

SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #2

FILED

OCT 24 10 25

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

RULE TYPE: Legislative; CITE AUTHORITY WV Code 18-2-5

AMENDMENT TO AN EXISTING RULE: YES X NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 32 (Policy 2444.4)

TITLE OF RULE BEING AMENDED: Issuance of High School Equivalent Diplomas, State of West Virginia

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:

TITLE OF RULE BEING PROPOSED:

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON January 16, 1991 AT 9:00 a.m.

ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

GED State Administrator

WV Dept. of Education

State Capitol, Bldg. 6, Room B-230

Charleston, WV 25305

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Barbara L. Estep

October 23, 1990

ATTACH A BRIEF SUMMARY OF YOUR PROPOSAL

HD NO _____ DRAFT NO _____ BILL NO _____ RESOLUTION NO _____
 SUBJECT Issuance of High School Equivalent Diplomas,
State of West Virginia (2444.4) FUND _____

SOURCE OF REVENUE: GENERAL SPECIAL OTHER (SPECIFY) _____

COST ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

INCOME ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

SHOW OVER-ALL EFFECT IN ITEMS 1 AND 2 AND ITEM 3 GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG-RANGE EFFECT

EFFECT OF PROPOSAL	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
1. ESTIMATED TOTAL COST	\$	\$	\$	\$	\$
PERSONAL SERVICES	\$	\$	\$	\$	\$
CURRENT EXPENSE					
REPAIRS AND ALTERATIONS					
EQUIPMENT					
OTHER					
2. ESTIMATED TOTAL REVENUES	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

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

The proposed changes in this policy will not require any additional cost to the Department of Education nor to county school systems.

IMPACTS
FISCAL:

STATE STAFF:

DATE

AGENCY

AUTHORIZED REPRESENTATIVE

9/24/90

Department of Education

EXECUTIVE SUMMARY

REVISION OF STATE BOARD POLICY 2444.4 ISSUANCE OF HIGH SCHOOL EQUIVALENT DIPLOMA, STATE OF WEST VIRGINIA

Purpose

The purpose of the West Virginia High School Equivalent Diploma Tests is to provide those individuals who have not completed high school an opportunity to demonstrate that they have attained academic skills at a high school competency completion level by satisfactorily passing the General Educational Development (GED) Test.

Background

Since 1946, the tests of General Educational Development (GED) have served the adult, nongraduate population in West Virginia by providing a formal opportunity to demonstrate a level of educational achievement comparable to that of regular high school graduates. The last revision of the State GED policy was made in March, 1987, reflecting new passing standards.

IMPACT STATEMENTS

Leadership

The Bureau of Vocational, Technical and Adult Education, Adult Basic Education Unit, will assume administrative leadership in implementing all revisions of the GED state policy. Furthermore, local Chief Administrative Jurisdictional Officers, GED Chief Examiners, and Alternate Chief Examiners will implement all state guidelines and regulations set forth by the West Virginia Board of Education as it relates to GED testing.

Instructional

Adult basic education classes are presently being offered in every county in West Virginia.

Staff Development

Preservice and inservice training programs for adult basic education teachers are provided throughout the state.

Administration

The administration of the policy will be the responsibility of the Bureau of Vocational, Technical and Adult Education.

TITLE 126
LEGISLATIVE RULE
WEST VIRGINIA BOARD OF EDUCATION
CHAPTER 18-2
SERIES 2444.4

Title: Issuance of High School Equivalent Diplomas, State of West Virginia

Section 1. General

- 1.1 The purpose of the West Virginia High School Equivalent Diploma Tests is to provide those individuals who have not completed high school an opportunity to demonstrate that they have attained academic skills at a high school competency completion level by satisfactorily passing the General Educational Development (GED) Test.
- 1.2 Authority - West Virginia Code 18-2-5
- 1.3 Filing Date -
- 1.4 Effective Date -
- 1.5 Repeal of Former Rule -
- 1.6 Revision - This policy revises the former policy as last amended in November, 1983.

