



WEST VIRGINIA SECRETARY OF STATE

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-032

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Issuance of the State of West Virginia High School Equivalency Diploma and the Administration of the West Virginia High School Equivalency Test, Option Pathway, and Mountaineer Challenge Academy Graduation Pathway (2444.4)

CITE STATUTORY 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); and, W. Va. Bd. of Educ. v. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 05/13/2024 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Ellen Killion, Coordinator

ADDRESS: WVDE Office of Adult Education, Capitol Bldg. 6, Room 825

1900 Kanawha Blvd., E, Charleston, West Virginia 25305

EMAIL: ekillion@k12.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

Policy 2444.4 establishes the protocols for administering the issuance of the State of West Virginia School Equivalency Diploma and the administration of the West Virginia Department of Education (WVDE) approved High School Equivalency (HSE) test, Option Pathway, and the Mountaineer Challenge Academy (MCA) Graduation.

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

Policy 2444.4 is being amended to include the Mountaineer Challenge Academy, Mountaineer Challenge Job Program, and CIEL. The policy clarifies the procedures for acquiring a high school equivalency diploma, the implementation of an Option Pathway in the high school, MCA, and MCJP, and the use of the high school equivalency (HSE) assessment for credit recovery.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

There will be no economic impact on revenues of state government as a result of the proposed amendment of 126CSR32, Policy 2444.4.

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

There will be no economic impact on special revenue accounts as a result of the proposed amendment of 126CSR32, Policy 2444.4.

C. ECONOMIC IMPACT OF THE RULE ON THE STATE OR ITS RESIDENTS:

There will be no economic impact on the state or its residents as a result of the proposed amendment

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2024 Increase/Decrease (use "-")	2025 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. 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
2. Estimated Total Revenues	0	0	0

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

There will be no economic impact on revenues of state government, special revenue accounts, or the state or its residents as a result of the proposed amendment of 126CSR32, Policy 2444.4.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Kelli D Talbott -- 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.

**Policy 2444.4, Issuance of the State of West Virginia High School Diploma and the Administration of
the West Virginia High School Equivalency Test, Option Pathway, and Mountaineer Challenge
Academy Graduation Pathway
List of Stakeholders**

West Virginia Department of Education

External Stakeholders

- Tom Bayless, CTE Director, Nicholas County
- Laura Crouch, Option Pathway Teacher, Riverside High School, Kanawha County
- Donna Heston, Superintendent, Marion County
- Jason Hughes, CTE Director, Wood County
- Debbie Kimbler, High School Equivalency Testing Trainer, Kanawha County
- Mike Lewis, Principal, Brooke County
- Chanda Perry, Adult Education Regional Coordinator, Southwest Region

Internal Stakeholders

- Nicole Brown, Manager, West Virginia Schools of Diversion and Transition
- Clinton Burch, Assistant Superintendent, Division of PK-Adult Instruction and Career Exploration
- Adam Canter, Director, Office of Career Technical Education
- Sally Finchum, Program Specialist, Office of Adult Education
- Jacob Green, Superintendent, West Virginia Schools of Diversion and Transition
- Jared Hughes, Director, West Virginia Schools of Diversion and Transition
- Ellen Killion, Coordinator, Office of Adult Education
- Mendy Marshall, Director, Office of Adult Education
- Robert Mellace, Coordinator, Office of Educator Preparation

126CSR32

TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION

SERIES 32

ISSUANCE OF THE STATE OF WEST VIRGINIA HIGH SCHOOL EQUIVALENCY DIPLOMA AND THE ADMINISTRATION OF THE WEST VIRGINIA HIGH SCHOOL EQUIVALENCY TEST, OPTION PATHWAY, AND MOUNTAINEER CHALLENGE ACADEMY GRADUATION PATHWAY (2444.4)

§126-32-1. General.

1.1. Scope. -- This legislative rule establishes the protocols for administering ~~and issuing West Virginia's High School Equivalency Diploma and Option Pathway~~ the issuance of the State of West Virginia High School Equivalency Diploma and the administration of the West Virginia Department of Education (WVDE) approved High School Equivalency (HSE) test, Option Pathway, and the Mountaineer ChalleNGe Academy (MCA) Graduation Pathway.

