| **Virginia Board of Education Agenda Item** | **Seal of the Commonwealth of Virginia** |
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# Agenda Item: D

## Date: January 25, 2018

### Title: First Review of Request from Albemarle County Public Schools to Waive 8VAC20-160-50 (requirement to weight AP and IB courses) and Increase Graduation Requirements

#### Presenters: Zachary Robbins, Director of Policy

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## Purpose of Presentation:

Action required by state or federal law or regulation.

## Executive Summary:

Albemarle County Public Schools (ACPS) requests Board of Education approval of the following:

1. a waiver to the requirement to provide weighted credits for Advanced Placement (AP) and International Baccalaureate (IB) courses, as required by 8VAC20-160-50 of the Board’s Regulations Governing Secondary School Transcripts; and
2. an additional local graduation requirement, to require a freshman seminar course for first-time ninth graders beginning in 2018-2019.

Approval of these requests is needed to implement High School 2022, a strategy ACPS has developed to align its high school program with the Board of Education’s Profile of a Virginia Graduate. To implement the strategy, the Albemarle County School Board adopted three priorities to implement High School 2022:

1. create a culture of high expectations for all;
2. identify and remove practices that perpetuate the achievement gap; and
3. ensure that students identify and develop personal interests.

ACPS’ justification for the waiver of the requirement to provide weighted credits for AP and IB courses is based on the observation that weighted credits result in students taking these courses only to increase grade point averages, even if there are other elective courses they are interested in taking.

ACPS states that its request to require a freshman orientation course as a graduation requirement will “emphasize social emotional learning as well as self-assessment for skills, interests, and career development.”

These requests support several of the goals identified in the Board of Education’s Comprehensive Plan that are intended to ensure the successful implementation of the Profile of a Virginia Graduate. Specifically, the Plan guides the Board to "[e]nsure rigorous standards to promote college, career, and civic readiness” and to “[r]eview and identify best practices, and promising approaches that would benefit local school divisions.”

Additionally, the requests are consistent with relevant state law, and Board of Education regulations and guidance.

## Action Requested:

Action will be requested at a future meeting. Specify anticipated date below:

## March 22, 2018

## Superintendent’s Recommendation:

The Superintendent of Public Instruction recommends the Board of Education receive these requests for first review.

## Previous Review or Action:

No previous review or action.

## Background Information and Statutory Authority:

Request #1: Waiver of the requirement to provide weighted credits for AP and IB courses as required by 8VAC20-160-50 of the Board’s Regulations Governing Secondary School Transcripts:

Section 22.1-253.13:3 of the *Code of Virginia* (Standard Three of the *Standards of Quality, or SOQ*) authorizes the Board of Education, upon request from a local school board, to waive regulatory requirements for a period of five years:

H…Waivers of regulatory requirements may be granted by the Board of Education based on submission of a request from the division superintendent and chairman of the local school board. The Board of Education may grant, for a period up to five years, a waiver of regulatory requirements that are not (i) mandated by state or federal law or (ii) designed to promote health or safety. The school board shall provide in its waiver request a description of how the releases from state regulations are designed to increase the quality of instruction and improve the achievement of students in the affected school or schools. The Department of Education shall provide (a) guidance to any local school division that requests releases from state regulations and (b) information about opportunities to form partnerships with other agencies or entities to any local school division in which the school or schools granted releases from state regulations have demonstrated improvement in the quality of instruction and the achievement of students…

This request complies with the statutory requirements that the Board is to consider, as it will not waive state or federal law, or impact health or safety. The attached request from ACPS provides the background and justification for the waiver request, and provides that it would take effect for the ninth grade cohort beginning in 2019-2020. Because the Board is only authorized to approve such waivers for a five-year period, ACPS would need to reapply if it determines that this practice should be continued.

Request #2: Additional local graduation requirement to require a freshman seminar course:

Section 22.1-253.13:4 of the *Code* (Standard Two of the *SOQ*), authorizes the Board of Education to prescribe graduation requirements and to approve any other graduation requirements prescribed by local school boards:

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…

The *Regulations Establishing Standards for Accrediting Public Schools in Virginia,* or *Standards of**Accreditation (SOA)*, in 8 VAC20-131-50, include a provision that requires Board of Education approval of all additional graduation requirements above those prescribed in the standards.

