



COMMONWEALTH of VIRGINIA
Department of Education

April 18, 2014

TO: Division Superintendents

FROM: Patricia I. Wright, Superintendent of Public Instruction

SUBJECT: Flexibility in Health and Physical Education Requirements to Facilitate On-Time Graduation for All Transfer Students

The Department of Education has received questions regarding the graduation requirements for students transferring from schools other than Virginia public schools, particularly relating to health and physical education requirements when the sending school's requirements differ from Virginia's requirements.

Pursuant to the [*Regulations Establishing Standards for Accrediting Public Schools in Virginia*](#) (8VAC20-131-50), to earn a standard or advanced diploma, students must earn two health and physical education credits.

However, the *Standards of Accreditation* go on to say: "Students transferring above the tenth grade from schools or other education programs that do not require or give credit for health and physical education shall not be required to take these courses to meet graduation requirements."

Based on the above provision in the *Standards of Accreditation*, when students transfer to Virginia school divisions in their junior or senior year from a school or educational program that requires fewer than two credits for health and physical education, local school divisions must waive health and physical education graduation requirements beyond those required of the student's sending school. Thus, a junior or senior transferring from a school that does not require or only requires one health and physical education credit is not required to take additional health and physical education course(s) to meet graduation requirements.

While the question of health and physical education requirements for graduation arose due to the frequent transfers of military-connected youth from schools with different requirements, this provision applies to all students entering a Virginia public high school for the first time above the tenth grade, whether from a military family or a non-military family.

The Interstate Compact on Educational Opportunity for Military Children provides additional guidance related to the transfer of military-connected youth. The Interstate Compact on Educational Opportunity for Military Children is contained in §[22.1-360](#) of the *Code of Virginia*.

The military family education liaison, Melissa Luchau, is also available to answer questions about implementation of the Interstate Compact, connect you with your local school liaison officer, and provide training to your school or division. You may contact her by e-mail at Melissa.Luchau@doe.virginia.gov, or by phone at (804) 225-2924.

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