1.1.a. The purpose of the State of West Virginia High School Equivalency Diploma is to recognize individuals who demonstrate attainment of academic skills equivalent to those skills required to graduate from a West Virginia high school ~~demonstrated~~ by satisfactorily passing the ~~high school equivalency assessment (HSEA)~~ WVDE-approved HSE test approved by the West Virginia Department of Education (WVDE).

1.1.b. The purpose of the Option Pathway, which is a blend of Career Technical Education (CTE) and the WVDE-approved HSEA ~~test~~, is to provide an opportunity for at-risk students to stay in school and graduate with a standard high school diploma.

1.1.c. ~~The WVDE-approved HSEA test corresponds to the performance standards reflected at the national and state levels, and demonstrates the attainment of developed abilities acquired through completion of a four-year high school program of study.~~ The purpose of the MCA graduation pathway, which is a blend of the National Guard Youth ChalleNGe Program (NGYCP) courses and the WVDE-approved HSE test is to provide an opportunity for students enrolled in MCA to graduate with a standard high school diploma.

1.2. Authority. -- W. Va. Constitution, Article XII, §2; and W. Va. Code §18-2-5 and §18-8-6.

1.3. Filing Date. -- ~~June 15, 2018.~~

1.4. Effective Date. -- ~~July 16, 2018~~ July 1, 2024.

1.5. Repeal of Former Rule. -- This legislative rule ~~repeals and replaces~~ amends W. Va. 126CSR32, ~~West Virginia Board of Education (WVBE) Policy 2444.4, Issuance of the State of West Virginia High School Equivalency Diploma and Option Pathway, filed October 13, 2016~~ June 15, 2018, and effective ~~November 14, 2016~~ July 16, 2018.

§126-32-2. State of West Virginia High School Equivalency Diploma.

2.1. WVDE issues a State of West Virginia High School Equivalency Diploma based upon satisfactory scores earned on the WVDE-approved HSEA test.

~~2.2. HSEA tests will be administered only at WVDE approved testing sites.~~

~~2.2.a. The WVDE must approve all HSEA Testing Centers.~~

~~2.2.b. There will be no duplication of testing services within a county without evidence of need.~~

§126-32-3. Applying for Testing.

3.1. ~~All~~ Applicants are required to pass an approved HSEA practice test with the minimum score as determined by the WVDE. An Adult Education (AE) instructor, an Option Pathway teacher, or ~~an HSEA examiner~~ West Virginia Schools of Diversion and Transition (WVSDT), Mountaineer Job Challenge Program (MJCP), or MCA staff member ~~will~~ shall provide the necessary eligibility documentation to the test administrator prior to the scheduled test dates as outlined in the West Virginia HSE Test Administrator's Manual. This manual is available upon request by contacting the WVDE HSE Coordinator.

3.1.a. Students who are court-ordered to take the HSE test and Option Pathway students who are enrolled in the MJCP are required to participate in an approved HSE practice test as determined by the WVDE. An AE instructor, Option Pathway teacher, or a MJCP staff member shall provide the necessary enrichment services to assist students in being better prepared for the HSE test.

3.1.a.1. Students who have a court order that specifically states they do not have to take the HSE practice test are permitted to take the HSE test without being required to take the approved HSE practice test.

3.1.a.2. Option Pathway students who are enrolled in the MCA program are subject to the testing rules as described in section 10 of this policy.

3.2. A current, valid, original (not photocopy) government-issued photo identification (ID), such as a driver's license, military ~~ID identification~~, or passport, which contains the individual's full name, photograph, and signature, must be presented to the HSE test administrator ~~examiner~~ immediately prior to and present during the check-in process and must be present during all testing sessions. Students who do not have a valid photo ID on the day of testing shall not be allowed to take the HSE test.

3.2.a. Option Pathway or WVSDT juvenile residential students may use a current photo identification issued by the high school the WVDE-approved alternate photo ID as outlined in the West Virginia HSE Test Administrator's Manual.

~~3.2.b. A Mountaineer Challenge Academy (MCA) student may use the MCA photo identification for a period of one year after leaving MCA. The MCA student must provide documentation reflecting the attendance dates to the HSEA examiner.~~

3.2.eb. Students participating in a WVDE Office of Diversion and Transition Programs (ODTP) WVSDT residential facilities or government program, e.g., Job Corps, students may use the facility-issued

photo identification ID, providing it includes the student's legal name, date of birth, signature, and a legible photo.

