



#084-22

**Commonwealth of Virginia
Virginia Department of Education
Superintendent's Memo #084-22**

DATE: April 15, 2021
TO: Division Superintendents
FROM: Jillian Balow, 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.

(2) Late Transfer Waiver

Sections [8VAC20-131-60.G.1.d](#) and [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 #117-21

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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 as provided in the attachments. Both good cause and late transfer 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 student information, forms, transcripts, and other documentation should **NOT** be emailed. The completed form (with required signatures), transcript and appropriate documentation shall be sent using Single Sign-On Web System Dropbox (SSWS) to Sarah Bazemore. The [SSWS Instructions](#) have information about designated division contacts and the dropbox feature.

On April 27 and May 4, VDOE staff will be offering virtual office hours to school divisions considering requesting either the good cause waiver or late transfer waiver on behalf of a student. The intent of these meetings is to collaborate and problem solve with school and division teams prior to the submission of a waiver request form. We encourage those considering requesting a waiver to sign-up for one of the 20 minute time slots. Please use our [VDOE Consult Meeting Sign-Up form](#) to request a meeting.

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 the waivers and eligibility at policy@doe.virginia.gov for more information at (804) 225-2092.

For questions on the SSWS submission process or requesting a consultation meeting with VDOE staff, please contact Sarah Bazemore at Sarah.Bazemore@doe.virginia.gov or 804-225-4024.

JB/LMS

- A. Attachment: [Good Cause Waiver Submission Form](#) (DOCX)
- B. Attachment: [Late Transfer Submission Form](#) (DOCX)