

HOUSE No. 468

The Commonwealth of Massachusetts

PRESENTED BY:

Alice Hanlon Peisch

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relating to high school graduation requirements for students with learning disabilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Alice Hanlon Peisch	14th Norfolk
Tom Sannicandro	7th Middlesex
John D. Keenan	7th Essex
Jennifer M. Callahan	18th Worcester
David P. Linsky	5th Middlesex
Barbara A. L'Italien	18th Essex
James R. Miceli	19th Middlesex
William Smitty Pignatelli	4th Berkshire
Denise Provost	27th Middlesex
John W. Scibak	2nd Hampshire
Thomas P. Kennedy	Second Plymouth and Bristol
Danielle W. Gregoire	4th Middlesex
Timothy J. Toomey, Jr.	26th Middlesex
Thomas P. Conroy	13th Middlesex
Sean Garballey	23rd Middlesex
Cory Atkins	14th Middlesex
Michael F. Rush	10th Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 513 OF.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATING TO HIGH SCHOOL GRADUATION REQUIREMENTS FOR STUDENTS WITH LEARNING DISABILITIES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

- 1 SECTION 1. Subsection (i) of Section 1D of Chapter 69 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by inserting after “high school graduation” the following:
3 , except as described in subsection (ia) below
- 4 SECTION 2. Said section 1D is hereby further amended by inserting after subsection (i) the following:
5 (ia) Any “School Age Child with a Disability,” as defined by G. L. c. 71B s. 1, who fails to satisfy the
6 requirements of the competency determination may nonetheless receive a high school diploma if the following
7 requirements are met:
8 S/he has been measured by the assessment instruments described in section one I a minimum of two times and has
9 failed to achieve the required competency level in one or more subjects;
- 10 1. The Superintendent of Schools in the student’s district has certified that the student’s “Specific Learning
11 Impairment”, as defined by G.L. c. 71B s.1, is the proximate cause of his/her failure to achieve the required
12 competency level(s) and that there is no generally accepted remediation for such disability that would result
13 in the student’s achieving the required competency level(s);
 - 14 2. The student has participated in and satisfactorily completed an Educational Proficiency Plan, as defined by
15 the Department of Education, in all subjects in which s/he has failed to achieve the required competency
16 level;
 - 17 3. The student has met all other requirements for graduation, both district and state, and has completed the
18 goals of the his/her Individual Education Plan to his/her and his/her parent(s) satisfaction.
- 19 Any diploma awarded pursuant to this section shall be known as a “standard” diploma but shall be considered
20 evidence of high school graduation for purposes of post-secondary school admission, eligibility for state and federal
21 post-secondary financial aid, and eligibility for employment. Any diploma awarded pursuant to this section shall
22 not, in and of itself, terminate a student’s eligibility for special education service before the student reaches the age
23 of twenty-two.