3.2.c. Option Pathway students who are enrolled in the MJCP program may use their current photo ID issued by MCA, MJCP, or the West Virginia National Guard while enrolled in the MJCP.

§126-32-4. Criteria for Administering the State of West Virginia HSE Test.

4.1. HSE tests shall be administered at WVDE-approved testing centers that meet the facility requirements as outlined in the West Virginia HSE Test Administrator's Manual.

4.1.a. The WVDE HSE Coordinator must approve all HSE testing centers.

4.1.b. There shall be no duplication of testing services within a county without evidence of need, as outlined in the West Virginia HSE Test Administrator's Manual.

4.1.c. Test centers may not alter the configuration of the testing room or change testing rooms or locations without the approval of the WVDE HSE Coordinator. Upon approval, test administrators must follow the procedures outlined in the West Virginia HSE Test Administrator's Manual for changing a testing room or test center location.

4.2. HSE tests shall be administered by WVDE-trained and certified HSE test administrators. All test administrators must meet the eligibility requirements as outlined in the West Virginia HSE Test Administrator's Manual.

4.2.a. HSE test administrators must complete the required training as outlined in the West Virginia HSE Test Administrator's Manual and be approved by the WVDE HSE Coordinator before being permitted in the testing room. In addition, HSE test administrators must complete the required annual HSE training in order to be recertified for testing, as outlined in the West Virginia HSE Test Administrator's Manual.

4.2.a.1. No staff other than the WVDE trained and certified HSE test administrators are permitted to be present in the HSE testing room while a test is in session. Permitting unauthorized individuals in the testing room while a test is in progress will result in the immediate suspension of all testing privileges for the test administrator(s) at the test center, in accordance with the procedures in the West Virginia HSE Test Administrator's Manual.

4.2.b. HSE test administrators must follow all HSE policies and procedures as outlined in the West Virginia HSE Test Administrator's Manual.

4.3. HSE test administrators at non-residential test centers must submit a test center schedule to the Option Pathway teachers and Adult Education instructors in their county jurisdiction no later than September 1 each school year, which includes all test dates and times through the end of June of that school year. This test center schedule must correspond with the online test center schedule that is within the test publisher's scheduling portal, which makes it available to the public. Teachers must be informed of any changes to the schedule at least 30 days in advance and the test center online schedule within the test publisher's scheduling portal updated to reflect these changes.

4.3.a. Test center schedule changes that are necessary due to an emergency closure for inclement weather, test administrator illness, or other unforeseen circumstances shall be communicated to teachers and to students as soon as possible.

4.3.b. Test sessions that need to be added to an existing test center schedule are permitted any time it is deemed necessary without the required 30 day notice. These additions shall be communicated to teachers and changed in the outline scheduling portal as soon as possible.

4.4. Test administrators who are found to be in violation of HSE test policies and/or procedures shall be placed on a plan of improvement or suspended from testing, depending on the infraction, in accordance with the procedures outlined in the West Virginia HSE Test Administrator's Manual.

§126-32-45. Basis for Issuing the State of West Virginia High School Equivalency Diploma.

45.1. Individuals who take the WVDE-approved HSEA test and achieve minimum passing scores as determined by the WVDE will shall receive a State of West Virginia High School Equivalency Diploma.

§126-32-56. Testing of Individuals 16, 17, or 18 Years of Age.

56.1. Individuals who are 16, 17, or 18 years of age are eligible to sit for the HSEA test under any of the following circumstances:

56.1.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

56.1.b. The individual is enrolled in the Option Pathway; or

56.1.c. The individual, at least 17 years of age, is homeschooled, meets all eligibility requirements as outlined in the West Virginia HSE Test Administrator's Manual, and provides the appropriate documentation as specified by the WVDE; or

56.1.d. The individual is attending Mountaineer Challenge Academy; or

56.1.e. The individual is court-ordered to take the HSE test.

56.2. All individuals meeting one of the requirements above must also provide HSE testing eligibility documentation from signed by an AE instructor, an Option Pathway teacher, a WVSDT or MCA staff member, or an HSEA examiner test administrator as outlined in §3.1 accordance with the procedures in the West Virginia HSE Test Administrator's Manual.

§126-32-67. Testing of Individuals 16, 17, or 18 Years of Age Participating in WVSDT ODP or Government Program.

