

COMMITTEE ON EDUCATION AND WORKFORCE
DEVELOPMENT

BILL NO. 35-0252

Thirty-Fifth Legislature of the Virgin Islands

April 10, 2024

An Act amending title 17 Virgin Islands Code by adding a chapter 44A, relating to the establishment of the Virgin Islands High School Graduation Plan Act, to assist students to graduate from high school and successfully transition to post-secondary education, to the workforce, or to the military

PROPOSED BY: Senator Diane T. Capehart

WHEREAS, a high school graduation plan (“the plan”) is a student-specific plan detailing the courses necessary for a student to graduate from high school and to successfully transition to post-secondary education, to the workforce, or to the military; and

WHEREAS, the plan includes various career and course planning requirements that will be most successful to the student beginning at the sixth-grade level and progressing to a complete plan by the end of the senior year of high school; and

WHEREAS, the plan will ensure the best preparation for our students’ future in their transition to post-high school education or quality workforce careers; and

WHEREAS, a thoughtfully designed high school graduation plan will include education and training opportunities and involve formal and informal connections between various entities such as the Virgin Islands Departments of Education, Labor, Health, and Human Services; and

1 **WHEREAS**, the utilization of career coaches to collaborate with the various entities and
2 develop resources will minimize the barriers that prevent graduation and employability and
3 assist students in successfully accomplishing career plans that enable them to achieve career
4 goals; Now Therefore,

5 ***Be it enacted by the Legislature of the Virgin Islands:***

6 **SECTION 1.** Title 17 Virgin Islands Code is amended by adding chapter 44A to read as
7 follows:

8 **“Chapter 44A. Virgin Islands High School Graduation Plan Act**

9 **§ 851. Short title**

10 This chapter may be cited as “The Virgin Islands High School Graduation Plan Act.”

11 **§ 852. Purpose**

12 The purpose of this chapter is to develop strategic initiatives to improve high school
13 graduation rates and ensure student readiness for postsecondary education and career
14 opportunities. These strategies must seamlessly connect kindergarten through grade twelve
15 education with postsecondary education and the workplace by providing increased opportunities
16 for students to learn a specific job, task, or skill at an integrated employment site, and to transfer
17 the knowledge gained through community-based work experiences, such as internships,
18 apprenticeships, and other on-the-job training experiences.

19 **§ 853. Definitions**

20 As used in this chapter:

21 (a) “Career Coach” means an individual employed by the Government of the Virgin
22 Islands to provide career services to ensure the coordination, accountability, and delivery of
23 career awareness, development, and exploration to students in kindergarten through twelfth
24 grade.

(b) “Department” means the Virgin Islands Department of Education.

(c) “Dual Enrollment or Advanced Placement Program” means a partnership between a postsecondary education institution and the Government of the Virgin Islands in which the student who has not yet graduated from high school is able to enroll in one or more postsecondary courses and earn postsecondary credits.

(d) “Early College High School Program” means a partnership between the Government of the Virgin Islands and at least one college or university that allows a student to simultaneously complete requirements toward earning a high school diploma and earning not less than 12 credits that are transferable to the college or university.

(e) “Individual Graduation Plan (IGP)” means a student-specific educational plan detailing the courses necessary for the student to prepare for graduation and to successfully transition into the workforce or postsecondary education.

(f) “Individualized Education Program (IEP)” means a written statement for each student with a disability that is developed, reviewed, and revised in a meeting in accordance with 34 C.F.R. §§ 300.320 through 300.324.

(g) “IEP Diploma” means a high school diploma equivalent awarded to a student with a significant disabilities at the end of the school year in which a student turns 21, or at any time after the student has attended school for at least 12 years, excluding kindergarten, or has received a substantially equivalent education elsewhere, in recognition of the student’s successful achievement of individual educational goals based on the appropriate level of the learning standards as specified in the student’s existing IEP.

§ 854. Parental participation; annual parent counseling conferences

Beginning with students in the ninth grade, and continuing through twelfth grade, career coaches shall schedule annual parent counseling conferences to assist parents, guardians, or

1 individuals appointed by the parents or guardians and their children in making career choices
2 and creating individual graduation plans. These conferences must assist the student in
3 identifying career interests and goals, selecting a cluster of study and an academic focus, and
4 developing an IGP.

5 **§ 855. Establishment of the Individual Graduation Plan program**

6 (a) Beginning with the 2024-2025 school year, counseling, career interest inventories
7 and information, such as mock career fairs, career interest related presentations, and age-
8 appropriate career assessments, must be provided to students in the sixth, seventh, and eighth
9 grades, to assist them in the career decision-making process and to give them industry exposure.

10 (b) Before the end of the second semester of the eighth-grade, students in consultation
11 with their parents, guardians, or individuals appointed by the parents or guardians to serve as
12 their designee, and a career coach shall select a preferred cluster of study to create an Individual
13 Graduation Plan and, with the support of parents or legal guardians and career coaches, select
14 and attend the courses that support the completion of the IGP.

