

1 **Senate Bill No. 209**

2 (By Senators Beach, Miller, Cookman, Walters and Fitzsimmons)

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4 [Introduced January 8, 2014; referred to the Committee on
5 Education.]
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10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §18-5-48, relating to
12 requiring county boards of education to allow students with
13 special needs to participate in graduation ceremonies with
14 their peers; and prohibiting county boards from denying
15 special needs services to a student due to participating in
16 the graduation ceremonies.

17 *Be it enacted by the Legislature of West Virginia:*

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

21 **ARTICLE 5. COUNTY BOARD OF EDUCATION.**

22 **§18-5-48. Graduation policy; special needs students.**

23 (a) Each county board of education shall establish a policy of

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

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