67.1. Individuals, at least 16 years of age, who are participating in a ODP WVSDT educational program, may test under the following conditions:

~~67.1.a.~~ The individual is court-ordered to take the HSE test and must provide a copy of the court order to the ~~examiner~~ HSE test administrator even if the individual is still enrolled in school; or

~~67.1.b.~~ The individual is officially transferred from the public high school to a ~~an~~ ODTP WVSDT residential facility; or

~~67.1.c.~~ Adjudicated youth 16, 17, or 18 years of age, who are under the control of a court, diagnostic and detention center, group care facility, or probation office may be admitted to testing based on the referral of the ODTP WVSDT staff, provided the youth is officially transferred from the public high school to the ODTP WVSDT facility.

~~67.2.~~ Individuals, at least 16 years of age, who are participating in a residential government program, e.g., Job Corps, may test while a resident at the facility, ~~provided the candidate individual~~ has passed the compulsory age requirement for school attendance in their state of residence and has been officially withdrawn from a public high school.

~~67.3.~~ All youth transitioning from ~~an~~ ODTP WVSDT residential facility or government program, who have taken but not completed the WVDE-approved HSEA test and who are listed in the WVDE vendor's database, are eligible to continue testing at a valid WVDE-approved HSEA testing center by presenting a current government-issued photo identification ID in accordance with the photo ID policy outlined in the West Virginia HSE Test Administrator's Manual.

§126-32-78. Criteria for Administering Option Pathway in West Virginia Public High Schools and WVSDT ODTP Facilities.

~~78.1.~~ The Option Pathway program provides the opportunity for an at-risk student to take the HSEA test while still enrolled in and attending a West Virginia public high school or ~~an~~ ODTP WVSDT educational program. The Option Pathway (Option 1) blends CTE and the WVDE-approved HSEA test and provides an opportunity for at-risk students to stay in school and graduate with a standard high school diploma. The Option Pathway Option 1 is designed for the student who has failed major core courses and remains enrolled in high school. In order to maintain the integrity of the Option Pathway program, teachers, administrators, and staff at WVDE-approved Option Pathway schools must follow all Option Pathway guidelines and policies as outlined in the Option Pathway Organizational Manual, located on the WVDE's website which is available upon request by contacting the WVDE Option Pathway Coordinator.

~~78.1.a.~~ If the ~~Option Pathway-Option 1~~ student successfully passes all content areas of the WVDE-approved HSEA test and successfully completes a state-approved CTE program of study as defined in W. Va. 126CSR44M, ~~WVBE~~ Policy 2520.13, West Virginia College- and Career-Readiness Programs of Study/Standards for Career ~~and~~ Technical Education, or completes the Option Pathway Career Integrated Experiential Learning (CIEL) pathway as outlined in the Option Pathway Organizational Manual, the student will shall receive a standard regular high school diploma and will shall be counted as a graduate.

~~8.1.b.~~ CIEL is an alternate CTE pathway intended to offer at-risk students additional flexibility while meeting their career aspirations by providing them with employability skills and opportunities to test for nationally recognized credentials.

8.2. Option 1 students who do not complete the Option Pathway program while a resident at a WVSDT facility may return to their home high school to complete their graduation requirements as an Option Pathway student, provided the home high school has an approved Option Pathway program.

8.2.a. Option 1 students who do not complete the Option Pathway program while a resident at a WVSDT facility may enroll in their local AE program to complete their high school equivalency test and earn their high school equivalency diploma. To be eligible to take the HSE test through an AE program, the student must be transferred back to their home high school and officially drop out of school. Documentation of their withdrawal from their home high school must be provided to the AE instructor.

§126-32-89. Criteria for Administering Option Pathway Supplemental Programs.

89.1. Schools that have an operational ~~Option Pathway program~~ Option 1 program may offer seniors, as defined in the Optional Pathway Organizational Manual, the HSEA test as credit recovery in one core content area. (This is credit recovery of courses the student has attempted and failed; this shall not be used as credit replacement for courses not taken. This supplemental program is referred to as ~~HSEA credit recovery~~ HSE Credit Recovery (Option 2). Schools that are utilizing the Option 2 supplemental program must follow all policies and procedures for Option 2 as outlined in the Option Pathway Organizational Manual, which is available upon request by contacting the WVDE Optional Pathway Coordinator.

