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FOR IMMEDIATE RELEASE (NO. 2021-43)

Monday, October 18, 2021

The Virgin Islands Board of Education (VIBE) notifies its education professionals, students, parents/guardians, and the public at large of the availability of the:

**VIBE'S REVISIONS TO 9TH -12TH GRADES PROMOTION AND RETENTION,
GRADING SYSTEM AND GRADUATION REQUIREMENTS**

17 VIC §21, authorizes the Virgin Islands Board of Education (VIBE) to prescribe general regulations and orders and in general to do anything necessary for the proper establishment, maintenance, and operation of the public schools of the Virgin Islands. The promotional policies of the Public Schools of the Virgin Islands were developed on the premise that students shall be engaged in instruction for a minimum of 180 days as mandated in the 17 VIC §61.

The VIBE's draft revision to the 9th – 12th grades promotion and retention, grading system and graduation requirements will be available for public review **October 18, 2021 through November 17, 2021** (30 calendar days) as follows:

- VI Board of Education's website www.myviboe.com
- Via email request to Stephanie J. Berry, PhD Executive Director sjberry@myviboe.com

The revisions incorporate VIBE's strategic goals and are designed to support efforts to improve proficiency, subject offerings, and opportunities for all public schools in areas including promotion, minimum course requirements for each grade level (9-12), special education, English language learners, career pathways, grading systems, placement of transfer students, graduation exit plans, curriculum and course offerings, and dropout prevention and intervention. **This 30-day public review period** is an opportunity for education professionals, students, parents/guardians, and interested members of the public to examine and provide feedback to the VIBE on this document.

Education professionals, students, parents/guardians, and interested members of the public are invited to submit written comments on or before November 17, 2021 via this link [Comments on VIBE 9th - 12th grades policy](#). All written comments should be forwarded to:

**VIRGIN ISLANDS BOARD OF EDUCATION
ATTENTION: PRR COMMITTEE
1115 Strand Street Suite 201-B Christiansted, VI 00820
Email: sjberry@myviboe.com**

In your written response, please state the section i.e., "17-4-_____" and any numbers or letters to help us easily identify your recommendation/s, possible changes, concerns, or innovative and futuristic ideas. These responses will be tabulated and used to help inform the final revisions to the 9th – 12th grades promotion and retention, grading system and graduation requirements.

WE ENCOURAGE YOU TO TAKE ADVANTAGE OF THIS THIRTY (30) DAY PUBLIC REVIEW PERIOD

MISSION STATEMENT

The mission of the Virgin Islands Board of Education is to provide leadership and oversight, set policy and advocate for continuous improvement of the Public Education System of the Virgin Islands of the United States.

VISION STATEMENT

Each child is provided with the best quality education which guarantees academic excellence, promotes our history and culture, and builds strong local and global communities.

GOVERNMENT OF THE VIRGIN ISLANDS
VIRGIN ISLANDS BOARD OF EDUCATION



SUBCHAPTER 4: Virgin Islands Promotion & Retention, Grading System and Graduation Requirements for Secondary Level (Grades 9th – 12th)

Section 17-4-1. Authority

Virgin Islands Code Title 17, Section 21, confers the authority and jurisdiction on the Virgin Islands Board of Education to prescribe general regulations and orders, adopt curricula and courses of study and, in general, to do anything necessary for the proper establishment, maintenance and operation of the public schools of the Virgin Islands. Further, Title 17, Section 41 confers the authority and jurisdiction to the Board to promulgate rules and regulations for prescribing courses of study for all public schools, pursuant to Virgin Islands Code Title 3 Section 912

Section 17-4-2. Definitions.

"Board" means the Virgin Islands Board of Education.

"Career Technical Education (CTE)" means the practice of teaching skills-based careers to students in middle school, high school, and post-secondary institutions. CTE is essentially a combination of informal, semi-formal on-the-job training and formal education with courses in academic and practical skill knowledge.

"Career Tech Pathway" means a combination of rigorous and high-quality education, training and other services that include counseling to support an individual in achieving their educational and career goals. As appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.

"Commissioner" shall mean the Commissioner of the Department of Education.

