

1 H.511

2 Introduced by Representatives McDonald of Berlin, Peltz of Woodbury,

3 Waite-Simpson of Essex and Zenie of Colchester

4 Referred to Committee on

5 Date:

6 Subject: Education; special education; disabilities; graduation

7 Statement of purpose: This bill proposes to ensure that each district adopt a
8 policy to allow a secondary student to join his or her age-appropriate peers in
9 all senior year activities and ceremonies, and receive a provisional diploma,
10 even if the student's individualized education plan (IEP) or 504 plan, or both,
11 anticipate that the student will need more than four years in which to complete
12 all graduation requirements, unless the student's IEP or 504 team determines
13 that participation is not in the student's best interest. A parent who disagrees
14 with the team's determination may authorize participation.

15 An act relating to including secondary students in senior year activities and
16 ceremonies

17 Sec. 1. 16 V.S.A. § 2944(g) is added to read:

18 (g) The commissioner shall develop and every school district shall adopt a
19 policy to ensure that any secondary student enrolled in the district who,
20 pursuant to an individualized education plan (IEP) or to Section 504 of the

1 Rehabilitation Act of 1973, or both, will need more than four years in which to
2 complete all graduation requirements, has the opportunity to participate with
3 his or her age-appropriate peers in senior year activities and ceremonies,
4 including commencement exercises, and to receive a provisional diploma
5 unless the student's IEP or 504 team, as those terms are defined in state board
6 rule, determines that participation in any or all of the activities is not in the best
7 interest of the student; provided, however, if the parent of the student disagrees
8 with the team's determination, then the parent may authorize participation.
9 The commissioner may grant a waiver to a school district that requests
10 approval to adopt a substantially similar policy that is more reflective of
11 community values.

12 Sec. 2. IMPLEMENTATION

13 (a) On or before October 31, 2010, the commissioner of education shall
14 develop and publish the policy required by Sec. 1 of this act.

15 (b) On or before January 1, 2011, each school district in the state shall
16 adopt the policy developed by the commissioner or an alternative policy for
17 which it received the commissioner's approval under Sec. 1 of this act.

18 Sec. 3. EFFECTIVE DATE

19 This act shall take effect on passage and shall apply to senior year activities
20 in the 2010–2011 academic year and after.