

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
KEN HECHLER  
**ADMINISTRATIVE LAW DIVISION**

Form #7

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF AN EMERGENCY RULE**

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

CITE AUTHORITY: WV Code 18-2-5, 18-2-7

EMERGENCY AMENDMENT TO AN EXISTING RULE: YES , NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 30 (Policy 2444.01)

TITLE OF RULE BEING AMENDED: Graduation Requirements for West Virginia  
Public Schools; Adolescent Education (Grades 9-12)

IF NO, SERIES NUMBER OF RULE BEING FILED AS AN EMERGENCY: \_\_\_\_\_

TITLE OF RULE BEING FILED AS AN EMERGENCY: \_\_\_\_\_

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE UPON FILING.

THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

Policy needs to be in place prior to end of 1991-92 school year in order that all students have opportunity for all available credits toward graduation. Therefore, failure to have the policy effective immediately would cause hardship upon school children in West Virginia. The next State Board meeting and the close of a thirty day comment period are both after the end of this school year.

Use Additional Sheets If Necessary.

*Barbara L. Estep*  
May 11, 1992

TITLE 126  
LEGISLATIVE RULE  
WEST VIRGINIA BOARD OF EDUCATION  
CHAPTER 18-2-5  
SERIES 30

(Policy 2444.01)

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SECRETARY OF STATE

TITLE: Graduation Requirements for West Virginia Public Schools:  
Adolescent Education (Grades 9-12)

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Section 1 General

- 1.1 Scope - This legislative rule outlines that the minimum course requirements for graduation in West Virginia public schools.
- 1.2 Authority - WV Code 18-2-5
- 1.3 Filing Date - May 5, 1985
- 1.4 Effective Date - June 5, 1985
- 1.5 Repeal of Former Rule - This is an amendment to the existing policy.

Section 2 Additional

SUMMARY AND REGULATIONS

The West Virginia Board of Education and the West Virginia Department of Education believe that schools must attempt to prepare every student who exits from high school with the knowledge, skills, and attitudes necessary to be successful, functioning member of society; to develop proficiency in basic functional skills; to function in this culture; to develop a sense of civic responsibility; and to prepare him/her for vocational and avocational activities.

EDUCATIONAL PROGRAM DEVELOPMENT

Adolescent Education

Graduation Requirements

GRADUATION REQUIREMENTS FOR WEST VIRGINIA PUBLIC SCHOOLS:  
ADOLESCENT EDUCATION (GRADES 9-12)

1.0 PROGRAM DEFINITION

A. Rationale

The West Virginia Board of Education and the West Virginia Department of Education believe that schools must attempt to prepare every student who exits from high school with the knowledge, skills, and attitudes necessary to be successful, functioning member of society; to develop proficiency in basic functional skills; to function in this culture; to develop a sense of civic responsibility; and to prepare him/her for vocational and avocational activities.<sup>1</sup>

The School Laws of West Virginia give the West Virginia Board of Education the responsibility for determining the educational policies of the state.

§18-2-5- "Subject to and in conformity with the Constitution and laws of this State, the state board of education shall determine the educational policies of the State, ..., and shall make rules for carrying into effect the laws and policies of the State relating to education, ... and such other matters pertaining to the public schools of the State as may seem to the state board to be necessary and expedient."<sup>2</sup>

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<sup>1</sup>A Programmatic Definition for Adolescent Education in West Virginia. (Charleston, West Virginia: West Virginia Department of Education, 1979), pp. 4-5

<sup>2</sup>School Laws of West Virginia. (Charlottesville, Virginia: The Michie Company, 1980), p. 9

§18-2-7-- "The state board of education shall prescribe minimum standards in the courses of study to be offered in elementary schools, high schools, vocational schools, and in all other kinds, grades, and classes of schools, or departments thereof, which may not or hereafter be maintained in the State, in whole or in part, from any state fund of funds: . . ."3

This document, Graduation Requirements for West Virginia Public Schools: Adolescent Education (Grades 9-12), prescribes the state requirements for graduation from high school. These requirements are based upon the number of units of credit attained in grades 9 through 12 for satisfactory completion of learning outcomes and also upon attendance. County boards of education shall have the authority to increase these graduation requirements beyond the state requirements.

