

8 distinct commenters provided a total of 11 comments.

- Other: 4
- Principal: 2
- Teacher: 5

Action	
A/S	Comment was accepted and supports the proposed policy
A/C	Comment was accepted and resulted in changes to the proposed policy
N	Comment was not accepted

DATE	COMMENTER	COMMENTS	ACTION	RATIONALE
§126-32-1 General				
2018-04-20 10:04:44	John Options Pathway Teacher Summers County Hinton WV	I don't fully agree with making a student wait until his/her last semester of senior year to take the last subtest of TASC. Not all schools are block schools where you can get a group of seniors. Some schools have Juniors and Seniors mixed together. Basically this is telling me to teach all kids the same subject and their work doesn't matter because they can test with the seniors. It's basically holding the student back. Instead of making this part of the policy, why don't we just add in the policy that failure to complete Option 1 will result in students not getting their HSEA and will have to go back to being in regular classroom settings at whatever grade they were in before acceptance in the Options Pathway Program.		
2018-05-02 15:37:06	Heidi Griffith Secondary Curriculum Coordinator Harrison County Schools Clarksburg WV	<p>The Harrison County Option Pathways Program in particular, the Option 1 Program, tries to meet the individual needs of all learners. The students in the Option 1 program have been identified by the "home" high school as "at risk" students that could benefit from the Option Pathways. These students have various issues and needs beyond the regular classroom and in many cases they may need to work or care for their child or other family members. Due to these circumstances and others we consider many things when allowing students to complete their TASC Assessments prior to their last semester; in most cases the student was referred as a 10th or 11th grader starting the first year of a 2-year CTE Program. Most of our students are able to complete the TASC requirements in a 1-year period and therefore eligible to pursue another CTE program or employment, which many of our students need to do. Over the past 3 years we have served and averaged 38 Option 1 students with a graduation rate of 96%, a rate that would be higher if we only counted the students that actually took all 5 TASC Assessments and failed to meet passing scores, but we include all the students that qualified for the Option 1 Program, many of which never took a single TASC test before dropping out or came from a placement setting needing to complete the TASC Assessments, but never reported to class.</p> <p>We have completed a detailed review of the past three academic years 2014/2015, 2015/2016, and 2016/2017 with the specific goal of identifying Option 1 students that graduated with high school diplomas. In the 2014 / 2015 term we had only 2 students complete the TASC Assessments in the first year of their CTE, both of these students completed their second year, and more importantly both of these students entered a second program at UTC related to their completion programs. By completing the TASC before their last semester they were able to attend a full day at United Technical Center (UTC) in order to study another trade. The 2015/2016 term yielded basically the same results, with 42 total Option 1 students, 2 students that dropped out prior to taking any TASC Assessments, 38 students graduating in 2016 and the remaining 2 students completing their CTE programs and graduating in 2017, one of these students was selected by an auto body shop for employment in the morning and attended his Tech Program in the afternoon. The 2016/2017 year had 30 Option 1 students with 27 total 2017 graduates 2 of the 3 that did Not graduate are still enrolled with one student completing the TASC (only math remaining) and the other student should complete his CTE program, Ag-Science, 1st Semester 2017/2018 term, which means 29 of the 30 Option1 students are still on track to graduate.</p> <p>We have had some students over the past years move from Option 1 to Option 3 based on their failure to pass their CTE Program, but in every case all of these students were either in their last semester of their CTE or ordered by the DJS (Division of Juvenile Services) to expedite the student's completion of their HSE Diploma. These situations are likely to</p>		

