

# VIRGINIA ACTS OF ASSEMBLY -- 2004 SESSION

## CHAPTER 509

*An Act to amend and reenact § 22.1-253.13:4 of the Code of Virginia, relating to notification of parents of certain students.*

[S 438]

Approved April 12, 2004

**Be it enacted by the General Assembly of Virginia:**

**1. That § 22.1-253.13:4 of the Code of Virginia is amended and reenacted as follows:**

§ 22.1-253.13:4. Standard 4. Diplomas and certificates; class rankings.

A. Each local school board shall award diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who earn the units of credit prescribed by the Board of Education, pass the prescribed tests, and meet such other requirements as may be prescribed by the local school board and approved by the Board of Education. Provisions shall be made for students who transfer between secondary schools and from nonpublic schools or from home instruction as outlined in the standards for accreditation. Further, reasonable accommodation to meet the requirements for diplomas shall be provided for otherwise qualified students with disabilities as needed.

In addition, each local school board may devise, vis-a-vis the award of diplomas to secondary school students, a mechanism for calculating class rankings that takes into consideration whether the student has taken a required class more than one time and has had any prior earned grade for such required class expunged.

*Each local school board shall notify the parent of rising eleventh and twelfth grade students of (i) the number of standard and verified units of credit required for graduation pursuant to the standards of accreditation and (ii) the remaining number of such units of credit the individual student requires for graduation.*

B. Students identified as disabled who complete the requirements of their individualized education programs shall be awarded special diplomas by local school boards.

*Each local school board shall notify the parent of such students with disabilities who have an individualized education program and who fail to meet the requirements for graduation of the student's right to a free and appropriate education to age 21, inclusive, pursuant to Article 2 (§ 22.1-213 et seq.) of Chapter 13 of this title.*

C. Students who have completed a prescribed course of study as defined by the local school board shall be awarded certificates by local school boards if they do not qualify for diplomas.

*Each local school board shall provide notification of the right to a free public education for students who have not reached 20 years of age on or before August 1 of the school year, pursuant to Chapter 1 (§ 22.1-1 et seq.) of this title, to the parent of students who fail to graduate or who have failed to achieve the number of verified units of credit required for graduation as provided in the standards of accreditation. If such student who does not graduate or achieve such verified units of credit is a student for whom English is a second language, the local school board shall notify the parent of the student's opportunity for a free public education in accordance with § 22.1-5.*

D. The Board of Education shall develop criteria for recognizing exemplary performance in career and technical education programs by students who have completed the requirements for a standard or advanced studies diploma and shall award seals on the diplomas of students meeting such criteria.

E. By September 1, 2003, the Board shall establish, by regulation, requirements for the award of a general achievement diploma for those persons who have (i) achieved a passing score on the GED examination; (ii) successfully completed an education and training program designated by the Board of Education; and (iii) satisfied other requirements as may be established by the Board for the award of such diploma.