

# Summary of Act 158 of 2018: Changes to high school graduation requirements

**Quick summary:** Act 158 of 2018 was Senate Bill 1095, printer's number 1994 in the 2017-18 legislative session. It was introduced on April 6, 2018, approved by the Senate June 21, 2018, and by the House of Representatives on Oct. 9, 2018. It was signed into law Oct. 24, 2018.

Act 158 amends the Public School Code by establishing alternative pathways for high school graduation and making other changes. The law creates four options that students who are not proficient on the three Keystone Exams in Algebra I, literature and biology may use to meet requirements to graduate. Schools are not required to offer related supplemental instruction. Provisions for project-based assessments are eliminated.

The act applies to school districts, intermediate units, area vocational-technical schools/career and technical education centers, charter schools, cyber charter schools, regional charter schools or multiple charter school organizations.

Effective date: Act 158 became effective immediately upon the governor's signature on Oct. 24, 2018. Requirements for high school graduation will be effective in the 2021-22 school year. The legislation establishes requirements for high school graduation and calls for the State Board of Education to revise regulations as necessary to implement the provisions. There is no obligation for the State Board to take action by a specific date; the law supersedes graduation requirements set in state regulations under Title 22, Chapter 4.

## **Option 1: Composite score on Keystone Exams**

A student meets or exceeds a state-defined satisfactory composite score across the three Keystone Exams, with a proficient score on at least one exam and no less than basic on the remaining two exams. The composite score will be recommended by the secretary of education and approved by the State Board of Education by July 30, 2019. The score will be posted on the Department of Education's (PDE) website and published in the *Pennsylvania Bulletin*. Every five years, the State Board will review the operation of the satisfactory composite score and issue a report of its findings to the Senate and House Education committees. The score will remain in effect unless it is changed by the General Assembly.

## **Option 2: Local grade requirements + alternative assessments, courses and programs, acceptance to college**

A student completes locally established minimum grades in the associated academic content areas of the Keystone Exams and one of the following:

- Attainment of an established score on the SAT, PSAT, ACT or the Armed Services Vocational Aptitude Battery Test (ASVAB)

- Attainment of at least the Gold Level on the ACT WorkKeys® Assessment
- Attainment of an established score on an Advanced Placement (AP) or International Baccalaureate Diploma Program (IB) exam in the associated Keystone Exam content area
- Successful completion of a concurrent enrollment course or any postsecondary course in the associated Keystone Exam content area
- Successful completion of a pre-apprenticeship program
- Acceptance to an accredited four-year nonprofit institution of higher education and evidence of the ability to enroll in college-level, credit-bearing coursework

### **Option 3: Local grade requirements + additional CTE evidence of readiness**

Act 158 clarifies provisions of Act 6 of 2017 regarding established options for students who are CTE concentrators. Act 6 allows these students to demonstrate proficiency by completing locally established grade-based requirements for academic content areas associated with the Keystone Exams on which the CTE student did not achieve proficiency; and attain an industry-based competency certification on tests such as the National Occupation Competency Testing Institute (NOCTI) or the NIMS (National Institute of Metalworkers Skills).

Act 158 includes new language to clarify the law about who determines a student's likelihood of success and when that determination is made so that CTE concentrators have sufficient time to explore alternate pathways when needed. The act specifies that the determination for the student will be made by a chief school administrator in consultation with the CTC director or principal of a comprehensive high school no later than the end of the first semester of 12<sup>th</sup> grade.

### **Option 4: Local grade requirements + two tiers of additional evidence of readiness**

A student completes locally established minimum grades in the associated academic content areas of the Keystone Exams and three pieces of evidence that reflect readiness for meaningful postsecondary engagement consistent with the student's goals and career plan.