		be handled through the new Option Pathways instructors specifically hired through DJS to serve those court ordered students.		
2018-05-14 15:27:08	Kris Phares Snyder teacher Calhoun-Gilmer Career Center Grantsville WV	The stakeholders that reviewed this policy did not include current or past Option Pathway teachers, nor did it include current or past Option Pathway students.		
§126-32-5 Testing of Individuals 16, 17, or 18 Years of Age				
2018-04-17 18:19:24	Ryan K. Haught Director Mid-Ohio Valley Technical Institute St. Marys, WV	Thank-you for removing 6.2.a.7. - the "compelling reason" from the policy. Brings back the integrity of the process and prevents loopy-goopy interpretation of the policy.		
2018-05-14 15:27:08	Kris Phares Snyder teacher Calhoun-Gilmer Career Center Grantsville WV	It is imperative that this language be reinstated in this policy for students who successfully complete the Option Pathway program in full or in part. 6.2.a.7 A student who successfully completes the Option Pathway has a compelling reason to attend school for fewer than four full years and/or be scheduled for course for less than the full instructional day. For example, a student successfully passes the Option Pathway high school equivalency assessment and completes the career and technical concentration. At that point they have completed the requirements for graduation even though their graduation cohort may not have graduated. Another example would be when a student has successfully passed the Option Pathway high school equivalency assessment but has not yet completed their career and technical concentration. That student may only need to attend school during the part of the day for the career and technical courses. In both examples, the students would not need to be enrolled for the four full years or for the full instructional day. The county or school would not acquire a penalty for graduation rate or attendance rate in either scenario.		
§126-32-6 Testing of Individuals 16, 17, or 18 Years of Age Participating in ODTP or Government Program				
2018-04-17 16:38:09	Pier Bocchini Director Wood County Technical Ed Parkersburg WV	We tend to have problems with students who complete the Mountaineer Challenge Academy but do not complete the HSEA. They are released because they have completed MCA, but we have difficulty in getting them to come to the OPTIONS program to get help to complete the HSEA. Would it be a problem for them to TABE test students and have their scores be a condition on getting in to MCA?		
§126-32-7 Criteria for Administering Option Pathway in West Virginia High School and ODTP Facilities				
2018-04-17 20:35:06	Anna Director of Curriculum/CTE/Secondary Fayette County Schools Fayetteville WV	7.1 Suggestion to not only indicate that failed major core courses is who the program is designed for because an at risk student might have passing grades but be indicating to the staff that he/she is considering quitting school. This student I would define as "at-risk" only but the option pathway might provide an alternative for them to stay in school. 7.1.a I do not agree with this section at all. If a student can complete the HSEA why are we forcing them to wait? What if they agree to stay in the CTE program but have a job also? I know the purpose is to make certain they stay in the CTE programs but the better your CTE center is the more likely they will stay. I would want to loose a student because this guideline was in state code. Let the county determine if they need this statement. Our county does not!		
2018-05-14 14:57:58	Christina Waybright Option Pathway Teacher Upshur County Schools Buckhannon WV	Removal of section 6.2.a.7. is cause for alarm to existing Option Pathway Programs in the traditional high school and career technical center settings. This portion of the old policy has allowed students to have a half day attendance waiver after completing all TASC subtests, and allows the teacher of the program to work with more students once those waivers begin. Once a student completes all 5 tests, even in the final semester of the program, additional students can be put into the Option Pathway and make a path to graduation. This year, I had several such students who began in January or February, and will graduate on time. The Option Pathway is designed for no more than a 15:1 student:teacher ratio. This is wise because these students typically require more individualized attention for both instruction and behavioral reasons. Behavioral issues will abound if this attendance waiver is not continued in the future. Also, if all 15 students in		

all class periods are required to remain for the entire school year, serving Option 2 students will become MUCH more difficult. The large amount of individual attention required for processing Option 2 students means that for the day or two that they are in attendance to complete their credit recovery testing and paperwork, Option 1 students have to be self-motivated for the day. As you might imagine, these students are not typically self-motivated or MOST of them would not be in the Option Pathway!

If the intention of the removal of this section is to disallow the half-day attendance waivers that we have been using to benefit students and schools, then I oppose the removal of this section, and hope that you will add it back to the policy.

--Thank you for your time!

