



#117-21

**Commonwealth of Virginia
Virginia Department of Education
Superintendent's Memo #117-21**

DATE: May 7, 2021
TO: Division Superintendents
FROM: James F. Lane, Ed.D., Superintendent of Public Instruction
SUBJECT: Request for Waiver of Certain Graduation Requirements

The Board of Education's *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (or Standards of Accreditation) allow a local school board to request for a waiver of graduation requirements on behalf of individual students under two specific and limited circumstances: (1) for good cause; and (2) for students transferring after 20 instructional hours per course of their senior or twelfth grade year.

This memorandum provides information on eligibility for both waiver options as well as details the process for requesting such waivers.

(1) The "Good Cause" Waiver

Section [8VAC20-131-420\(B\)](#) in the Board's Standards of Accreditation implements the "good cause" waiver provision as provided for in § 22.1-253.13:4 of the *Code of Virginia* which states, in part, that the Board of Education may...

"Provide for the waiver of certain graduation requirements (i) upon the Board's initiative or (ii) at the request of a local school board. Such waivers shall be granted only for good cause and shall be considered on a case-by-case basis."

This waiver option and conditions for eligibility are further clarified in the [Guidance Document Governing Certain Provisions of the Regulations Establishing Standards for the Accreditation of Public Schools in Virginia](#), which explains:

“Local school boards may seek a waiver of certain graduation requirements on a case-by-case basis by submitting a request to the Superintendent of Public Instruction, on behalf of the Board, which explains what requirement(s) are requested to be waived and the justification for each requirement(s) requested for waiver. The justification shall include a statement of the efforts made by the local school board to assist the student to meet the requirement(s) prior to requesting the waiver. Waiver requests may not be submitted more than 90 days prior to the date the student is expected to graduate and, if possible, at least 15 days prior to graduation. ...

For the purposes of this provision, good cause may include, but not be limited to, a catastrophic, sudden, or debilitating illness or injury suffered by the student late in his high school career or a sudden, unexpected requirement or event that causes the family to relocate to another state where the student is unable to complete graduation requirements either in Virginia or the receiving state. Requirements that have been approved for a waiver shall be noted on the student’s official academic record (transcript).”

The local superintendent shall notify the Superintendent of Public Instruction as soon as feasible when there is a situation that could potentially result in a request for a waiver, in order to explore options that might be available to permit the student to graduate without needing a waiver. The Superintendent may approve the waiver on behalf of the Board and report to the Board waivers that have been granted or denied.

(2) The Late Transfer Waiver

Sections [8VAC20-131-60.G.1.d](#) or [8VAC20-131-60.G.2.d](#) of the Standards of Accreditation state, in part...

“Students transferring after 20 instructional hours per course of their senior or twelfth grade year shall be given every opportunity to earn a diploma following the graduation requirements. If it is not possible for the student to

meet the requirements for a diploma, arrangements should be made for the student's previous school to award the diploma. If these arrangements cannot be made, a waiver of the verified unit of credit requirements may be available to the student. The Department of Education may grant such waivers upon request by the local school board in accordance with guidelines prescribed by the board.”

Requesting a Waiver

Both waivers will be considered on a case-by-case basis. Schools wishing to request either waiver on behalf of a student shall complete one of the appropriate waiver request forms:

- Good Cause Waiver Request Form (**Attachment A**)
 - DUE DATE: Good Cause waiver requests may not be submitted more than 90 days prior to the date the student is expected to graduate and, if possible, at least 15 days prior to graduation.
- Senior Transfer Verified Credit Waiver Request Form (**Attachment B**)
 - DUE DATE: Senior Transfer Verified Credit waiver requests may not be submitted more than 90 days prior to the date the student is expected to graduate and, if possible, at least 15 days prior to graduation.

To protect a student's information, transcripts and forms should NOT be emailed. The completed form and transcript shall be sent **using Parchment Send** to the Office of Policy at policy@doe.virginia.gov. The form can be uploaded as an attachment when sending the student's transcript in the system. For school divisions who do not currently have a Parchment Account you can sign up for a free three month trial on the [Parchment Webpage](#).

Please distribute this memorandum and the attached form to school counselors and other staff members responsible for this process.

For more information

Please contact the Policy Office with any questions regarding this information at policy@doe.virginia.gov for more information at (804) 225-2092.

If you have questions or need assistance with accessing Parchment Send please contact Paul McMorrow by email at PMCMORROW@parchment.com.

JFL/SB/rge

- A. Attachment: [Good Cause Waiver Form](#) (DOCX)
- B. Attachment: [Transfer Student Verified Credit Waiver Form](#) (DOCX)