One piece of evidence must be from Tier 1:

- Attainment of an established score on the ACT WorkKeys® Assessment (may be below the Gold Level)
- Attainment of an established score on an SAT subject-specific test
- Acceptance to an accredited nonprofit institution of higher education other than an accredited four-year nonprofit institution and evidence of the ability to enroll in college-level, credit-bearing coursework
- Attainment of an industry-recognized credential
- Attainment of an established score on an AP or IB exam
- Successful completion of a concurrent enrollment course or any postsecondary course

Two pieces of evidence may be from Tier 2:

- Any additional item from Tier 1

- Satisfactory completion of service learning project pre-approved for use by a chief school administrator
- Attainment of a proficient or advanced score on a Keystone Exam
- A letter guaranteeing full-time employment
- A certificate of successful completion of an internship, externship or cooperative education program
- Satisfactory compliance with the NCAA core courses for college-bound athletes with a minimum 2.0 GPA or equivalence

### **Other key provisions under Act 158**

- The established scores for the alternate exams will be recommended by the secretary of education and approved by the State Board of Education. Successful completion of any science & technology and environment & ecology course satisfies the required associated academic content area of the Keystone Exam in biology.
- Students with disabilities who satisfactorily complete their Individualized Education Program will be granted high school diplomas.
- Schools will determine if the coursework and assessments of students who transfer from out-of-state schools satisfy graduation requirements.
- Schools will determine if Keystone Exam scores are included on student transcripts.
- A student who achieves a score of proficient or advanced on a Keystone Exam shall only be permitted to retake the exam if the student or parent submits a request in writing to the school.
- The secretary of education shall issue guidelines for implementation within 90 days of the effective date of the bill

### **Supplemental instruction and project-based assessments**

A school may, but is not required to, offer supplemental instruction to student who does not score proficient on a Keystone Exam. The supplemental instruction must be consistent with the student's educational program and assist the student to attain proficiency in the state academic standards. Students are not required to participate in supplemental instruction.

A public school that offers supplemental instruction shall design its supplemental instruction programs to ensure that students who accept the offer of instruction are able to participate in both the supplemental instruction and instruction related to their career, military or postsecondary plans.

An offer of supplemental instruction to a student enrolled in a CTE school or CTE program offered by a school district may not intrude into instruction time for career and technical education. Supplemental instruction may not occur during a student's dedicated time in a CTE program to provide the student time to gain competence in the student's concentration area as well as demonstrate a high likelihood of success on an approved industry-based competency assessment.

Existing requirements for project-based assessments are eliminated. Under the bill, no school is required to offer these assessments, nor may any student be required to complete one.

## **Waivers**

Act 158 allows a chief school administrator to waive the requirements under Options 1-4 on a case-by-case basis for a 12<sup>th</sup>-grade student or to accommodate a student who experiences extenuating circumstances. Extenuating circumstances include serious illness, death in the student's immediate family, family emergency, frequent school transfers or transfer from an out-of-state school in grade 12 or another emergency as determined by the secretary of education and approved by the State Board of Education.

Students who receive waivers must still meet local grade requirements. If waivers are granted for more than 5% of the students in the graduating class, the district must submit a one-year action plan to PDE for approval. If the district exceeds the 5% threshold in two consecutive years, the district must submit a three-year action plan, undergo a diagnostic audit and receive technical assistance from PDE. However, if PDE determines that the students who are experiencing extenuating circumstances as defined in the bill caused the district to exceed the 5% threshold, no action plan is necessary.

## **Notification**

No later than the beginning of the 2020-21 school year, each school entity must notify students, parents and guardians of the graduation requirements. This must include notification of requirements established in law and regulations, and any additional requirements of the school entity. Further, the school entity must publish its graduation requirements on its website.

## **Reporting**

School entities are required to provide an annual report to PDE regarding their graduates. Beginning in Dec. 1, 2022, and each Dec. 1 thereafter, school must submit the following information:

- Name of the school entity
- County in which the school is located
- Total number of students in grade 12 in the previous school year
- Total number of students who graduated in the previous year
- Total number of students who graduated by achieving proficiency in each of the Keystone Exams, and under each of the four options
- Number of students who received a waiver
- For students who used Option 2, the number of students utilizing each item on the list
- For students who used Option 4, the number of students and description of the type of evidence used to demonstrate proficiency

The department will post the reports on its website each year by Jan.15.