§126-32-8 Criteria for Administering Option Pathway Supplemental Programs

2018-04-17 20:35:06	Anna Director of Curriculum/CTE/Secondary Fayette County Schools Fayetteville WV	Section 8.2.a All students who achieve a diploma or a high school equivalency should count as graduates. Home schooled students get to write their own diplomas why doesn a state approved equivalent count? 8.3.b Students return from MCA with some of the HSEA completed. Shouldn they complete the remaining pieces to earn the full high school diploma? Why would they go back to the high school and start all over with their course of study? The MCA should not release the student until they complete the program or unless the student drops the program.		
2018-05-02 15:37:06	Heidi Griffith Secondary Curriculum Coordinator Harrison County Schools Clarksburg WV	This wording was in the previous policy and needs to be put back in. It needs to be an option for some students, who have extenuating circumstances. If it is available to students at the Mountaineer Challenge Academy, it needs to be an available option for our public schools Options programs. "A student who successfully completes the Option Pathway has a compelling reason to attend school for fewer than four full years and or be scheduled for courses less than the full instructional day. For example, a student successfully passes the Option Pathway high school equivalency assessment and completes the career technical concentration. At that point they have completed the requirements for graduation even though their graduation cohort may not yet have graduated. Another example would be when a student successfully passed the Option Pathway high school equivalency assessment but has not yet completed their career technical concentration. That student may only need to attend school during the part of the day for the career and technical courses. In both examples, the students would not need to be enrolled for the four full years or for the full instructional day. The county or school would not acquire a penalty for graduation rate or attendance rate in either scenario."		
2018-05-07 08:50:17	melanie.tillman Teacher Harrison County Schools Clarksburg WV	The omission of Section 6.2.a7 regarding some Option Pathway students have a compelling reason for attending fewer than four years or a full school day . . . is distressing. The fact that these students come to us because they do not fit the "traditional" student model and yet they want an opportunity to prove themselves and become graduates as well as productive members of society. If they have already completed their CTE obligation and have an opportunity/need to go to work . . . I don think its necessary to compel them to attend one more year. The Option Pathway is a great "one year" program and trying to stretch it out to two years or more will do more harm than good. A lot of administrative personnel and staff members view the program as an easier alternative to a traditional high school diploma. I assure you preparing for the TASC Test is not an easier alternative. Every year the standards get a little tougher with regards to test questions reflecting Webbs "Depth of Knowledge" questioning model. It forces us as teachers to ask our students better questions than to just find the right answers. I hope you will reconsider the omission of section 6.2.a7. Without it, I believe it will do a tremendous dis-service to hundreds of Option Pathway students across the state as well as reduce the Option Pathway programs effectiveness overall. It is my understanding that Policy 2510 was not suitable for all students and Policy 2444.4 addressed those deficiencies. Keep moving forward. There's no need to do an about face on Policy 2444.4		

J. MICHAEL SMITH, ESQ.
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MARY E. SCHOFIELD, ESQ.
OF COUNSEL (CA)
TOM SANDERS, ESQ.
OF COUNSEL (TX)

May 11, 2018

VIA ELECTRONIC MAIL (EKILLION@K12.WV.US)

Ellen Killion
Coordinator
West Virginia Department of Education
Capitol Building, 6, Room 243
Charleston, WV 25305

Re: *Comment on Rule 2444.4*

Dear Ms. Killion:

By way of introduction, the Home School Legal Defense Association (HSLDA) is a national organization whose mission is to protect the fundamental constitutional right of parents to direct the education and upbringing of their children. With over 80,000 member families, we are the world's largest homeschool advocacy organization.

On behalf of our member families in West Virginia, I am submitting this comment on the West Virginia Department of Education's (WVDE) rule "Issuance of the State of West Virginia High School Equivalency Diploma and Option Pathway (Rule 2444.4)."

We request that WVDE allow sixteen-year old homeschooled students, with parental permission, to obtain a West Virginia High School Equivalency Diploma. In §126-32-5, the regulation asserts the following: "5.1. Individuals who are **16, 17, or 18 years of age** are eligible to sit for the HSEA under any of the following circumstances: 5.1.a. The individual has officially withdrawn from a public high school prior to test registration as evidenced by documentation from the last school/system attended, or by documentation from the county attendance director that includes the withdrawal date as it is defined in W. Va. 126CSR81, WVBE Policy 4110, Attendance; or 5.1.b. The individual is enrolled in the Option Pathway; or 5.1.c. The individual, at least **17 years of age**, is homeschooled and provides the appropriate documentation as specified by the WVDE (emphasis added)."

HOME SCHOOL LEGAL DEFENSE ASSOCIATION


NATIONAL OFFICE • ONE PATRICK HENRY CIRCLE • PURCELLVILLE, VA 20132 • 540-338-5600 • 1-840-338-1952 FAX
CAPITOL HILL OFFICE • 119 C STREET, S.E. • WASHINGTON, DC 20003

Ellen Killion
May 11, 2018
Page 2 of 2

We ask WVDE to correct this discrepancy in the regulation between the minimum age requirement for non-homeschoolers and for homeschoolers. Sixteen-year old homeschooled students should be allowed to receive a High School Equivalency Diploma if their non-homeschooled peers allowed to do so. For WVDE to maintain such a discrepancy in Rule 2444.4 is at least inequitable if not potentially discriminatory.

If you should have any questions or require any additional information, please contact me. I can be reached at (540) 338-5600.