Section 2. West Virginia High School Equivalent Diploma

- 2.1 The State Department of Education issues a ~~state~~ West Virginia High School Equivalent Diploma upon satisfactory scores earned on the General Educational Development Tests. These tests are prepared by the General Educational Testing Service and the American Council on Education. It should be definitely understood that this is not a regular high school diploma and the possessor of such is not entitled to take part in a regular high school graduation exercise. They are not graduates of any particular high school as they have not met the regulations of the state board of education, which must be met by all who partake in regular high school graduate exercises. The West Virginia High School Equivalent Diploma is issued by the State of West Virginia Department of Education only.

Section 3. Basis for Granting West Virginia High School Equivalent Diploma

- 3.1 The State Department of Education requires that applicants taking the General Educational Development Test achieve an average standard score of 45 or above on all five tests and a standard score of 40 or above on each of the five tests.

- 3.2 Individuals successfully completing the General Educational Development Test will receive their West Virginia High School Equivalency Diploma. ~~when/their/respective/class/graduates/~~
- 3.3 Any test(s) taken prior to April 1, 1987, will be honored under the previous passing standard of ". . . 40 or above on each test or an average standard score of 45 on all five tests," until April 1, 1990.

Section 4. Testing of Individuals 18 Years and Younger

- 4.1 Individuals who are 18 years of age and have been out of a formal high school classroom situation for a period of six months before making application or whose high school of which he/she was a member has been graduated, may be admitted to testing.
- 4.2 Individuals who are 17 years of age and have been out of formal high school classroom situation for a period of one year before making application or whose high school class of which he/she was a member has been graduated, may be admitted to testing under the following conditions:
- 4.2.1 written verification from the principal of the last school attended stating the exact date of withdrawal from school. This letter must be sent directly to the testing site prior to any formal application for testing, and
- 4.2.2 at the written request of an employer for an applicant who must establish high school equivalency for job opportunities, or
- 4.2.3 at the written request of a college or university official who will consider accepting applicant on the basis of GED test scores, or
- 4.2.4 written verification of a student being enrolled in such programs as New Careers, Job Corps, Neighborhood Youth Corps, and other federal programs upon successful completion of their training certified in writing by the program administrator. (This does not include classes in preparation for the General Education Development Test), or
- 4.2.5 seventeen (17) year old applicants for induction into the All-Volunteer Armed Forces of the United States may be admitted to take the GED tests provided:
- 4.2.5.1 the Chief Examiner of an official GED center receives a request from the recruiting officer for each applicant to take the GED tests. This request should be in the form of a letter from the recruiting officer asking admission of the applicant and stating in his/her request that the applicant

meets all of the military requirements for induction except for achieving the appropriate scores on the GED Tests, and

4.2.5.2 the recruiting officer submits to the Chief Examiner a copy of a letter from applicant's parent or guardian granting him/her permission to enter the Armed Forces.

4.3 Individuals who are 16, 17, or 18 years of age, who are residents of West Virginia state operated correctional facilities may be admitted to testing under the following conditions:

4.3.1 documentation that the individual has received counseling regarding educational and career opportunities, and written assurances are provided that the individual will receive ongoing counseling regarding educational and career opportunities;

4.3.2 documentation that the individual has declined to participate in a formal high school education program.

4.3.3 All written documentation must be sent directly to the local Chief Examiner prior to any testing.

ALL THESE APPLICANTS WILL NOT QUALIFY FOR THE EQUIVALENT DIPLOMA UNTIL THEIR HIGH SCHOOL CLASS HAS GRADUATED. The graduating class provision is waived for students in state correctional institutions. This waiver allows them to receive their diploma upon successful completion of the test.

