



**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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12/12/2013 10:05:06 AM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

**FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 1)**

AGENCY Education

RULE TYPE Legislative Exempt AMENDMENT TO EXISTING RULE Yes **TITLE-SERIES** 126-

RULE NAME Uniform Grading (2515) **037**

CITE AUTHORITY W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

COMMENTS LIMITED TO
Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS
Monday, January 13, 2014 4:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
Robert E. Hull, Associate Superintendent
WVDE Division of Teaching and Learning
Capitol Building 6, Room 603
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

Charles K Heinlein -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 126-037



Rule Id: 9314



Document: 25509



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**FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 2)**

AGENCY **Education**

RULE TYPE **Legislative Exempt** **AMENDMENT TO EXISTING RULE** **Yes** **TITLE-SERIES** **126-**

RULE NAME **Uniform Grading (2515)** **037**

CITE AUTHORITY **W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)**

PROVIDE A BRIEF SUMMARY OF YOUR PROPOSAL

The amendment of Policy 2515 at section 4. Weighted Grades is proposed to provide weighted grades for Advanced Career Courses as currently provided for Advanced Placement (AP) and International Baccalaureate (IB) courses.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

Charles K Heinlein -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 1)

AGENCY Education

RULE TYPE Legislative Exempt AMENDMENT TO EXISTING RULE Yes **TITLE-SERIES** 126-

RULE NAME Uniform Grading (2515) **037**

CITE AUTHORITY W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

SUMMARIZE IN A CLEAR AND CONCISE MANNER WHAT IMPACT THIS MEASURE WILL HAVE ON COSTS AND REVENUES OF STATE GOVERNMENT.

No costs or revenues will be impacted by the proposed amendment of W. Va. 126CSR37, Policy 2515: Uniform Grading.

Charles K Heinlein -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 126-037



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FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 2)

AGENCY Education

RULE TYPE Legislative Exempt AMENDMENT TO EXISTING RULE Yes TITLE-SERIES 126-

RULE NAME Uniform Grading (2515) 037

CITE AUTHORITY W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

FISCAL NOTE DETAIL -- SHOW OVER-ALL EFFECT IN ITEM 1 AND 2 AND, IN ITEM 3, GIVE AN EXPLANATION OF BREAKDOWN BY FISCAL YEAR, INCLUDING LONG-RANGE EFFECT.

Effect Of Proposal	Current Increase/Decrease (use ' - ')	Next Increase/Decrease (use ' - ')	Fiscal Year (Upon Full Implementation)
ESTIMATED TOTAL COST	0	0	0
PERSONAL SERVICES	0	0	0
CURRENT EXPENSES	0	0	0
REPAIRS AND ALTERATIONS	0	0	0
ASSETS	0	0	0
OTHER	0	0	0
ESTIMATED TOTAL REVENUES	0	0	0

Charles K Heinlein -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 3)

AGENCY Education

RULE TYPE Legislative Exempt AMENDMENT TO EXISTING RULE Yes **TITLE-SERIES** 126-

RULE NAME Uniform Grading (2515) **037**

CITE AUTHORITY W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT). PLEASE INCLUDE ANY INCREASE OR DECREASE IN FEES IN YOUR ESTIMATED TOTAL REVENUES.

No costs or revenues will be impacted by the proposed amendment of W. Va. 126CSR37, Policy 2515: Uniform Grading.

Charles K Heinlein -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 4)

AGENCY Education

RULE TYPE Legislative Exempt AMENDMENT TO EXISTING RULE Yes **TITLE-SERIES** 126-

RULE NAME Uniform Grading (2515) **037**

CITE AUTHORITY W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)

PLEASE IDENTIFY ANY AREAS OF VAGUENESS, TECHNICAL DEFECTS, REASONS THE PROPOSED RULE WOULD NOT HAVE A FISCAL IMPACT, AND OR ANY SPECIAL ISSUES NOT CAPTURED ELSEWHERE ON THIS FORM.

No costs or revenues will be impacted by the proposed amendment of W. Va. 126CSR37, Policy 2515: Uniform Grading. The proposed policy amendments direct county boards of education to issue weighted grades for courses as stated in the policy and further that said courses be awarded grades as set forth in the proposed weighted course grading scale.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Charles K Heinlein -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



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FORM 12 -- BRIEF SUMMARY AND STATEMENT OF CIRCUMSTANCES (Page 1)

AGENCY **Education**

RULE TYPE **Legislative Exempt** **AMENDMENT TO EXISTING RULE** **Yes** **TITLE-SERIES** **126-**

RULE NAME **Uniform Grading (2515)** **037**

CITE AUTHORITY **W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451; 376 S.E.2d 839 (1988)**

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN RULE AND STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE.