Very truly yours,

A handwritten signature in black ink, appearing to read "M.P.D." followed by a long horizontal flourish.

Michael P. Donnelly

MPD/rjb

**W. Va. 126CSR32 Policy 2444.4: Issuance of the State of West Virginia High School
Equivalency Diploma and Option Pathway
Comment Response Form**

Comment Period Ends: May 14, 2018

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 2444.4: Issuance of the State of West Virginia High School Equivalency Diploma and Option Pathway**. Additional sheets may be attached, if necessary.

Name: Meagan Jones Organization: JMA
 Title: School Counselor
 City: Lincolnton State: WV

Please check the box below that best describes your role.

- | | | |
|---|--|--|
| <input type="checkbox"/> School System Superintendent | <input type="checkbox"/> School System Staff | <input type="checkbox"/> Parent/Family |
| <input type="checkbox"/> Principal | <input type="checkbox"/> Teacher | <input type="checkbox"/> Business/Industry |
| <input type="checkbox"/> Professional Support Staff | <input type="checkbox"/> Service Personnel | <input type="checkbox"/> Community Member |

COMMENTS/SUGGESTIONS
§126-32-1. General.
§126-32-2. State of West Virginia High School Equivalency Diploma.
§126-32-3. Applying for Testing.
§126-32-4. Basis for Issuing the State of West Virginia High School Equivalency Diploma.
§126-32-5. Testing of Individuals 16, 17, or 18 Years of Age.

**W. Va. 126CSR32 Policy 2444.4: Issuance of the State of West Virginia High School
Equivalency Diploma and Option Pathway
Comment Response Form**

§126-32-6. Testing of Individuals 16, 17, or 18 Years of Age Participating in ODTP or Government Program.
§126-32-7. Criteria for Administering Option Pathway in West Virginia High School and ODTP Facilities. <i>See attached.</i>
§126-32-8. Criteria for Administering Option Pathway Supplemental Programs.
§126-32-9. Residence.
§126-32-10. Transcription of Scores.
§126-32-11. Falsification of the High School Equivalency Tests Information and/or Center Violations.
§126-32-12. Testing Fees.
§126-32-13. Severability.

Please direct all comments to:

Ellen Killion
Office of Adult Education
West Virginia Department of Education
Capitol Building 6, Room 243
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330
E-Mail Address: ekillion@k12.wv.us
Fax No.: 304.558-3946.

Comment One – If this policy passes, will students who are currently enrolled in the Option Pathway with plans to complete a local career concentration be permitted to graduate in May 2019?

Comment Two – Although it is beneficial for students to complete a CTE concentration, not all potential Options students can complete a CTE concentration and graduate with a 4 year cohort. CTE programs generally take two years to complete on a seven or eight period day. Thus with a CTE concentration requirement, Options students must be identified by the end of their sophomore year and enrolled in to a CTE program of study at the start of their 11th grade year. The philosophy at our school is for Options to be used as a safety net. We provide students with all available supports and accommodations before referring them to the Options program. Without the ability to use our local career concentrations which provide greater flexibility in scheduling, we will either have to refer students earlier to the program or ask students to stay for a 5th year. Unfortunately, I am not confident that our at-risk students will be willing to stay for an extra year of high school to complete a concentration.

Comment Three – We are fortunate in our county to offer a wide array of CTE programs to our students. However, there are career fields of interest that are not covered at our CTE center. For example, a student who desires to enter the art field would complete a career concentration using advanced art classes. At this time we do not have any CTE programs available to our art students. One remedy to this issue could be utilizing CTE West Virginia Virtual School courses. However, generally our at-risk students do not perform well in the WVVS course settings.

Comment Four – Many of our at-risk students are students who have transferred several times throughout their high school career. It is often difficult for these students to complete CTE concentrations due to programs in different counties not aligning. Additionally, if they transfer mid-year, they are not able to enroll in CTE courses. Thus disqualifying them from the Options program based on circumstances of which they cannot control.

When I first began my career as a school counselor, I was wary of the Options program. I had doubts about its effectiveness. However, I am now a proponent of it. I have seen over and over again how it provides the opportunity to earn a diploma for students who would not have done so otherwise. For many different reasons, we have had students excel in the Options program that were not able to succeed in the traditional classroom. If the policy passes as proposed, I will still be happy to utilize the Options program and help our at-risk students find success. However, I believe it is a more effective, fair and inclusive policy if locally approved career concentrations are made available to Options students.

Thank you.