9th – 12 grades Promotion & retention, grading system and graduation requirements

"Core Courses" or "Core Academic Courses" means courses for the specified program of study.

"Credit" or "Unit" shall mean the unit which is awarded when a student successfully completes a course of study.

"Curriculum Guide" shall mean a structured document or framework which indicates the philosophy, goals, objectives, learning experiences, instructional resources and assessments that comprises a specific educational program. The guide/framework provides direction for instruction, development, and evaluation of a student's academic and social progress.

"Department" shall mean the Virgin Islands Department of Education.

"Elective Courses" shall mean courses that a student may select beyond the core requirements to fulfill the credit requirements for graduation.

"English Language Development (ELD)" means instruction designed for English Language Learners to assist in developing their listening, speaking, reading, and writing skills in English.

"Individuals with Disabilities Education Act" or "IDEA" —20 U.S.C.A. § 1400—1482. Legislation that ensures students with a disability are provided with free appropriate public education that is tailored to their individual needs and prepares them for further education, employment, and independent living. It also ensures that the rights of children with disabilities and their parents are protected.

“Individualized Education Program” or “IEP” means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with §300.320 through §300.324, and must include:

- a statement of the child's present levels of academic performance
- a statement of measurable goals including academic and functional goals
- meet each child's other educational needs that result from the child's disability

9th – 12 grades Promotion & retention, grading system and graduation requirements

- a statement of the special education and related services and supplementary aids and services
- an explanation to the extent, if any, to which the child will not participate with nondisabled children in the regular class
- a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of a child on State and district-wide assessments
- the projected date for the beginning of the services and modifications; and the anticipated frequency, location, and duration of those services

“Individualized Education Program Team” or “IEP Team” means a team comprised of individuals for each child with a disability that must include:

- the parents of the child
- not less than one regular education teacher of the child
- not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child
- a representative of the public agency who is qualified to provide, or supervise the provision, of specially designed instruction to meet the unique needs of children with disabilities
- an individual who can interpret the instructional implications of evaluation results
- at the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child
- whenever appropriate, the child with a disability

"Moderate to severe populations" means _disabilities that require ongoing extensive support in more than one major life activity in order to participate in integrated academic, educational, and community settings and enjoy the quality of life available to people with fewer or no disabilities. They frequently have additional disabilities, including, but not limited to cognitive delays, functional challenges, movement difficulties, sensory losses, communication, and behavior problems.

"Required courses" means specific courses that each student in a program of study must pass to graduate from high school.

Section 17-4-3. Purpose.

(a) This policy is intended to be a guide for the successful completion of secondary education in our public schools and ensuring college and career readiness as students pursue success in institutions of higher learning, in trade and technical schools, in the military, or in the world of work right after high school.

(b) This policy specifies courses of study that shall be offered by the Department for students enrolling in the ninth grade for the first time in the 2022-2023 School Year and for subsequent years.

Section 17-4-4. Instructional Hours/School Calendar.

(a) This policy was developed on the premise that students shall be engaged in instruction for a minimum of 180 days as mandated in the Virgin Islands Code Title 17, Section 61a. Student instructional hours per day shall be as follows:

- (1) Kindergarten through 3rd Grade - 4.5 instructional hours per day and 810 hours per year;
- (2) 4th Grade through 6th Grade - 5.0 instructional hours per day and 900 hours per year; and
- (3) 7th Grade through 12th Grade - 5.5 instructional hours per day and 910 hours per year.

(b) The Department shall develop a school calendar reflective of the minimum instruction days and hours as set forth in subsection (a) , which shall serve as the basis to determine attendance as a necessary for promotion of students from one grade to the next.

(c) For purposes of this section, a day consists of up to six hours of instruction.

Section 17-4-5. Curriculum Requirements.

(a) The Department shall provide secondary school curriculum, instructional and support programs and services that reflect the Board's high school graduation and assessment requirements and is based on the most recent approved Curriculum Guide or Revised Curriculum Guide.

(b) The Curriculum shall be published and made accessible to the public via the Department's website or similar media and in the student handbooks for the respective high schools or similar media.

(c) Through the curriculum and supportive programs and services, the Department shall assist all students in developing their unique potential to function in society and in the workforce in accordance with the Guiding Principles set forth in Section 17-4-6 below.