15 (c) An IGP must:

16 (1) align career goals and a student's course of study;

17 (2) be based on the student's selected cluster of study and an academic focus
18 within that cluster;

19 (3) include core academic subjects, which must include, but are not limited to,
20 English, math, science, and social studies and any other course necessary to ensure that
21 requirements for graduation are met;

22 (4) include experience-based, career-oriented learning experiences including
23 internships, apprenticeships, mentoring, co-op education, and service-learning;

1 (5) be flexible to allow change in the course of study but be sufficiently structured
2 to meet graduation requirements and admission to postsecondary education;

3 (6) incorporate provisions of a student's individual education plan, when
4 appropriate;

5 (7) be approved by a career coach and the student's parents, guardians, or
6 individuals appointed by the parents or guardians to serve as their designee; and

7 (8) seek to determine measurable postsecondary goals based upon age-
8 appropriate transition assessments related to training, education, employment, and, where
9 appropriate, independent living skills, and providing transition services for all students,
10 including students with disabilities, that will assist the student in reaching those goals.

11 (d) The Department shall hire and train career coaches who must:

12 (1) coordinate and present professional development workshops in career
13 development and guidance for teachers, school counselors, and work-based constituents;

14 (2) assist schools in promoting the goals of quality career development of
15 students in kindergarten through twelfth grade;

16 (3) assist school counselors and students in identifying and accessing career
17 information and resource material;

18 (4) provide educators, parents, and students with information on career and
19 technology education programs offered in the Territory;

20 (5) support students in the exploration of career clusters and the selection of an
21 area of academic focus within a cluster of study;

22 (6) learn and become familiar with ways to improve and promote career
23 development opportunities within the Territory;

(7) attend continuing education programs on certified career development facilitator curriculum;

(8) assist with the selection, administration, and evaluation of career interest inventories;

(9) assist with the implementation of the IGP;

(10) assist schools in planning and developing parent information on career development;

(11) coordinate with school counselors and administration career events, career classes, and career programming;

(12) coordinate community resources and citizens representing diverse occupations in career development activities for parents and students;

(13) assist with the usage of computer-assisted career guidance systems; and

(14) under the supervision of the Commissioner of Education or designee, establish partnerships that offer federal and local assistance and funding to assist students in preparing for postsecondary opportunities.

(e) The IGP must include the following exit option tracks and a student shall select one before the end of their 8th grade year:

(1) post-secondary education—community college, university;

(2) post-secondary education—trade school, technical school;

(3) workforce preparation through a vocational trade, including prep courses for the workforce and on-the-job-training; or

(4) permanent job placement.

§ 856. College Placement Activities

Not less than twice per year, the University of the Virgin Islands shall collaborate with the Department to plan and conduct college placement activities for 8th grade students to market and promote the Dual Enrollment or Advanced Placement Program.

§ 857. Early college high school program

(a) To facilitate a greater participation of at-risk, low-income, and students of color in college-level courses, the Department and the University of the Virgin Islands shall collaborate to establish a partnership that allows a student to simultaneously complete requirements toward earning a high school diploma and earning credits that are transferable to the University of the Virgin Islands as part of a course of study toward a postsecondary degree or credential at no cost to the student or student's family.

§ 858. Individualized education program diploma

(a) The IEP diploma is intended for a student with the most significant disabilities in recognition of his or her successful achievement of individual educational goals based on the appropriate level of the learning standards as specified in the student's current IEP. The IEP development process and annual guidance reviews serve to inform students and their parents that, because of the severity of the disability, the student may be likely to receive an IEP diploma in lieu of a high school diploma.

(b) A student who is a candidate for an IEP diploma shall participate in multiple work-based learning experiences and those experiences must be directly related to the student's education program. Community-based work experiences, such as internships, apprenticeships, and other on-the-job training experiences must be provided to increase opportunities for students to learn a specific job, task, or skill at an integrated employment site, and to transfer the knowledge gained to real-time work experiences.

(c) Students with disabilities can participate in multiple work-based learning experiences and those experiences must be directly related to the student's IEP. With a counselor, the student shall identify a specific vocational goal to determine whether a community-based work experience is a necessary service for the student to achieve an employment outcome in competitive integrated employment or supported employment. To ensure the success of community-based work experiences, the Departments of Labor and Education shall develop agreements with employers and students that describe the training objectives, services to be provided, timelines, and financial responsibilities necessary for a successful community-based work experience.

§ 859. Community-based work experiences

(a) The Departments of Education and Labor shall collaborate to help students acquire jobs after they graduate, and to promote students who participate in occupational education to be competitively employed.

(b) The Department shall collaborate with all relevant agencies, to include the Departments of Labor, Human Services, Health, Public Works, the Bureau of Information Technology, the University of the Virgin Islands, and the Bureau of Economic Research, to assist high school students interested in entering the workforce in specialized training programs in the fields of:

- (1) Medicaid;
- (2) Supplemental Nutrition Assistance Program (SNAP);
- (3) data science;
- (4) artificial intelligence tools;
- (5) construction; or
- (6) law enforcement, firefighting, or emergency medical services.