#### B. Definitions

1. Standard Graduation Requirements - the number of required and elective units of credit which must be earned by a student in grades 9-12 in order to be graduated from high school with a standard diploma. A student must also attend at least four years in grades 9-12 unless an attendance exception is granted.
2. Modified Graduation Requirements - the alternative learning outcomes specified in the individualized educational program which must be completed by a severely handicapped student in order to be graduated from high school with a modified program. A student must also attend at least four years in grades 9-12 unless an attendance exception is granted.
3. Unit of Credit - that which is awarded for the attainment of learning outcomes from a required or elective area of study for which a minimum of 8100 minutes of instructional time has been allotted.
4. Standard Diplomas - diplomas awarded to students, including exceptional students, who satisfactorily complete all state and county standards graduation requirements.
5. Modified Diplomas - diplomas awarded to severely handicapped students who satisfactorily complete modified graduation requirements.
6. Learning Outcomes - measurable descriptions of the knowledge, skills, and/or attitudes a teacher expects learners to acquire as a result of instruction within a program of study or a related area of study. For example, in the adolescent education program of study science, area of study biology, the learner will describe the cell theory, structure, and function.

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<sup>3</sup>School Laws of West Virginia. (Charlottesville, Virginia: The Michie Company, 1980), p. 13.

7. Alternative Learning Outcomes - learning outcomes appropriate to meet the needs of a student determined unable to successfully achieve the learning outcomes necessary to meet standard graduation requirements. The determination of ability to achieve standard learning outcomes is made by the placement advisory committee. These alternative learning outcomes do not have to be from the required and elective areas of study for standard graduation requirements, but they are learning outcomes which are reasonable and attainable for severely handicapped students.

8. Certificates of Achievement - certificates awarded in addition to a standard diploma to recognize students who adolescent planned educational program meets specific requirements which exceed state requirements.

9. Applied Arts - home economics, industrial arts/technology, pre-vocational education, and vocational education.

10. Fine or Performing Arts - arts, music, drama, and dance.

11. Foreign Languages - a language other than English.

12. Applied Mathematics - business math, consumer math, vocational math, and computer math.

#### C. Program of Study

##### 1. Requirements for Graduation

###### a. Standard Graduation Requirements

Standard graduation requirements are the number of required and elective units of credit which must be earned by a student in grades 9-12 in order to be graduated from high school. A standard diploma is the document that is awarded to a student to verify completion of these graduation requirements.

###### 1) Total Units

The total number of units of credit needed for graduation is 21. The specific units of credit for graduation are outlined below as required and elective units.

## 2) Required Units

Fourteen required units are the offerings which constitute a common body of general learnings necessary for preparing a student to function in society. The required units which must be completed by all students during grades 9 through 12 are:

English-Language Arts <sup>4</sup>	4 units
Social Studies <sup>5</sup>	3 units
Mathematics <sup>6</sup>	2 units
Science <sup>7</sup>	2 units
Physical Education	1 unit
Health	1 unit
Applied Arts, Fine or Performing Arts, or Foreign Language	<u>1 unit</u>
TOTAL	14 units

## 3) Elective Units

Elective units are the additional offerings which are needed to complete the 21 units and which meet a student's specific needs, interests, and abilities. State Board Policy 2510, Regulations for General, Vocational, and Special Educational Programs, gives a listing of electives which must be available to students in all schools of West Virginia. Elective offerings needed to meet state graduation requirements should be chosen from those listed in that policy.

## b. Modified Graduation Requirements

Modified graduation requirements are designed for several handicapped student who have been determined by a special education placement advisory committee to be unable to meet state and county standard graduation requirements. Students will need at least four years to complete these requirements, as specified in their individualized education programs.

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<sup>4</sup>A maximum of 1/2 unit of credit in speech may be included in the four required units of English-language arts. Journalism, speech (excluding the 1/2 unit allowed), drama, theater, and other related courses are electives and shall not be used as any of the four required units of English-language arts.

<sup>5</sup>The required units are American History (1 unit in grade 9), World Cultures (1 unit in grade 10 or 11), Economics (1/2 unit in grade 11 or 12, and Contemporary America (1/2 unit in grade 11 or 12).

<sup>6</sup>At least one the required two units in mathematics shall be from the areas of algebra, geometry, pre-calculus, trigonometry, or general mathematics.

