

HOUSE No. 4665

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

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
2 appearing in the 2008 Official Edition, is hereby amended by inserting after the word
3 “graduation” in line 59 the following:-

4 , except as described in subsection (ia) below

5 SECTION 2. Said section 1D is hereby further amended by inserting after subsection (i)
6 the following section:-

7 (ia) Any “School Age Child with a Disability,” as defined in section 1 of chapter 71B,
8 who fails to satisfy the requirements of the competency determination may nonetheless receive a
9 high school diploma if the following requirements are met:-

10 He has been measured by the assessment instruments described in section 1, has pursued
11 the appeals process, as described in section 16 of chapter 71B, and has failed to achieve the
12 required competency level in one or more subjects;

13 The superintendent of schools in the student’s district has certified to the commissioner
14 that the student’s “Specific Learning Impairment”, as defined in section 1 of chapter 71B, is the
15 proximate cause of his failure to achieve the required competency levels and that there is no
16 generally accepted remediation for such disability that would result in the student’s achieving the
17 required competency levels;

18 The student has participated in and satisfactorily completed an educational proficiency
19 plan, as defined by the department of elementary and secondary education, in all subjects in
20 which he has failed to achieve the required competency levels;

21 The student has met all other requirements for graduation, both district and state, and has
22 completed the goals of his Individualized Education Program (IEP) to the satisfaction of the IEP
23 team, the student, and his parent or guardian; and

24 The student has received preliminary or final acceptance into any accredited 2, 3, or 4
25 year-long post-secondary educational program at a technical school, vocational school, college,
26 or university.

27 Any diploma awarded pursuant to this section shall be known as a “standard” diploma
28 but shall be considered evidence of high school graduation for all purposes, including but not
29 limited to, post-secondary school admission, eligibility for state and federal post-secondary
30 financial aid, and eligibility for employment.