| **Virginia Board of Education Agenda Item** | **Seal of the Commonwealth of Virginia** |
| --- | --- |

# Agenda Item: J

## Date: March 18, 2021

### Title: First Review of Proposed Amendments to Guidance Regarding the Sequential Elective Requirement for Virginia Graduates

#### Presenter: Dr. Leslie Sale, Director of the Office of Policy

#### Email: leslie.sale@doe.virginia.gov Phone: (804)371-0558

## Purpose of Presentation:

Action required by Board of Education regulation.

Executive Summary:
In 2017, the Virginia Board of Education finalized its comprehensive review of the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (also known as the Standards of Accreditation or SOA). The new graduation requirements in 8VAC20-131-51 included a sequential elective requirement for both the Standard and Advanced Studies Diploma to comport with legislation from the 2016 Regular Session of the Virginia General Assembly. Prior to the 2016 legislation, two sequential electives were only required for the Standard Diploma.

In 2019, the [Guidance Document Governing Certain Provisions of the Regulations Establishing Standards for Accrediting Public Schools in Virginia (8VAC20-131)](https://www.doe.virginia.gov/boe/accreditation/soa-guidance-document.docx) – also referred to as the SOA guidance document – was reorganized to align with the newly implemented 2017 SOA regulatory language. At this time, a number of other standalone guidance documents were also incorporated to create a single, consolidated companion resource to the Standards of Accreditation. One of the many topics addressed in the SOA guidance document is the sequential elective requirement for graduation.

It has recently come to the attention of Virginia Department of Education (VDOE) staff that a number of school divisions were unaware of the SOA guidance document and clarifications therein regarding sequential electives. Accordingly, there have been inconsistencies in how the sequential elective requirement is understood at the local level, particularly as it relates to the Advanced Studies diploma.

The proposed amendments to the SOA guidance document seek to address this issue by creating temporary flexibility for those students who are most immediately at risk of being affected by any misunderstanding. The proposed language permits students graduating in the 2021-2022 or 2022-2023 school years to use a World Language course credit to partially satisfy the sequential elective requirement. This expands on existing flexibilities and provides students another course option for fulfilling the sequential elective.

In addition to this temporary flexibility, the proposed amendments include several technical edits to the guidance on sequential electives. These technical edits include the reincorporation of language regarding career and technical education courses being used to partially satisfy the requirement, which was inadvertently not carried over from past iterations of the SOA guidance document; the addition of a statement regarding two credit courses being permitted to satisfy the requirement; and, the inclusion of links to career and technical education programs of study webpages.

**Action Requested**:

Other. Specify below:

The Board is requested to waive first review and approve the proposed amendments to the *Guidance Regarding the Sequential Elective Requirement for Virginia Graduates*

## Superintendent’s Recommendation:

## The Superintendent of Public Instruction recommends the Board waive first review and approve the Proposed Amendments to *Guidance Regarding the Sequential Elective Requirement for Virginia Graduates*.

## Rationale for Action:

By approving these revisions to the SOA guidance document, including a temporary flexibility provision to meet the sequential elective requirement, the Board is providing local school divisions with a clear, shared understanding of how the sequential elective requirement may be met. The proposed language also seeks to ensure that no student is penalized for misunderstanding surrounding sequential electives by providing additional options for meeting the requirement for those cohorts most immediately impacted.

## Previous Review or Action:

No previous review or action.

Background Information and Statutory Authority:
Section [22.1-253.13:4](https://law.lis.virginia.gov/vacode/title22.1/chapter13.2/section22.1-253.13%3A4/) of the *Code of Virginia*, set out the Board’s authority to establish graduation requirements.

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

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

The Board’s graduation requirements are established in its Standards of Accreditation at [8VAC20-131-50](https://law.lis.virginia.gov/admincode/title8/agency20/chapter131/section50/) and [8VAC20-131-51](https://law.lis.virginia.gov/admincode/title8/agency20/chapter131/section51/) and include courses and credits required for a Standard or Advanced Studies Diploma. During its comprehensive revision of the Standards of Accreditation, finalized in November 2017, the Board updated graduation requirements for the Advanced Studies Diploma, in part to comport with [House Bill 895](https://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0750) and [Senate Bill 336](https://lis.virginia.gov/cgi-bin/legp604.exe?161+ful+CHAP0720), which passed during the 2016 Regular Session of the General Assembly. This legislation directed the Board, in establishing graduation requirements, to require *all* students to complete two sequential electives.

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

D. In establishing graduation requirements, the Board shall
…

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

Prior to 2016, two sequential electives were only required for those students seeking to graduate with a Standard Diploma.

§ 22.1-253.13:4. Standard 4. Student achievement and graduation requirements (2015)

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

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

In 2019, the SOA guidance document was reorganized to align with the newly implemented 2017 SOA regulatory language. Among the items addressed in the SOA guidance document is information about the implementation of sequential elective requirement for graduation for both diplomas. It has recently come to the attention of VDOE staff that a number of school divisions were unaware of the SOA guidance document and clarifications therein regarding sequential electives. Accordingly, there have been inconsistencies in how the sequential elective requirement is understood at the local level, particularly as it relates to the Advanced Studies diploma. Specifically, it was not widely understood that sequential courses used to fulfill credits for graduation in other required discipline areas, such as World Language, could not also be used to satisfy the sequential elective requirement.

The proposed amendments to the SOA guidance document respond to this issue by creating temporary flexibility for those students who are most immediately at risk of being affected by any misunderstanding. The proposed language permits students graduating in the 2021-2022 or 2022-2023 school years to use a World Language course credit to partially satisfy the sequential elective requirement. Partial satisfaction is clarified in the proposed language to mean that one course credit in World Language could be used to meet the discipline area requirement and also be used as one of the two required sequential electives. A student would then still need an additional elective beyond the required discipline area courses to fully satisfy the sequential elective requirement. This expands on existing flexibilities and provides students another course option for fulfilling the sequential elective requirement.

In addition to this temporary flexibility, the proposed amendments include the addition of language regarding career and technical education courses being used to partially satisfy the requirement, which was inadvertently not carried over from past iterations of the sequential electives section of the SOA guidance document. Prior to 2019, SOA guidance document language specified that “fine or practical art courses” could be used in partial satisfaction of the sequential elective requirement. When graduation requirements in the SOA were amended to replace the term “practical arts” with “career and technical education” in 2006, this language change was not reflected in the SOA guidance document. When the SOA guidance document was reorganized in 2019, the practical arts language appeared obsolete and was deleted rather than replaced with career and technical education.

Lastly, the proposed revisions make technical and clarifying edits to address frequent questions on the sequential elective requirement, including the addition of a statement that a two credit course may be used to fulfill the requirement and the addition of links to each of the career and technical education program of study webpages.

Timetable for Further Review/Action:
Following Board approval, the guidance document will be posted in Town Hall pursuant to the Administrative Process Act. School divisions are made aware of this update to the guidance document via Superintendent’s memo and a notice will be posted on the VDOE website.

## Impact on Fiscal and Human Resources:

There is no fiscal impact to the proposed action. Staff can absorb costs associated with updating the guidance and informing local school divisions of the change.