

Differential Graduation And Competency Standards For Students With Disabilities

The governing board recognizes that A students with disabilities are entitled to a course of study that provides them with a free and appropriate public education (FAPE) and that modifications to the district's regular course may be needed on an individual basis to provide FAPE. In accordance with law, each student's individualized education program (IEP) team shall determine the appropriate goals, as well as any appropriate individual accommodations necessary for measuring the academic achievement and functional performance of the student on state and district wide assessments. may be awarded a standard high school diploma upon satisfactory completion of the prescribed course of study and passage of the high school exit exam. (Education Code 56392)

The high school exit exam shall be administered in accordance with requirements and accommodations as specified in the student's IEP.

If the IEP for a student with disabilities calls for modification to the exit exam, the student must seek a waiver of the requirement of passing the exam from the governing board. (Education Code 60581(e))The Individuals with Disabilities Education Act (IDEA) and the Elementary and Secondary Education Act (ESEA) require that the IEP and Section 504 plan address how the student will participate in statewide assessments. If a student with disabilities will not be taking the CAHSEE this year, that should be noted in the IEP or Section 504 plan and should state that the student will meet the CAHSEE requirement through the exemption.

If the IEP for a student with disabilities calls for modification to the exit exam, the student must seek a waiver of the requirement of passing the exam from the governing board. (Education Code 60581(c)).

Although a statewide exemption is in effect until such a time that the State Board of Education makes either a determination that alternative means to the CAHSEE for students with disabilities are not feasible or such alternative means have been implemented, students with disabilities should be encouraged to take the CAHSEE with appropriate instructional support.

All students subject to the requirements of the high school exit exam shall receive "adequate notice" as specified in law and Board policy. (Education Code 48980, 60850)

Up until December 31, 2007, the district shall grant a high school diploma to a student with a disability, who is scheduled to graduate from high school in 2007, has not passed the high school exit examination or is eligible for a waiver, and has not received a waiver, if all of the following criteria exist: (Education Code 60852.4)

1. The student has an operative IEP or Section 504 plan.
2. The student's IEP or Section 504 plan, dated on or before July 1, 2006, indicates that the student has an anticipated graduation date, and is scheduled to receive a high school diploma on or before December 31, 2007.
3. The district certifies that the student has satisfied or will satisfy all other state and local requirements for the receipt of a high school diploma on or before December 31, 2007.

4. ~~The student has attempted to pass those sections not yet passed of the exit exam at least twice after grade 10, including at least once during the current grade 12 year of the student, and with the accommodations or modifications, if any, specified in the student's IEP or the Section 504 plan.~~

5. ~~Either (i) the student received remedial or supplemental instruction focused on those sections of the exit exam not yet passed and taken those sections again at least once, if there is an available administration before December 31, 2007, following the receipt of remedial or supplemental instruction, or (ii) the school district failed to provide the student with the opportunity to receive that remedial or supplemental instruction.~~

6. ~~No later than 30 days prior to the receipt of a diploma in 2007, the student, or his/her parents, if the student is a minor, has/have been notified that the student is entitled to receive free appropriate public education up to and including the academic year during which the student reaches 22 years of age, or until the student receives a high school diploma, whichever event occurs first.~~

(cf. 6162.5 - Student Assessment)

(cf. 5145.6 - Parental Notifications)

(cf. 6146.1 - High School Graduation Requirements)

Instead of a high school diploma, a student with disabilities may be awarded a certificate or document of educational achievement or completion if the student has met one of the following requirements:
(Education Code 56390)

1. Satisfactorily completed a prescribed alternative course of study approved by the Governing Board of the district in which the student attended school or the district with jurisdiction over the student as identified in his/her IEP;
2. Satisfactorily met his/her goals and objectives during high school as identified in his/her IEP and determined by his/her IEP team;
3. Satisfactorily attended high school, participated in the instruction as prescribed in his/her IEP, and met the objectives of the statement of transition services.

(cf. 5127 - Graduation Ceremonies and Activities)

In accordance with Education Code 56391, a student with disabilities who meets any of the criteria and obtains a diploma, certificate or document of educational achievement or completion as specified above shall be eligible to participate in any graduation ceremony and any school activity related to graduation in which a graduating student of similar age without disabilities would be eligible to participate.

Legal Reference:

EDUCATION CODE

35160.5 Extracurricular and cocurricular activities; differential standards

48980 Parental notifications

56000 Education of individuals with exceptional needs

56341 Individualized education program team

56345 Elements of the IEP

56390-56393 Certificate of completion, special education

60850-60856 High school exit exam

CODE OF REGULATIONS, TITLE 5

3070 Graduation

UNITED STATES CODE, TITLE 20

1412 Individuals with Disabilities Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1-300.818 Individuals with Disabilities Education Act

Management Resources:

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, page 46539-46845

CDE COMMUNICATIONS

2001.0314 Proficiency Standards and High School Exit Exam

WEB SITES

CDE: <http://www.cde.ca.gov>

US Department of Education, Office of Special Education and Rehabilitative Services: <http://www.ed.gov/offices/OSERS>

Policy MT. DIABLO UNIFIED SCHOOL DISTRICT

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