89.1.a. The ~~HSEA credit recovery~~ Option 2 student continues attending and maintaining passing grades in all other classes as per W. Va. 126CSR42, WVBE Policy 2510, Assuring the Quality of Education: Regulations for Education Programs (Policy 2510); and

89.1.b. The ~~HSEA credit recovery~~ Option 2 student ~~will~~ shall earn grades according to the county's credit recovery guidelines.

89.2. Schools that have an operational ~~Option Pathway program~~ Option 1 program may ~~offer the allow a student who is intent on dropping out of school the opportunity to take the HSEA test to a student~~ prior to the student dropping out of school. This supplemental program is referred to as HSEA Opportunity (Option 3). Schools that utilize the Option 3 supplemental program must follow all policies and procedures for the Option Pathway program as outlined in the Option Pathway Organizational Manual.

89.2.a. The ~~HSEA Opportunity~~ Option 3 student who passes the HSEA test prior to dropping out of school ~~will~~ shall receive a State of West Virginia High School Equivalency Diploma and ~~will~~ shall not be counted in the public high school's graduation rate. Option 3 students shall not receive grades or credits for passing the HSE test.

9.2.b. The Option 3 student must be at least 17 years of age and have met the official dropout age for their county prior to being permitted to take the HSE test.

9.2.c. The Option 3 student shall continue attending classes until they have taken the HSE test and have officially withdrawn from school.

8.3. ~~The high school graduation pathway for MCA is a blend of the National Guard Youth Challenge Program courses and the WVDE approved HSEA. In order to maintain the integrity of the program, MCA~~

must follow the guidelines and policies specific to MCA as outlined in the Option Pathway Organizational Manual, located on the WVDE's website.

~~8.3.a. An MCA student who successfully passes all content area tests of the WVDE-approved HSEA, successfully completes the four National Guard Youth Challenge Program courses, and graduates from the MCA program will receive a standard high school diploma from their home high school and is counted in their home high school graduation rate.~~

~~8.3.b. An MCA student who does not graduate from MCA may return to the public high school to complete the deficient areas of study required for a standard high school diploma.~~

§126-32-10. Criteria for Administering the MCA Graduation Pathway.

10.1. MCA students are required to participate in an approved HSE practice test as determined by the WVDE prior to taking the HSE test. An MCA teacher shall provide necessary enrichment services to assist MCA students in being better prepared for the HSE test.

10.2. A current, valid, original (not photocopy) government-issued photo ID, such as a driver's license, military ID, or passport, which contains the individual's full name, photograph, and signature, must be provided to the test administrator immediately prior to and be present during all testing sessions.

10.2.a. MCA students may use a current photo ID issued by MCA or the West Virginia National Guard while a resident at the facility.

10.3. The high school graduation pathway for MCA is a blend of the NGYCP courses and the WVDE-approved HSE test. To maintain the integrity of the program, MCA must follow all the guidelines and policies specific to MCA as outlined in the Option Pathway Organizational Manual.

10.3.a. A MCA student who successfully passes all content area tests of the WVDE-approved HSE test, successfully completes the four NGYCP courses, and graduates from the MCA program shall receive a regular high school diploma from their home high school and is counted in the home high school's graduation rate.

10.3.b. A MCA student who graduates from the MCA program but who does not meet high school graduation requirements, may return to the public high school to complete the deficient areas of study required for a regular high school diploma as an Option Pathway student in accordance with this policy or as a traditional high school student as provided in Policy 2510.

10.3.c. A MCA student who graduates from the MCA program, but who does not meet high school graduation requirements may enroll in the MJCP and complete their graduation requirements through the Option Pathway program while a resident at MJCP. These students must be transferred from MCA back to their home high school within 30 days of enrollment in the Option Pathway program at MJCP.

10.3.c.1. An Option Pathway student who does not meet high school graduation requirements while a resident at MJCP may return to their home high school to complete the deficient areas of study required for a regular high school diploma as an Option Pathway student per this policy, provided the

high school has an Option Pathway program, or as a traditional high school student as provided in Policy 2510.

10.3.d. A MCA student who does not graduate from the MCA program may return to the public high school to complete the deficient areas of study required for a regular high school diploma as a traditional high school student in accordance with Policy 2510. The student may be eligible to enroll in the Option Pathway program if they meet all Option Pathway requirements as outlined in the Option Pathway Organizational Manual.

