

Senate Bill No. 577

(By Senators Beach, Blair, Cann, Carmichael, Cole, Cookman,
Edgell, Fitzsimmons, Green, D. Hall, M. Hall, Jenkins,
Kirkendoll, Laird, McCabe, Miller, Nohe, Palumbo, Prezioso,
Snyder, Tucker, Unger, Walters, Wells, Williams, Yost, Stollings,
Kessler (Mr. President) and Plymale)

[Introduced March 20, 2013; referred to the Committee on
Education.]

A BILL to amend the Code of West Virginia, 1931, as amended, by
adding thereto a new section, designated §18-5-48, relating to
requiring county boards of education to allow students with
special needs to participate in graduation ceremonies with
their peers; and prohibiting county boards from denying
special needs services to a student due to participating in
the graduation ceremonies.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended
by adding thereto a new section, designated §18-5-48, to read as
follows:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-48. Graduation policy; special needs students.

1 (a) Each county board of education shall establish a policy of
2 permitting students with special needs, including those students
3 with individualized education programs, to participate in
4 graduation ceremonies with their peers. In order for a special
5 needs student to participate in the ceremonies, his or her parent
6 or legal guardian must submit a written request to do so. The
7 school board shall also permit special needs students who continue
8 with special education services after graduation to participate in
9 those graduation ceremonies.

10 (b) County boards of education may not terminate, deny or
11 declare a special needs student ineligible for post-graduation
12 special needs services due to his or her participation in the
13 graduation ceremonies.

NOTE: The purpose of this bill is to require county boards of education to allow students with special needs to participate in graduation ceremonies with their peers. The bill prohibits county boards from denying special needs services to a student due to participating in the graduation ceremonies.

This section is new; therefore, strike-throughs and underscoring have been omitted.