(d) The Department shall integrate the following content or programs into the curriculum:

- (1) Virgin Islands Culture curriculum;
- (2) Health curriculum that includes family sex education, drug abuse avoidance and aids prevention;
- (3) Financial Education (including teaching personal financial management skills and the basic principles of earning, spending saving and investing);
- (4) Real estate appraisal for grades 10-12; and
- (5) Basic agriculture education.

Section 17-4-6. Guiding Principles.

(a) Each student deserves a good educational foundation which is critical for success in today's globally competitive and high technical world.

(b) All students must be "future-ready" and prepared to succeed. This starts with a high school diploma that gives students opportunities to follow their dreams and achieve their career goals through a clear and consistent framework within which students may make decisions regarding their future pathways.

(c) Considering the dropout rates and the emotional, social, and economic costs of dropping out of school, every effort must be made to provide opportunities and support systems so that all students can succeed.

9th – 12 grades Promotion & retention, grading system and graduation requirements

(d) CTE courses help students to focus on college and career readiness and is available to all students, providing both academic and technical skills needed for postsecondary education, for entrepreneurship, and for success in the workforce.

(e) CTE courses should integrate core academic subjects and combine classroom-based instruction with work-based learning, internships, or apprenticeships and may result in certifications needed for employability right out of high school.

(f) To ensure college and career readiness, all course work must integrate technology leading to students' acquisition of digital literacy skills needed to be competitive in a technological world.

Section 17-4-7. Credit Requirements.

(a) Students shall earn a minimum of 26 credits to receive a high school diploma. At least, nineteen (19) of the 26 credits must come from specific required courses as set forth in Section 17-4-7(d) that all students must pass to receive credit. Additional credits earned to meet the graduation requirement will be considered electives or courses required for success in the career pathway of the student's choice.

(b) All students shall be afforded opportunities to select electives based on their interests and future career goals.

(c) All students are expected to demonstrate competency in effective and ethical use of technology as part of ensuring digital literacy.

(d) The Department shall offer to the furthest extent possible student access to required and elective courses of study via distance learning and other available options for remote learning.

Section 17-4-8. Minimum Course and Credit Requirements.

(a) Each student must meet the minimum of 19 courses requirements and the total of 26 credits in order to graduate. If a student fails any of the required courses, the student must repeat the course in the following semester or year, during summer school, or in an approved credit recovery program.

9th – 12 grades Promotion & retention, grading system and graduation requirements

(b) Credit is earned only for courses with final passing averages of 70 or higher.

(c) A course shall count only once for satisfying any unit of credit requirement for graduation. The minimum course and credit requirements are set forth in the Core Course Requirements Table in (d) below.

(d) Core Course Requirements Table.

SUBJECT AREA	COURSES	NUMBER OF COURSES	TOTAL CREDITS REQUIRED
English	English, 9, 10, 11, 12 (Speech/oral communication must be units of study); Advanced Placement Courses included .	4	4
Mathematics	Algebra; Geometry; Advanced Placement Courses included	4	4
Science	Biology; Advanced Placement Courses included	3	3
History	VI History & Civics, U.S. History, World History including Caribbean History Advanced Placement Courses included	3	3
Career Technical	May include Agriculture, Hotel and Tourism Training, etc.	1	1
Health	Family life; sex education; substance abuse, prevention Certified CPR training must be included for one year up to one hour per week	1	1
Physical Education	JROTC may be substituted	1	1
Foreign Language	Spanish, French, or other language	2	2
TOTAL		19	19

Section 17-4-9. Elective/Career Path Courses.

(a) Each student is required to successfully pass and obtain at least 7 credits from elective courses, advanced level courses, and career technical courses depending on the student's career pathway.

(b) Elective courses may be taken at any grade level and should align with Career & Technical Education Career Tech Courses (Family & Consumer Science, Industrial Arts, Business, Hotel and Tourism or Restaurant Management, keyboarding, agriculture, or other career tech course).

Section 17-4-10. Required Courses by Grade Level.

(a) *Ninth Grade.* Any student who has passed all his/her scheduled seventh and eighth grade courses with an overall average of at least 70 will be classified as a ninth grader.