§ 860. Internships

Internships must be established as formal agreements where a student is assigned specific tasks in a workplace over a predetermined period. Internships may be paid or unpaid, depending on the nature of the agreement with the company and the nature of the tasks. Internships are temporary on-the-job work experiences. To increase employment opportunities, career coaches and guidance counselors may refer students, young adults, or youths with disabilities to an internship and create a simplified application and interviewing opportunity for the student.

§ 861. Apprenticeships

Apprenticeships are formal, sanctioned work experiences of extended duration in which an apprentice, frequently known as a trainee, learns specific skills related to a standardized trade, career, or job of choice, that complies with the requirements of title 24 Virgin Islands Code, chapter 10. To increase employment opportunities, career coaches and guidance counselors may refer students, young adults, or youths with disabilities to an apprenticeship or to the Department of Labor for services through the Office of Youth Transitional Services.

§ 862. Case management

The Departments of Education and Labor shall collaborate to establish an electronic case management system to track the progress of students enrolled in the Individual Graduation Plan Program. The Department of Education shall designate a case manager for each student beginning at the ninth-grade level. Case managers shall formulate a case plan for each student to facilitate the progress of the plan. Career coaches, case managers, registrars, or guidance counselors shall communicate with parents or legal guardians annually to assess the progress of the student's exit option track and plan regular meetings as necessary. Students and youth with disabilities must be counseled with a minimum contact of two times per school year to prepare for post-graduation and to consider and explore a specific career to determine if it meets their career interests, abilities, and goals.

§ 863. Office of Youth Transitional Services

(a) The Department of Education shall create the Office of Youth Transitional Services to work collaboratively by making referrals to the Department of Labor, the Virgin Islands Housing Authority, and the Department of Human Services to provide services to residents not older than 26 years of age, who have graduated from high school, to assist them to access services such as medical assistance, social services assistance, food/nutrition services, and homelessness prevention.

(b) The Office of Youth Transitional Services shall provide referrals and offer services that increase employability and limit social barriers that hinder transition, manage resources, and develop partnerships with federal, state, and local agencies for creating linkages to resources that support the success of the students' IGP.

(c) The Office of Youth Transitional Services shall execute a memorandum of understanding with the Department of Human Services, the Department of Labor, and the Virgin Islands Housing Authority to accept applications for services and track the application through the process on behalf of its clients. The application must be provided to the agency of jurisdiction for further processing and must be tracked by the Office of Youth Transitional Services.

d) The Department of Labor shall create a Division of Transitional Services in collaboration with the Virgin Islands Housing Authority and the Departments of Human Services, Education, and Health to provide services to assist graduates to continue to meet their IEP or IGP goals and attain beneficial post high school outcomes. The Division of Transitional Services shall provide these services to individuals up to the age of 26.

§ 864. Petition for graduation

1 To petition for graduation, a student must meet the mandatory community service hours
2 requirement, high school diploma or IEP diploma requirements, and file a High School
3 Graduation Plan with the high school Registrar's Office.

4 **§ 865. Notification requirements**

5 The Department of Education shall notify students and parents, in writing, of the
6 requirements needed to obtain a high school diploma, to include the High School Graduation
7 Plan requirement, and the eligibility requirements for local scholarship programs and
8 postsecondary admissions processes at the University of the Virgin Islands.

9 **§ 866. Data collection on post-high school outcomes and annual reporting**

10 Beginning with the school year 2024-2025, the Department of Education and the Virgin
11 Islands Board of Education shall create, publish, and make publicly available an annual report
12 that contains data regarding the post high school paths of graduates and nongraduates from all
13 public schools in the Territory. The report must include data regarding enrollment in two and
14 four-year postsecondary educational institutions, participation in registered apprenticeships,
15 military enlistment, and workforce information and must be published not later than December
16 2026. Not later than the 2027-2028 school year, the report must contain information on post
17 high school and post college gainful employment. The Departments of Labor, Health,
18 Education, Human Services, and the Virgin Islands Housing Authority shall collaborate to
19 provide pertinent data for publication.

20 **SECTION 2.** Notwithstanding the use restrictions provided for in title 33 Virgin Islands
21 Code, section 3093, subsection (c), in the fiscal year ending September 30, 2024, the sum of
22 \$1,500,000 is appropriated from the Virgin Islands Education Initiative Fund, to the Virgin
23 Islands Department of Education, to implement the provisions of this act.

24 **BILL SUMMARY**

1 The bill establishes the Virgin Islands High School Graduation Plan Act to develop
2 strategic initiatives to improve high school graduation rates and ensure student readiness for
3 postsecondary education and career opportunities. Further, the bill requires parental
4 participation and annual parent counseling conferences; establishes the Individual Graduation
5 Plan program; and identifies an early college high school program, and an individualized
6 education program diploma. The bill addresses the importance of community-based work
7 experiences, internships, and apprenticeships; sets out the requirements for case management;
8 creates the Office of Youth Transitional Services; requires students to petition for graduation;
9 and mandates the Department of Education to make certain notifications, conduct data-
10 collections and publish annual reports. Section two appropriates the funds from the Virgin
11 Islands Education Initiative Fund.

12 **BR23-0182/February 29, 2024/REVISED/April 9, 2024/HLF**