10.3.e. Upon notification of graduation of an MCA student by the WVDE, the home high school shall update the student's date of graduation, credits, and graduation status in the West Virginia Educational Information System no later than three weeks from notification or prior to the promotion of students, whichever occurs sooner.

§126-32-191. Residence.

191.1. ~~Persons~~ Individuals meeting all criteria and demonstrating themselves eligible under the State of West Virginia High School Equivalency Diploma guidelines shall be admitted to testing for the purpose of securing a State of West Virginia High School Equivalency Diploma according to the guidelines of this ~~rule~~ policy.

11.1.a. Individuals under the age of 19 must meet West Virginia eligibility guidelines for testing as outlined in the West Virginia HSE Test Administrator's Manual, which is available upon request by contacting the WVDE HSE Coordinator.

§126-32-102. Transcripts of Scores.

102.1. Names of individuals receiving the State of West Virginia High School Equivalency Diploma ~~will~~ shall not be released unless an individual has signed a written permission to release the information.

102.2. The original transcript and diploma shall be issued at no cost by the vendor retained by the WVDE. An additional transcript, verification and/or a replacement copy of the State of West Virginia High School Equivalency Diploma ~~will~~ shall be provided for a fee determined by the WVDE vendor.

§126-32-143. Falsification of the High School Equivalency Assessment Information and/or Center Violations.

143.1. Any falsification of information and/or cheating on the HSEA test ~~will~~ shall result in penalties as outlined in the testing ~~guidelines for policies and procedures in the West Virginia HSE Test Administrator's WVDE Examiners' Manual, located on the WVDE's website~~ which is available upon request by contacting the WVDE HSE Coordinator.

143.2. Testing center violations ~~will~~ shall be processed according to the procedures outlined in the West-Virginia's HSE Test Administrator's Examiners' Manual, and may include ~~potential~~ suspension or loss of teaching license testing privileges and potential criminal prosecution.

§126-32-124. Testing Fees.

124.1. Testing fees shall be established by the WVDE.

§126-32-~~135~~. Severability.

135.1. If any provisions 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.

**Policy 2444.4, Issuance of the State of West Virginia High School Diploma and the Administration of the West Virginia High School Equivalency Test, Option Pathway, and Mountaineer Challenge Academy Graduation Pathway
Comment Response Form**

Comment Period Ends: May 13, 2024

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 Diploma and the Administration of the West Virginia High School Equivalency Test, Option Pathway, and Mountaineer Challenge Academy Graduation Pathway. Additional sheets may be attached, if necessary.

Name: _____ Organization: _____

Title: _____

City: _____ State: _____

Please check the box below that best describes your role.

Please check the box below that best describes your role.

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> County Board Member | <input type="checkbox"/> Professional Support Staff | <input type="checkbox"/> Service Personnel | <input type="checkbox"/> Higher Education |
| <input type="checkbox"/> Superintendent | <input type="checkbox"/> Principal | <input type="checkbox"/> Parent/Family | <input type="checkbox"/> Legislator |
| <input type="checkbox"/> Central Office Staff | <input type="checkbox"/> Teacher | <input type="checkbox"/> Community Member | <input type="checkbox"/> Other |

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. Criteria for Administering the State of West Virginia HSE Test.
§126-32-5. Basis for Issuing the State of West Virginia High School Equivalency Diploma.
§126-32-6. Testing of Individuals 16, 17, or 18 Years of Age.

**Policy 2444.4, Issuance of the State of West Virginia High School Diploma and the Administration of
the West Virginia High School Equivalency Test, Option Pathway, and Mountaineer Challenge
Academy Graduation Pathway
Comment Response Form**

§126-32-7. Testing of Individuals 16, 17, or 18 Years of Age Participating in WVSDT or Government Program.
§126-32-8. Criteria for Administering Option Pathway in West Virginia Public High Schools and WVSDT Facilities.
§126-32-9. Criteria for Administering Option Pathway Supplemental Program.
§126-32-10. Criteria for Administering the MCA Graduation Pathway
§126-32-11. Residence.
§126-32-12. Transcripts of Scores.
§126-32-13. Falsification of the High School Equivalency Assessment Information and/or Center Violations.
§126-32-14. Testing Fees.
§126-32-15. Severability.

Please direct all comments to:

Ellen Killion, Coordinator
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Charleston, West Virginia 25305-0330
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