4.4 Adjudicated youth 17 or 18 years of age, who are under the control of a court, detention center, probation or parole office may be admitted to GED Testing on the order of the court even if they are still enrolled in school. The Education Director (from state approved group care facilities) or parole officer must submit a written request to the local Chief Examiner with the following documentation:

4.4.1 documentation that the court has ordered GED Testing

4.4.2 documentation that the individual has received counseling regarding educational and career opportunities

4.4.3 documentation that the individual has declined or is refused by local school to participate in a formal high school education program

4.5 Adjudicated youth 16 years of age, who are under the control of a court, prison or detention center, probation or parole office may be admitted to GED Testing on the order of the court even if they are

still enrolled in school. The Education Director (from state approved group care facilities) or parole officer must submit a written request with appropriate written documentation to:

Program Specialist
Child Protective Services
Bureau of Social Services
Department of Health and Human Services
Building 6, Room 850
Charleston, West Virginia 25305

Documentation will include:

- 4.5.1 documentation that the court has ordered GED Testing
- 4.5.2 documentation that the individual has received counseling regarding educational and career opportunities
- 4.5.3 documentation that the individual has declined or is refused by local school to participate in a formal high school education program
- 4.5.4 Program Specialist/Child Protective Services will then approve and submit to the State GED Administrator for final approval.
- 4.5.5 State GED Administrator will sign off and send directly to the Chief Examiner.

Section 5. Residence

- 5.1 Persons physically residing within West Virginia for a period of 30 days with a West Virginia mailing address are considered residents. Military personnel, employees of business or industry who have been moved physically into the State, persons confined in federal penitentiaries or hospitals, and persons taking part in educational or vocational programs and physically residing within the State have the privilege of being tested, and if they meet other requirements are eligible for a certificate/ West Virginia High School Equivalent Diploma. However, if such an adult wishes to have his/her test results sent to his/her home state for the purpose of securing a certificate High School Equivalent Diploma, rather than applying for a certificate High School Equivalent Diploma from West Virginia, he/she may have that privilege.
- 5.2 Nonresidents may be tested but their scores will be sent to the individual's home state for issuance of a diploma. It will be the judgment of the individual's resident state whether to accept or reject the individual's test scores for issuing an equivalent diploma.

Section 6. Transcripts of Scores

- 6.1 The original copy of the transcript and diploma will be issued at no cost. Persons requesting a duplicate of their GED transcript and/or diploma must do so in writing to the State GED Office. The request must originate from the graduate and designate to whom it is to be sent. There is no fee for this service! There will be a \$5.00 fee for this service.

Section 7. Applying for Testing

- 7.1 Until such time the West Virginia General Educational Development Testing program is centralized, all applicants must register for the GED Test in person at the local testing site. A picture ID and proof of residency will be required prior to all testing sessions.
- 7.2 Applications must be mailed to the address below and should include the following information: // date of birth // civilian school last attended // month and year last attended // school // year class graduated // social security number // and home address!
(Equivalent diplomas earned by military personnel are mailed to home addresses only.) It is also necessary that an official copy of the applicant's GED Test scores be forwarded to this office directly from the testing center and they will be returned with the equivalent diploma.

Section 8. All Correspondence Pertaining to the Above Policies Should Be Directed to:

GED State Administrator
West Virginia Department of Education
State Capitol, Building 6, Room 230
Charleston, West Virginia 25305
(304) 348-6315

10/4/90

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COMMENT LOG
Proposed Revisions
to the
Issuance of High School Equivalent Diploma, State of West Virginia
Policy 2444.4

Directions: Please use this form in commenting on the proposed revisions to the Issuance of High School Equivalent Diploma, State of West Virginia.

Individual/Organization _____
Address _____

SECTION	COMMENT
Section 1. General	
Section 2. WV High School Equivalent Diploma	
Section 3. Basis	
Section 4. Testing of Individuals 18 Years and Younger	
Section 5. Residence	

SECTION	COMMENT
Section 6. Transcripts of Scores	
Section 7. Applying for Testing	

Please submit comments by November 21, 1990, to:

Linda Kelly
Assistant Director, Adult Basic Education
Bureau of Vocational, Technical and Adult Education
Building 6 - Room 230
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305