

WEST VIRGINIA

SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #5

FILED
1991 FEB 25 AM 10:45
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

CITE AUTHORITY: WV Code 18-2-6(d)

RULE TYPE: PROCEDURAL X INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE _____
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES _____, NO X

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: 68 (Policy 2444.2)

TITLE OF RULE BEING ADOPTED: Certificate of Proficiency
and Warranty

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS April 8, 1991

Barbara K. Coates
February 22, 1991

TITLE 126
PROCEDURAL RULE
WEST VIRGINIA BOARD OF EDUCATION
SERIES 68

(Policy 2444.2)

FILED
1991 FEB 25 AM 10:46
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

Title: Certificate of Proficiency and Warranty

Section 1. General

1.1 Scope - The certificate of proficiency is to implement §18-2-6 (d) which was part of 1989's HB 2326. That legislative mandate states, "Not later than the school year one thousand nine hundred ninety-one, certificates of proficiency including specific information regarding the graduate's skills, competence, and readiness for employment or honors and advanced education shall be granted, along with the diploma, to every eligible high school graduate."

1.2 Authority - WV Code 18-2-6(d)

1.3 Filing Date - February 22, 1991 Effective Date - April 8, 1991

1.4 Effective Date - The certificate of proficiency will be issued school year 1990-91. The warranty and its skill improvement program will be effective for incoming freshmen beginning school year 1991-92.

1.5 Repeal of former rule - None. This is a new rule.

Section 2. Contents of Certificate of Proficiency

The following information is to be recorded on the certificate of proficiency:

- standardized test results in the basic skills areas of reading, math, and language arts, including both total scores and subtest scores;
- courses taken in grades 9 - 12 with grades and credits received;
- computer instruction received;
- GPA (grade point average) for grades 9 - 12;

- class rank out of total graduating class;
- attendance per year;
- co- and extracurricular activities;
- grade scale including letter/numerical equivalent, use of weighted grades;
- level of proficiency in each basic skill area;
- special competencies;
- vocational training.

Section 3. Warranty

A county warranty seal, stamp, or other appropriate symbol citing the student has achieved a proficiency level deemed appropriate by the local board of education in each basic skill area will be attached to each certificate of proficiency. The student may graduate without the warranty, but must have it to be returned to the school system for additional schooling.

The warranty is a guarantee to employers and educational institutions that the high school graduate is capable of accomplishing tasks at levels appropriate to the proficiencies listed on the certificate of proficiency. If employers and educational institutions determine the high school graduate does not perform at the stated levels of proficiency, that graduate may return to the graduating school system to receive additional schooling in the areas lacking proficiency. The warranty is in effect for five years after a student's graduation.

Section 4. Level of Proficiency Necessary for Warranty

An attainment level deemed appropriate by the local board based upon the current state testing program is necessary for warranty status. This level of proficiency will be reported annually by the county to the West Virginia Department of Education.

Section 5. School Program for Warranty

Following the state-required testing at grades 9 and 11, students performing below the levels deemed appropriate by the local boards in the areas of reading, math, and language arts will be considered for placement in a skills improvement program. Such placement will be determined only after a team of local educators who have worked with the student has thoroughly reviewed all relevant student performance indicators. Student performance in the skill improvement program will be monitored regularly to determine appropriateness of placement.

Parents/guardians will be notified by the school if their child has not met the county determined level of proficiency. In addition, parents/guardians will be advised that their child may be placed into a skills improvement class and that the parent/guardian may upon request be involved in the placement conference.

Schools will provide a skill improvement class in the areas of reading, math, and language arts. This class is not to be substituted for a student's course work required for graduation. Students performing at the appropriate level will than qualify to receive a warranty. To determine warranty status after grade 11 testing and skill improvement placement, a school may utilize a different version of the state's grade 11 test.

Section 6. Special Education Students

Levels of proficiency for students identified as special education will be determined through the Individualized Education Program Committee and included in the student's IEP (individualized education program).



KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

A. RENEE COE
Deputy Secretary of State

CATHERINE FREROTTE
Executive Ass.stant

Telephone: (304) 558-6000
Corporations: (304) 558-8000

WILLIAM H. HARRINGTON
Chief of Staff

JUDY COOPER
Director, Administrative Law

DONALD R. WILKES
Director, Corporations

(Plus all the volunteer
help we can get)

STATE OF WEST VIRGINIA

SECRETARY OF STATE

Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

TO: Barbara Estep

AGENCY: Education

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: July 6, 1992

THE ATTACHED RULE RECENTLY FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 68 TITLE: 126 Education

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: Barbara L. Estep

TITLE OF PERSON SIGNING: Exec. Sec. WV Board of Ed.

DATE: July 31, 1992

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.