(1) The following are required courses recommended for ninth graders.

- (A) English 9
- (B) Algebra or Geometry
- (C) Virgin Islands History & Civics
- (D) Science (Biology)
- (E) Career & Technical Course
- (F) *Foreign Language (Two credits in the same language are required for graduation)
- (G) *Physical Education (One year of JROTC may substitute)
- (H) *Health
- (I) * Developmental Reading/Writing (Only if test scores require)

***These courses may be taken at any grade level.**

(2) Any ninth-grade student who has earned fewer than 6 credits or has an overall average below 70 will remain classified as a ninth grader.

9th – 12 grades Promotion & retention, grading system and graduation requirements

(b) *Tenth Grade.* A student will be considered a tenth grader after earning a minimum of six (6) credits and an overall grade point average (GPA) of 70 or higher.

(1) The following are required courses recommended for tenth graders.

- (A) English 10 (including Speech/Oral Communication)
- (B) Science Course (Biology or Chemistry)
- (C) Mathematics (Algebra or /and Geometry)
- (D) *Health
- (E) *Physical Education (A second year of JROTC course may substitute)
- (F) U.S. History
- (G) Foreign Language (Two credits in the same language are required for graduation)
- (H) Career Tech Course (depending on career pathway)
- (I) Any required course not completed in ninth grade.

***These courses may be taken at any grade level**

(c) *Eleventh Grade.* A student will be classified as an eleventh grader after earning a minimum of 12 credits and an overall grade point average (GPA) of 70 or higher.

(1) The following are required courses recommended for eleventh graders:

- (A) English 11
- (B) World History including Caribbean History
- (C) Math (A third math course)
- (D) Science (A third science course)
- (E) Any required courses not completed in ninth or tenth grade.
- (F) Career Tech Courses (depending on career path).

(d) *Twelfth Grade.*

A student will be classified as a twelfth grader after earning a minimum of 18 credits and an overall average of 70 or higher.

(1) The following are required twelfth grade courses.

- (1) English 12

9th – 12 grades Promotion & retention, grading system and graduation requirements

- (2) Math (Financial Literary may be substituted as a course)
- (3) Career Tech Courses (depending on career path and certification requirements).
- (4) Other advanced level courses

Section 17-4-11. Graduation Requirements (General).

(a) A student enrolled in the public school system will be eligible for a high school diploma if the student has met all of the following requirements:

- (1) Passed all 19 required courses
- (2) Earned a minimum of 26 Credits
- (3) Earned a cumulative GPA of 70 or higher
- (4) Completed a minimum of 100 hours of Community Service (must be documented)

(b) A student in the third or fourth year of high school who meets the graduation requirements before the second semester of the fourth year must continue taking courses in the chosen career path, and/or participate in a school sanctioned apprenticeship/training program or be enrolled in a dual credit program offered at the University of the Virgin Islands, unless fully enrolled as an Early Admissions Student at the University of the Virgin Islands.

(c) A student in the twelfth grade who is carrying a full load but needs one more credit or course to meet the graduation requirement may complete said requirement in the Adult Continuing Education program or via a Department approved online course.

Section 17-4-12. Graduation Requirements (CTE Certification).

(a) A student enrolled in the public school system will be eligible for a high school diploma and a CTE) Certificate if the student has met the graduation requirements in Section 17-4-11 above and has completed all course work required for the chosen Career Tech Pathway.

Section 17-4-13. Graduation Requirements (Industry Certification).

A student will be eligible for Industry Certification if the student has met all requirements for a CTE certificate and national certification through The National Center for Construction Education and Research (NCCER) or other approved professional/technical organization.

Section 17-4-14. Graduation Requirements for Special Education Students.

(a) Children with Disabilities Defined. The term Children with Disabilities shall have the same meaning as under Title 17, Chapter 24, Section 287 and the Individuals with Disability Education Act as amended 2004 [IDEA], The term shall refer to any evaluated in accordance with §§300.304 through 300.11 of the IDEA as having an intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance (referred to in this part as “emotional disturbance”), an orthopedic impairment, autism, traumatic brain injury, another health impairment, a specific learning disability, deaf-blindness, or multiple disabilities, and who, by reason thereof, needs special education and related services.