<sup>7</sup>One unit must be biology.

## 2. Authorized Diplomas

County boards of education are authorized to award standard diplomas and modified diplomas.

## 3. Planned Educational Programs

A planned educational program is defined as an educational program that includes the state requirements for graduation as set forth in this document. The program places emphasis on preparation for college, advanced vocational programs, and/or employment.

Students shall be encouraged to plan and follow a flexible, planned educational program and to accumulate units beyond the 21 required for graduation. The student's planned program shall be subject to periodic revision and designed to enhance the opportunity for success in chosen endeavors after graduation from high school.

## 4. Certificates of Achievement

The state board of education shall award certificates of achievement to those students whose educational programs in grades 9-12 merit special recognition. This section shall be effective beginning with the 1986-87 school year.

Counties are encouraged to develop specific criteria for awarding additional certificates of achievement to those students whose educational programs in grades 9-12 exceed the state graduation requirements. Certificates may include but are not limited to the following areas:

- 1) College preparatory programs,
- 2) Completion of vocational programs, and
- 3) Advanced study in particular curricular areas.

## 5. Authority for County Boards of Education to Increase Requirements

The graduation requirements include 14 specific units and 21 total units. County boards of education have the authority to increase these requirements for schools in their counties. The approval of the county board is needed to increase graduation requirements for individual schools.

The county superintendent shall notify the West Virginia Department of Education of any changes in requirements beyond the state requirements of 14 specific units and 21 total units.

## D. Extracurricular Activities

Units of credit are not awarded for participation in extracurricular activities.

## 2.0 PROGRAM DELIVERY

## A. Administrative Practices

## 1. Unit of Credit

A unit of credit is that which is awarded for the attainment of learning outcomes from a required or elective area of study for which a minimum of 8100 minutes of instructional time has been allotted. Partial credit may also be awarded, e.g., 1/2 unit for attainment of learning outcomes from a required or elective area of study for which a minimum of 4050 minutes of instructional time has been allotted.

## 2. Alternatives to the Unit of Credit

Based upon school and individual student needs, county boards of education, with the approval of the West Virginia Board of Education as indicated, shall develop policies which allow alternative delivery systems for the unit of credit. Areas in which policies may be developed are as follows:

## a. Accepting Credits Earned Before Grade 9

~~A~~ Any student who earns credit for an area of study successfully completes a high school level course prior to grade 9 is expected to complete 21 additional units in grades 9-12 shall receive full credit for that course toward meeting total unit and, if applicable, required unit graduation requirements. The student should complete higher level areas of study in required programs of study. The student's permanent record for grades 9-12 shall indicate completion of the area of study.

## b. Testing Out

County boards of education may adopt tests based on but not limited to learning outcomes which will allow a student to test out of specific required units or prerequisite electives. Any tests adopted must have approval of the West Virginia Department of Education. A student who tests out of an area of study is expected to complete 21 additional units in grades 9-12. The student's permanent record shall indicate completion of the area of study through testing. County boards of education may develop policies and procedures by which students can test out of required units or prerequisite electives.

## c. Correspondence Schools

County boards of education may adopt policies which allow students to earn credit from correspondence school for areas of study which are identified in the adolescent education program of study in policy 2510 and which are not available at the local school. The correspondence school must be authorized to operate in West Virginia.

## d. Colleges

County boards of education may adopt policies which allow students to earn credits for completion of college work. Three semester hours of college credit may be counted at 1/2 unit of credit. Generally, there are two reasons for accepting college credit: 1) the student is enrolled in the high school and would profit by taking a course at the college/university which is not available at the high school or 2) the student is enrolled as a full time college student and needs to transfer credits back to the high school to complete graduation requirements. These units of credit may be used to meet the 21 required units.

## e. Night School

County boards of education may adopt policies which allow students to earn credit from night school for areas of study which are identified in the adolescent education program of study in policy 2510. Programs at night school would have to meet requirements for a unit of credit and be taught by a certified teacher. Because of West Virginia Code §18-5-19, students under the age of 16 may not attend night school.

## f. Experimental Programs

Experimental programs shall be approved by the West Virginia Board of Education. Each program shall be evaluated annually and a report filed with the West Virginia Department of Education.

