clock hours of instruction; and
 2. That upon completion, the student will have met the aims and objectives of the course.
- B. A verified unit of credit for graduation shall be based on a minimum of 140 clock hours of instruction, successful completion of the requirements of the course, and the achievement by the student of a passing score on the end-of-course SOL test for that course or additional tests as described in this subsection. A student may also earn a verified unit of credit by the following methods:
1. In accordance with the provisions of the Standards of Quality, students may earn a standard and verified unit of credit for any elective course in which the core academic SOL course content has been integrated and the student passes the related end-of-course SOL test. Such course and test combinations must be approved by the Board of Education.
 2. ~~Upon the recommendation of the division superintendent and demonstration of mastery of course content and objectives~~ Upon waiver of the 140-clock-hour requirement according to Board of Education guidelines, qualified students ~~may receive~~ who have received a standard unit of credit ~~and will~~ be permitted to sit for the relevant SOL test to earn a verified credit without having to meet the 140-clock-hour requirement.

The Virginia Board of Education (BOE) interprets the clock-hour requirement waiver option as applying to: (a) BOE-approved courses; (b) Career and Technical Education courses, as applicable; and (c) local elective courses. Local elective courses must: (a) be approved by the local school board; (b) be explicitly described in the school division secondary course of study; and (c) have clearly-defined and publicly-available learning objectives commensurate in scope and detail with state learning standards and competencies.

Guidelines

Pursuant to HB 1675 and SB 982 (2015), effective with students enrolled in the 2015-2016 school year and beyond, school divisions may waive the requirement that a student receives 140 clock hours of instruction to earn a standard unit of credit. School divisions that choose to exercise this option may issue waivers for qualified students under the following conditions.

- I. Approved School Board Policy: A school division shall have in place a written policy that is in compliance with the *Regulations Establishing the Standards for Accrediting Public Schools in Virginia* (SOA) and includes specific criteria ensuring that:
- A. the outcomes of the work for which standard credit is awarded are equal to progress and learning achieved in 140 clock hours of instruction;
 - B. upon completion, a student has demonstrated mastery by meeting the specific objectives and performance requirements of the course that match or exceed the expectations of students who have received 140 clock hours of instruction with similar standards, competencies, or objectives;
 - C. the evidence of mastery of the pertinent content and skills for a student receiving a waiver is fully documented; retained securely by the school division, electronically or in hard copy consistent with student records retention requirements; and available for review by the Virginia Department of Education if requested;
 - D. success criteria for awarding a waiver of the 140 clock-hour requirement for the course are clear, objective, and agreed upon prior to a student embarking on the effort;
 - E. a student receives prior approval from the school principal (or designated school staff person) before pursuing the work, task, or assessment that is required to meet the waiver success criteria;
 - F. student eligibility for prior approval is based on local school board criteria that include such elements as current and prior academic performance, student demonstrated readiness, and/or recommendations by school staff or other knowledgeable adults;
 - G. there is a process for developing accommodations for students with disabilities and students with limited English proficiency;
 - H. the total number of standard credits that can be achieved via the waiver option is defined;
 - I. the consequences of standard credits achieved by waiver are accounted for in terms of factors such as class rank, grade point average, extracurricular eligibility, and high school transcripts;
 - J. a clearly-defined school division appeal process is in place for solving disputes should they arise; and
 - K. the process for a student pursuing the waiver option is fully transparent and communicated with parents and the community.
- II. Waiver Pathway Options: A school division that chooses to use the waiver of the 140 clock-hour requirement may select among three general paths to award standard credits. These include:
- A. Courses that award a standard credit and have less than 140 clock hours of instruction
The school division must have documentation based on the local school board policy that defines its rationale for the reduction of instructional time and substantive evidence that it provides equivalent instruction with equivalent outcomes in the reduced clock hours.
 - B. Independent study, work sample portfolio, demonstrated performance, and locally developed or Standard of Learning assessment
 - 1. Evidence must encompass a comprehensive assemblage of media products, artifacts, and performance that demonstrate a student has mastered academically

rigorous material and meets or exceeds approved learning standards, competencies, or objectives for the course.

2. The required content and evaluative criteria for the products must be defined prior to the advent of student work and based on the same objectives as the standard course.
3. The assemblage of evidence and overall process must be managed by a licensed and endorsed teacher (in the area of the coursework) with an agreed-upon series of program checkpoints throughout a specified timeline for the study.
4. The school division must determine whether the aggregate work: (a) is of commensurate depth and quality as work performed in the traditional secondary classroom; and (b) meets predefined evaluative criteria shared with the student.
5. A student must meet a predefined performance level on a locally-developed assessment for the coursework. This may be an oral examination, performance (e.g., recital/concert), written test, or some other objective tool or process developed by the school division. The division may also use applicable Standards of Learning assessments for this purpose.

C. Demonstrated achievement via national or international assessments

1. The assessment must: (a) have a standardized administration; (b) be determined to be valid and reliable by an external body; and (c) be used in other states or internationally.
2. The assessment must be scored independently of the school division.
3. The division must have completed a rigorous review of the assessment, in accordance with the local school board policy and determined that it is aligned with the course objectives for which the waiver is being requested.
4. The student must provide evidence to the school principal (or designated staff person) through performance, product, interview, and/or school staff professional judgement that he/she has some command of the course content and should be allowed to demonstrate mastery-level performance for a standard credit.
5. The division must ~~have determined beforehand~~ develop a process for determining a qualifying score for awarding a standard credit that the division equates with mastery of the course content and skills.
6. The division policy must define the number of attempts a student may make to achieve the qualifying score during a given time period and ~~also should define the financially responsible party for assessments having a monetary cost~~ must ensure equitable access for all students should assessments have a monetary cost.

Continuing Role of State Assessments

While the division may use the Standards of Learning assessments for awarding a standard credit as outlined in II. B. 5. of these guidelines, the Standards of Learning assessments will continue to be used in their traditional role as determiners of awarding verified credits. ~~Standards of Learning assessments will not be used for the purpose of validating alternate paths to attaining a standard credit.~~

Compliance and Reporting

The school division will annually provide the following information to the Virginia Department of Education (VDOE).

- I. The school division will inform the VDOE, by the start of the school year, whether it is exercising its option to waive the 140 clock-hour requirement to award standard units of credit and indicate which, if any, of the alternative paths it will use.
- II. If using the waiver option, the school division will report on the Compliance with the *Standards of Quality* and Other Requirements data collection that:
 - A. it has an approved school board policy in place that meets the elements defined in the Guidelines section above; and
 - B. expectations for student achievement (and past student performance, if applicable) for alternative paths are commensurate with 140 clock hours of instruction.