The amendment of Policy 2515 at section 4. Weighted Grades is proposed to provide weighted grades for Advanced Career Courses as currently provided for Advanced Placement (AP) and International Baccalaureate (IB) courses.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

Charles K Heinlein -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 126-037



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EXECUTIVE SUMMARY
WEST VIRGINIA DEPARTMENT OF EDUCATION

Policy Number and Title: Policy 2515 Uniform Grading

Background: The amendment of Policy 2515 at section 4. Weighted Grades is proposed to provide weighted grades for Advanced Career Courses as currently provided for Advanced Placement (AP) and International Baccalaureate (IB) courses.

Proposals: Policy 2515 is being amended to incorporate weighted grades (and an associated grading scale) for Advanced Career Courses.

Impact: The proposed amendment of Policy 2515 will provide an incentive for students to take AP and IB courses.

Response to Comments:

126CSR37

**LEGISLATIVE RULE
BOARD OF EDUCATION**

**SERIES 37
UNIFORM GRADING (2515)**

§126-37-1. General.

1.1. Scope. – This legislative rule establishes a uniform grading policy that must be used by all schools in West Virginia for any course for which high school credit is to be awarded.

1.2. Authority. – W. Va. Constitution, Article XII, §2 and W. Va. Code §18-2-5.

1.3. Filing Date. – ~~April 11, 2008~~.

1.4. Effective Date. – ~~July 1, 2008~~.

1.5. Repeal of Former Rule. This legislative rule amends W. Va. 126CSR37, West Virginia Board of Education Policy 2515, Uniform Grading, filed ~~May 21, 2003~~ April 11, 2008 and effective ~~July 1, 2003~~ July 1, 2008.

§126-37-2. Purpose.

2.1. The West Virginia Board of Education establishes a uniform grading policy that must be used by all county boards of education for those courses for which high school credit is to be awarded.

§126-37-3. Grading Scale and Quality Points.

3.1. Section 3.2 sets forth a grading scale that must be used for any course taken for high school credit, regardless of the grade level of the student at the time the course is taken, other than courses that county boards of education choose pursuant to Section 4.

3.2. Non-weighted course grading scale:

<u>Average</u>	<u>Grade</u>	<u>Quality Points</u>
93-100	A	4.0
85-92	B	3.0
75-84	C	2.0
65-74	D	1.0
0-64	F	0

126CSR37

3.3. County school systems may, but are not required to, adopt this grading scale for use in courses or grade levels for which high school credit is not involved.

§126-37-4. Weighted Grades.

4.1. County boards of education shall issue weighted grades for Advanced Placement, Advanced Career Courses, and International Baccalaureate courses for which high school credit is to be awarded. Section 4.2 sets forth the grading scale that must be used for Advanced Placement, Advanced Career Courses, and International Baccalaureate courses. County boards of education continue to have discretionary authority to issue weighted grades for other advanced high school courses.

4.2. Weighted course grading scale.

Average	Grade	Quality Points
93-100	A	5.0
85-92	B	4.0
75-84	C	3.0
65-74	D	2.0
0-64	F	0

§126-37-5. Severability.

5.1. If any provision of this rule or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this rule.

126CSR37

POLICY 2515: Uniform Grading

COMMENT PERIOD ENDS: January 13, 2014

COMMENT RESPONSE FORM

NOTICE: Comments, as submitted, shall be filed with the West Virginia Secretary of State's Office and open for public inspection and copying for a period of not less than five years.

The following form is provided to assist those who choose to comment on Policy 2515 Uniform Grading. Additional sheets may be attached, if necessary.

Name: _____ Organization: _____

Title: _____

City: _____ State: _____

Please check the box below that best describes your role.

- | | | |
|---|--|--|
| ☐ School System Superintendent | ☐ School System Staff | ☐ Parent/Family |
| ☐ Principal | ☐ Teacher | ☐ Business/Industry |
| ☐ Professional Support Staff | ☐ Service Personnel | ☐ Community Member |

COMMENTS/SUGGESTIONS
§126-37-1. General.
§126-37-4. Weighted Grades.

126CSR37

Please direct all comments to:

Robert E. Hull, Associate Superintendent
Division of Teaching and Learning
West Virginia Department of Education
Capitol Building 6, Room 603
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330
E-Mail Address: rhull@access.k12.wv.us
Fax No.: (304) 558-1834