## g. Summer School

All summer school programs shall be submitted to the West Virginia Board of Education for approval before being offered. Schools may include credits earned from approved summer schools provided the instructional program, including length of time allocated for completion of a unit of credit or fraction thereof, is equivalent to the required of that regular school term.

### 3. Handicapped Students

An individualized education program shall specify how graduation credit is to be earned by an eligible handicapped student. Primary consideration must be given to the completion of learning outcomes prescribed for all students.

A special education placement advisory committee determines that the approved learning outcomes in the required and elective areas of study are reasonable for a particular student. Changes may be made to the delivery of learning outcomes through learning objectives, teaching strategies, media/resources, and evaluation techniques if such changes are deemed necessary by the PAC and are specified in the IEP. A student who masters the individualized education program learning outcomes shall be awarded a standard diploma.

If the special education placement advisory committee determines that a student cannot successfully achieve the learning outcomes necessary to earn a standard diploma, the individualized education program shall specify the alternative learning outcomes which are appropriate to meet the needs of the student. A student who completes the alternative learning outcomes as specified in his/her individualized education program shall be awarded a modified diploma stating that the student has met the goals and objectives of an individualized education program.

### 4. Attendance

Attendance for all four years during grades 9-12 is important to attain full benefit from the educational programs offered in the schools of West Virginia. Therefore, all students shall be scheduled for the full instructional day for all four years. Exceptions may be made by county boards of education to accommodate placement into college courses, advanced vocational programs, or for other compelling circumstances.

County boards of education shall develop policies to define the circumstances under which students may attend school fewer than four years and/or may be scheduled for less than the full instructional day.

This section shall be effective for all students beginning with the 1986-1987 school year.

## 5. Evaluating Credits for Transfer Students

## a. From Other States

Students who transfer into West Virginia from schools approved by other state systems may not always have completed the required units needed for graduation in West Virginia. In most instances, there will be credit for an area of study which is quite similar to one of the required units, and credit can be awarded for the work completed. If the student who transfers in can be scheduled into any additional subjects needed to complete the West Virginia requirements, this should be done. In the cases of seniors and some juniors, such scheduling may not be feasible or possible. In such cases the school may appeal to the State Superintendent of Schools for permission to use a substitute for the requirements or to waive the requirement.

## b. From Other West Virginia Counties

Students who transfer into another West Virginia county which has additional requirements may not be able to complete there requirements. In such cases, the student's credits shall be evaluated to determine if one or more county requirements will be waived by the local board of education.

## 6. Students Who Do Not Complete Requirements in Four Years

## a. Continuous Enrollment

If a student has been enrolled continuously for four years in grades 9-12 but has not accumulated the required number of units, the student shall be expected to meet the graduation requirements which were in effect when he entered ninth grade. Since the student has attended four full years, he or she would not be required to attend the full day.

## b. Reenrollment

If a student has enrolled after dropping out of school, the requirements that a student must meet depends upon the length of time he or she has been out of school. If the student has been out of school less than one year, he or she would be expected to complete the graduation requirements which were in effect when he or she entered grade nine. If the students has been out of school one year or more, he or she would be expected to complete the current graduation requirements.

## 7. Effective Date

Unless otherwise noted, this policy is effective for students entering ninth grade during the 1985-86 school year.

## 3.0 PROGRAM ASSURANCE

## A. Documentation

1. A unit of credit is awarded to indicate successful completion of an area of study.
2. A diploma is awarded to indicate successful completion of specific graduation requirements.

## B. Program Improvement

During the 1989-90 school year, the Graduation Requirement for West Virginia Public Schools: Adolescent Education (Grades 9-12) will undergo a thorough evaluation. The evaluation and revision process shall occur at least every five years.

## C. Management Information System

## 1. Attendance

Each county shall submit an annual report, by school, of exceptions to the attendance requirement contained in this document, to the West Virginia Department of Education by June 15 of each fiscal year. The report shall include the birthdate, grade, sex, compelling circumstances, exception made, and effective date. A subsequent summative presentation by the State Department of Education will be made to the West Virginia Board of Education.

## 2. Alternatives to the Unit of Credit

Each school which includes any grades from 9-12 must include in its annual classification report a summary of alternatives accepted for units of credit.