

Statewide High School Graduation Requirement Guidance Act 158 of 2018

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**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION**

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Introduction and Background

[Act 158 of 2018](#) (Act 158), which was signed into law by Governor Tom Wolf on October 24, 2018, shifts Pennsylvania's reliance on high stakes testing as a graduation requirement to provide alternatives for high school students to demonstrate readiness for postsecondary success. Formerly, Pennsylvania's statewide graduation requirement was more restrictive, requiring most students to pass the Keystone Exams — end of course exams in Algebra I, Literature, and Biology — in order to graduate. Act 158, in conjunction with Act 6 of 2017 (Act 6), expands the options for students to demonstrate postsecondary readiness through four additional pathways that more fully illustrate college, career, and community readiness.

The statewide graduation requirement outlined in Act 6 and Act 158 takes effect for the graduating class of 2022. While there is no statewide graduation requirement for the classes of 2019, 2020, and 2021, local policies also govern graduation. Local policies are not preempted by the current moratorium nor are they limited by the statewide requirement. School entities are encouraged to work with their solicitors to ensure that their high school graduation policies comply with Act 6 and Act 158, which amended section 121 of the Pennsylvania Public School Code, 24 P.S. § 1-121 and affected the implementation of Title 22, Chapter 4 of the Pennsylvania Code.

Keystone Exams will continue as the statewide assessment that Pennsylvania uses to comply with accountability requirements set forth in the federal Every Student Succeeds Act (ESSA). Although a student may not be required to achieve proficiency on the Keystone Exams in order to graduate, **students are required to take the Keystone Exams for purposes of federal accountability**. Failure to do so will affect a Local Education Agency (LEA) and school's participation rate.

Purpose

The purpose of these guidelines is to provide an overview of changes to the statewide graduation requirement as a result of the enactment of Act 158. Future Department of Education (PDE) guidance will provide more detail as to the implementation of Act 158, including the composite Keystone score, established cut scores for alternate assessments, and guidelines to define pathway evidence.

Requirements

For students graduating in 2022 and beyond, the following options exist to meet the statewide graduation requirement:

- **Keystone Proficiency Pathway:** Scoring proficient or advanced on each Keystone Exam - Algebra I, Literature, and Biology.

approved industry-based competency assessment or readiness for continued meaningful engagement in the CTE Concentrator's program of study.

For further explanation of the CTE Pathway, please see PDE's [Act 6 guidance](#).

A composite Keystone score will be released in August of 2019. Established cut scores for alternate assessments and guidelines to define pathway evidence will be released in the 2019-20 school year.

More information about the new statewide graduation requirement effective with the graduating class of 2022 is available on the [PDE website](#).

Definitions

ACT WorkKeys Assessment - An assessment of workplace skills administered by ACT.

Advanced Placement Program (AP) - A program authorized by the college board that allows a student to study college-level subjects while enrolled in high school and to receive advanced placement and college credit for earning a qualified score on the course-related Advanced Placement exam.

Approved Alternate Assessment - An SAT, PSAT, ACT or ASVAB.

- **ACT** - A standardized test for the assessment of college readiness administered by ACT.
- **Armed Services Vocational Aptitude Battery (ASVAB)** - The aptitude test developed and maintained by the United States Department of Defense.
- **SAT** - A standardized test for the assessment of college readiness administered by the College Board.

Approved Industry-Based Competency Assessment - A NOCTI exam, NIMS assessment or other industry-based competency assessment identified by the Secretary of Education.

- **NIMS Assessment** - An assessment based on the National Institute for Metalworking Skills standards.
- **NOCTI Exam** - A National Occupational Competency Testing Institute exam.

Concurrent Enrollment Course - A course in which a secondary student is enrolled and, upon successful completion of which both high school and postsecondary credit are earned.

Cooperative Education Program - A program of instruction whereby students alternate or coordinate their high school studies with a job in a field related to their academic or career objectives.

CTE Concentrator - A student who, by the end of a reporting year, will be reported as successfully completing at least 50 percent of the minimum technical instructional hours required under 22 Pa. Code Ch. 339 (relating to vocational education).

Established Score - A score recommended by the Secretary of Education and approved by the State Board of Education.