(b) Diploma; Certificate. Children with disabilities who satisfactorily complete a special education program developed by an Individualized Education Program team under the IDEA shall be granted and issued a regular high school diploma or a certificate of completion by the Department of Education. This subsection applies if the special education program of a student with a disability does not otherwise meet the requirements of these regulations.

(c) Determining Graduation Requirements: Special Education and Section 504 Students. The Department and IEP teams shall ensure educational programs meet graduation standards for individual students through the IEP. The team needs to discuss and document accommodations and modifications in the areas of all required courses of study and assessments. Any accommodations or modifications that are decided upon by the team **MUST** be written into the student’s IEP. Educational levels of progress must be judged with respect to the potential of the particular student.

(1) During the student's eighth grade year, an IEP meeting will be held to decide if the student should work towards a high school diploma or a certificate of completion. This decision will be documented and included in the student's IEP as a continuation of the student's specialized educational program for ninth through twelfth grades. This decision can be amended at any time by the IEP Team, based on the student's progress or lack thereof, with the support of data-driven evidence.

-(2) In the case where a student with a disability does not meet the requirements for a high school diploma or certificate of completion, that student ***shall not*** be required to exit public education prior to the end of the school year in which the twenty-first (21) birthday occurs.

(3) Accommodations and Modifications. Both general education and special education teachers **MUST** provide accommodations/modifications as outlined in the student's IEP. All accommodations and modifications **must** be integrated into the student's daily academic program as outlined in their IEP.

(A) An accommodation "adaptation or adjustment" is **NOT** a change of the courses of study, curriculum standards or assessment preparation. Accommodation may include access to the location of services, timing, scheduling, student response, special seating, , separate testing room, use of assistive technology devices/tools (e.g., calculators, spell checks, computers, and tablets), and/or other attributes that allow a student with a disability to participate in the course". The accommodations of the curriculum, standards, or assessments to include statewide assessment (regular and alternate), **MUST NOT** fundamentally alter or lower the standard or expectation of the courses of study.

(B) A modification is a change in the courses of study, curriculum standards, assessment, and expectations, access to the location of services, timing, scheduling, modified rubrics, reading of assessment questions, fewer choices on a multiple-choice test (3 instead of 4), multiplication charts, student response, and/or attribute which provides access for a student with a disability to participate in a course. The modification of the curriculum standards or assessment fundamentally alters or lowers the

standard or expectation of the courses of study, standard, or examination.

(4) Children with disabilities are *ALL* eligible to have assessment administration directions simplified or clarified, mark in the test booklet (other than responses) including highlighting.

(5) Children with disabilities can be assessed in a small group and have extended time on assessments through the use of multiple assessment sessions.

(6) General education teachers are a part of the IEP team and should confer regularly with the special education case manager/administrator regarding the student's progress.

(7) Special education teachers are expected to use various appropriate instructional evidence-based strategies when planning instruction for children with disabilities.

(8) Special education teachers **MUST** review and provide a copy of the student's IEP to the teachers who work directly with the student.

(9) A teacher (general, special education, or special subject) is considered out of compliance in providing **Free Appropriate Public Education (FAPE)** if students are failing as a result of not being provided the appropriate accommodations and/or modifications as outlined in their IEP. Teachers **MUST** provide documented evidence of the provision of accommodations and/or modifications.

Section 17-4-15. Grading for Students with Disabilities:

(a) The grading procedure for children with disabilities will remain the same as that of non-disabled students. Grades are driven by the student's level of proficiency for each subject based on the academic standards and the district-adopted curriculum, except for moderate to severe populations.

(b) Grading for children with disabilities in moderate to severe settings receiving the Functional/Daily Living Skills Curriculum as indicated on their Individualized Education Plan (IEP), is determined by the student's performance in the core curriculum.

(c) Grading procedures for ALL children with disabilities should consider accommodations and modifications as they relate to the components of the regulations.

(d) The grading procedure, except for moderate to severe populations, will use the following grading scale and weights:

(1) Children with disabilities receiving services in the general education classroom will be graded using the Board of Education grading policy weights and percent with appropriate accommodations and modifications per student's IEP.

