

HOUSE No. 468

The Commonwealth of Massachusetts

In the Year Two Thousand 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
2 appearing in the 2006 Official Edition, is hereby amended by inserting after “high school
3 graduation” 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:

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

10 S/he has been measured by the assessment instruments described in section one I a
11 minimum of two times and has failed to achieve the required competency level in one or more
12 subjects;

13 The Superintendent of Schools in the student’s district has certified that the student’s
14 “Specific Learning Impairment”, as defined by G.L. c. 71B s.1, is the proximate cause of his/her
15 failure to achieve the required competency level(s) and that there is no generally accepted
16 remediation for such disability that would result in the student’s achieving the required
17 competency level(s);

18 The student has participated in and satisfactorily completed an Educational Proficiency
19 Plan, as defined by the Department of Education, in all subjects in which s/he has failed to
20 achieve the required competency level;

21 The student has met all other requirements for graduation, both district and state, and has
22 completed the goals of the his/her Individual Education Plan to his/her and his/her parent(s)
23 satisfaction.

24 Any diploma awarded pursuant to this section shall be known as a “standard” diploma
25 but shall be considered evidence of high school graduation for purposes of post-secondary school
26 admission, eligibility for state and federal post-secondary financial aid, and eligibility for
27 employment. Any diploma awarded pursuant to this section shall not, in and of itself, terminate
28 a student’s eligibility for special education service before the student reaches the age of twenty-
29 two.