GPA - Grade point average.

- Be consistent with the student's educational program.
- Assist the student to attain proficiency in the state academic standards.
- Ensure that students who accept the school entity's offer of supplemental instruction are able to participate in both supplemental instruction and instruction related to their career, military or postsecondary education plans.

When offered, supplemental instruction must not:

- Intrude into instructional time for career and technical education.
- Occur during a student's dedicated time in a career and technical education program.

4. May students who score proficient or advanced on a Keystone Exam retake the exam?

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 entity.

5. Does a waiver option exist?

A chief school administrator may grant a waiver of the requirements for demonstrations of proficiency on the Keystone Exams or alternative graduation requirements for a student in grade 12 or to accommodate a student who experiences extenuating circumstances (e.g., serious illness, death in the student's immediate family, family emergency, frequent school transfers, transfer from out-of-state in grade 12).

Each student granted a waiver under this subsection shall complete locally established, grade-based requirements for academic content areas associated with each Keystone Exam.

If the waivers granted by a chief school administrator exceed more than 5 percent of students in a graduating class, PDE will conduct a review of the waivers granted by the school entity. The school entity will be required to submit an improvement plan to PDE and will be subject to an audit conducted by PDE unless PDE determines that the 5 percent threshold was exceeded because waivers were granted to students who experienced extenuating circumstances.

6. What regulations exist for students with disabilities?

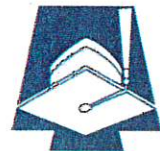
A student with a disability who satisfactorily completes a special education program developed by an individualized education program team under the Individuals with Disabilities Education Act and 22 Pa. Code Ch. 14 (relating to special education services and programs) that does not otherwise meet the requirements of this section shall be granted and issued a regular high school diploma by the student's school entity.

7. Are there requirements to include Keystone Exam proficiency levels on a student's transcript?

The performance level demonstrated in each of the state academic standards, including the highest performance level demonstrated by a student on the associated Keystone Exam, may be included on a student's transcript as determined by each school entity.

Keystone Exam Scale Score Ranges

Content Area	BELOW BASIC	BASIC	PROFICIENT	ADVANCED
Algebra I	1200–1438	1439–1499	1500–1545	1546–1800
Biology	1200–1459	1460–1499	1500–1548	1549–1800
Literature	1200–1443	1444–1499	1500–1583	1584–1800



Act 16 of 2019: Section 221.3—Full Academic Year Requirement

The 2019 School Code (Act No. 16 of 2019; formerly House Bill 1615) includes provisions (Section 221.3—Full Academic Year Requirement) to redefine the full academic year (FAY) requirement for student participation in statewide assessments as contingent on student attendance during the period of October 1 to the last day of the applicable testing window the following spring. Specifically, Section 221.3 would exempt from “school accountability performance calculation” the scores of students who are “absent for at least 20 percent of the school days” during the period used to calculate FAY (Section 221.3(a)).

The provision includes an important caveat, however: “This section shall only be effective if in compliance with Federal law” (Section 221.3(b)).

Section 1111(c)(4)(F) of the Every Student Succeeds Act (ESSA) requires that for “a student who has not attended the same school within a local educational agency for at least half of a school year, the performance of such student on the indicators described in clauses (i), (ii), (iv), and (v) of subparagraph (B)¹ may not be used in the system of meaningful differentiation of all public schools as described in subparagraph (C) for such school year...” (emphasis added)

In the case of Pennsylvania and any state with a 180-day school year, this language creates a 90-day trigger that matters greatly for annual meaningful differentiation (*i.e.*, accountability determinations). Specifically, for purposes of accountability, a student must miss at least 90 days of school before their assessment data can be excluded from calculations.

The 20 percent absence rate trigger established by Act 16, which is equivalent to 36 days across the school year, is far short of the ESSA threshold. While the federal law affords states additional flexibility in lower stakes reporting not used for accountability, Act 16 clearly references “school accountability.” Accordingly, the exemption provision in Section 221.3 is incompatible with the ESSA and Pennsylvania’s approved ESSA State Plan.

¹ These indicators include academic achievement, academic growth, English learner proficiency, and school quality and student success indicators.