(2) A minimum of 60% of the grade will reflect culminating tasks that demonstrate understanding of the content standards (assessments, essays, labs, projects, quizzes, etc.)

(3) A maximum of 40% of the grade will be based on classwork, homework, and learning support factors.

(4) When schools distribute report cards, special education teachers are to provide concurrent with report cards the student's progress report (or annotated goals based on the student's IEP) to parents of Children with disabilities .

Section 17-4-16. English Language Learners Graduation Requirements.

(a) An English Language Learner (ELL) enrolled in the public school system will be eligible for a high school diploma if the student has met all of the general graduation requirements prescribed under Section 17-4-9 above.

(b) English Language Learners shall not be retained based on a lack of English Proficiency, a lack of adequate support, and proper documentation.

(c) No English Language Learner must be placed in the Special Education Program without specific referral from the ELD Program

9th – 12 grades Promotion & retention, grading system and graduation requirements

(d) All English Language Learner (ELL) students must receive the same district core curriculum and assessments as general education students.

(e) Administrators and Guidance counselors are responsible for ensuring ELL students are appropriately placed in the various English Language Development (ELD) instructional program settings.

(f) Placement in ELD classes programs must be based on the established identification process and the results of testing scores and careful consideration of an English Language Proficiency Test indicator, including EL progress and including curriculum-embedded assessments, grades, teacher recommendations, etc.

(g) Students identified as English Language Learners must receive ELD instruction until they are reclassified.

Section 17-4-17. Grading System.

Numerical Value	Letter Grade	Quality Points
95-100	A	4.000
90-94 .	A-	3.750
87-89	B+	3.500
83-86	B	3.000
80-82	B-	2.500
77-79	C+	2.000
73-76	C	1.500
70-72	C-	1.000

Section 17-4-18. Advanced Placement Grading System.

Unlike a traditional 4.0 scale, AP courses are graded on a weighted scale that goes up to 5.0. On a traditional scale, a 4.0 is an A, 3.0 a B and so on. On the AP weighted grading scale, a 5.0 is an A, 4.0 a B and so on.

Section 17-4-19. Tabulation of Averages.

(a) A ninth through twelfth grade student's final average for each year is obtained using the following weights:

- 40 % 1st Semester
- 40 % 2nd Semester
- 20 % Final Exam

(b) A student's cumulative average is obtained by multiplying the numerical grade for each course of record by the number of credits assigned to each course. Find the total of these products and then divide by the total number of credits assigned.

(c) In the event a course was repeated, the higher grade earned shall be used as the grade of record.

Section 17-4-20. Graduation Exit Plans.

(a) Each student entering ninth grade, at the beginning of the school year, must complete a Graduation Exit Plan. Each year at the end of the first semester, the school administration or guidance counselor shall review the student's plan with the student and the student's parent/guardian and obtain their signatures.

(b) Each ninth grader shall meet with a guidance counselor to establish career objectives leading to the high school graduation exit plan.

(c) The plan should provide options, to include but not be limited to career pathways, dual credits, early admissions, credit recovery and approved online opportunities. This requirement will also apply to each grade level.

(d) Information about the graduation exit plan shall be placed in the student handbook and the student’s cumulative folder.

Section 17-4-21. Curriculum Course Offerings.

(a) The Department must provide at each school site, a list outlining the availability of courses to each ninth-grade student.

(b) Each ninth grader shall be provided with a copy of the curriculum courses and must be given access to the curriculum and available courses at his/her respective high school at the time of registration. Offerings shall include the names of available academic, technical, and online course opportunities. Information about the curriculum and course offerings shall be placed in the student handbook.

Section 17-4-22. Drop Out Survey.

(a) The Department shall complete a dropout survey by the end of the 1st semester on a yearly basis. The survey must seek to identify students who are failing academically and who are disengaged from school activities.

(b) Students, who demonstrate excessive absenteeism, suspensions, failing courses, extreme drops in Grade Point Average (GPA) or are overage due to retention, should be targeted for wraparound services, which can be provided by the Department, the Department of Human Services, the Department of Health, the Department of Public Safety, and any other agencies that provide wrap around services.

Approved by the 20th governing board of the VI Board of Education on October 15, 2021

Chairman

Date

Secretary

Date