A. The requirements for a student to earn a diploma and graduate from a Virginia high school shall be those in effect when that student enters the ninth grade for the first time. Students shall be awarded a diploma upon graduation from a Virginia high school…

The following requirements shall be the only requirements for a diploma, unless a local school board has prescribed additional requirements that have been approved by the Board of Education. All additional requirements prescribed by local school boards that have been approved by the Board of Education remain in effect until such time as the local school board submits a request to the board to amend or discontinue them…

On October 26, 2006, the Board adopted *Guidelines Governing Certain Provisions of the Regulations Establishing Standards for Accrediting Public Schools in Virginia*, which includes guidance about additional graduation requirements prescribed by local school boards, including the following guidance:

**Standard Diploma:** Generally, the Board will approve requests from local school divisions to require up to two additional local credits to obtain the Standard Diploma, up to a maximum of 24 required credits.

Generally, the Board will approve local requests for additional graduation credit requirements in the core discipline areas of the Standards of Learning (English, mathematics, science or history/social science). For example, a local request to add one additional credit requirement in history and one in science would generally be approved, because that would not exceed a total graduation credit requirement of 24 and those credits are in the core disciplines.

Requests for additional local credits in disciplines outside the core discipline areas will be considered on a case-by-case basis. In evaluating requests for additional local graduation credits outside the core discipline areas, the Board generally may consider, among other criteria, a local school division's graduation and drop-out rates and its students’ performance on the Standards of Learning tests.

**Advanced Studies Diploma:** Generally, the Board will approve requests from local school divisions for local additional credits required for the Advanced Studies Diploma above the 24 contained in the standards if the credits are in the discipline areas of English, mathematics, science, history/social studies, fine arts (including performing arts), career and technical education, or foreign language. The Board will consider credits outside these disciplines on a case-by-case basis.

**Transfer Students:** Any local school division receiving approval to increase its course credit requirements may not deny either the Standard or Advanced Studies Diploma to any transfer student who has otherwise met the requirements contained in the standards, if the transfer student can only meet the division's requirements by taking a heavier than normal course load in any semester, by taking summer school, or by taking courses after the time when he or she otherwise would have graduated.

**Prospective Application / Advance Notice:** A local school division’s additional credit requirements should apply only to students who have not yet entered ninth grade at the time the additional credits are approved.

**Allocation of Electives:** Generally the Board will approve requests from local school divisions to allocate elective credits for local prescribed course requirements, while reducing the number of electives by an equal amount so that the total number of graduation credit requirements remains unchanged.

For the Standard Diploma, generally the Board will approve allocations of electives to prescribed credits in the core discipline areas of English, mathematics, science, or history/social studies. Requests to allocate electives for prescribed credits outside of the core disciplines will be considered on a case-by-case basis.

For the Advanced Studies Diploma, generally the Board will approve allocations of electives to prescribed credits in the discipline areas of English, mathematics, science, history/social studies, fine arts (including performing arts) or career and technical education, or foreign language. Requests to allocate electives for prescribed credits outside of these disciplines will be considered on a case-by-case basis.

Generally, in addition, a local school division may offer, as an option to students, the opportunity to pursue concentrated courses of study by taking related courses in a specialty area (for example, career and technical education, fine or performing arts), or to choose to take a variety of elective courses. Offering such options shall not require Board approval so long as choosing a particular concentration of elective courses is not mandatory for graduation.

The attached request from ACPS describes how the proposed new graduation requirement aligns with the Board’s guidance for approving additional graduation requirements, specifically:

* The number of credits required to graduate will remain unchanged, because the freshman seminar course would count toward one of the elective credits required for graduation.
* The requirement would only be applicable to incoming ninth graders in the 2018-2019 school year.
* Transfer students would not be required to take the course if they transfer after the ninth-grade year.

## Timetable for Further Review/Action:

This item will be presented to the Board of Education for final review on March 22, 2018.

## Impact on Fiscal and Human Resources:

The administrative impact required in promulgating these regulations will be absorbed within existing resources.