

Sec. 1. APPLICABILITY OF TITLE RELATING TO HIGH SCHOOL GRADUATION

International Leadership of Texas is subject to a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) of the Texas Education Code (“TEC”), or a rule adopted under Title 2 (Public Education) of the TEC, relating to high school graduation under TEC Section 28.025.

Tex Educ. Code § 12.104(b)(2)(E).

Sec. 2. PROVISION OF FAPE AND GRADUATION FOR SPECIAL EDUCATION STUDENTS

Except as specifically provided by law, graduation with a regular high school diploma terminates a student’s eligibility for special education and related services. Termination of eligibility based on graduation requires International Leadership of Texas to complete a summary of performance in accordance with 34 CFR 300.305(e)(3), and prior written notice must also be provided.

34 CFR 300.102; 19 TAC 89.1035(a), 89.1070(a).

Sec. 3. MODIFIED CURRICULUM AND MODIFIED CONTENT

For purposes of this policy and its related requirements, “modified curriculum” and “modified content” refer to any reduction in the amount or complexity of the required Texas Essential Knowledge and skills. Substitutions that are specifically authorized in statute or regulations must not be considered modified curriculum or modified content.

19 TAC 89.1070(k).

Sec. 4. GRADUATION REQUIREMENTS UNDER THE FOUNDATION HIGH SCHOOL PROGRAM

A student with a disability who receives special education services without modified curriculum and who enters or entered ninth grade during or after the 2014-2015 school year may graduate and receive a regular high school diploma if the student satisfies the following criteria:

1. demonstrates mastery of the required states standards or International Leadership of Texas’s standards if they are greater;
2. satisfactorily completes the credit requirements for graduation under the Foundation High School Program; and
3. achieves satisfactory performance on the required state assessments, , unless the student’s ARD Committee has determined that satisfactory performance on the required state assessments is not necessary for graduation.

Tex. Educ. Code §§ 28.025, 28.0251, 28.0256, 29.005, 39.025; 19 TAC 74.12, 89.1070, 101.3023(a).

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A student who receives special education services entering ninth grade in 2014-2015 or after who one or more of his/her courses are modified may also graduate and earn a regular high school diploma if the student:

1. demonstrates mastery of the required states standards or International Leadership of Texas's standards if they are greater;
2. satisfactorily completes the credit requirements for graduation under the Foundation High School Program through courses, one or more of which contain modified curriculum that is aligned to the standards applicable to general education;
3. achieves satisfactory performance on the required state assessments, unless the student's ARD committee has determined that satisfactory performance on the required state assessments is not necessary for graduation; and
4. successfully completes the student's IEP and meets one of the following conditions:
 - a. has obtained full-time employment and mastered sufficient self-help skills to enable the student to maintain employment without direct or ongoing educational support of International Leadership of Texas;
 - b. has demonstrated mastery of specific employability skills and self-help skills that do not require ongoing educational support from International Leadership of Texas;
 - c. be involved with an agency that can provide services that are no only the responsibility of of International Leadership of Texas;; or
 - d. no longer meets age eligibility requirements.

Tex. Educ. Code § 28.025; 19 TAC 89.1035, 89.1070(b)(3).

Sec. 5. ENDORSEMENTS UNDER THE FOUNDATION HIGH SCHOOL PROGRAM

A student receiving special education services may receive an endorsement if the student:

1. satisfactorily completes the requirements for graduation under the Foundation High School Program as well as the additional credit requirements in mathematics, science, and elective courses as specified in 19 TAC 74.13(e) with or without modified curriculum;
2. satisfactorily completes the courses required for the endorsement under 19 TAC 74.13(f) without any modified curriculum or with modification of the curriculum, provided that the curriculum, as modified, is sufficiently rigorous as determined by the student's ARD committee; and
3. performs satisfactorily as established in Texas Education Code Chapter 39, on the required end-of-course assessment instruments unless the student's ARD committee determines that satisfactory performance is not necessary.

Tex. Educ. Code § 28.025(c-7), (c-8); 19 TAC 89.1070(c).

A student who is in eleventh or twelfth grade and who has taken each of the required state assessments but failed to achieve satisfactorily on no more than two of the assessments, is eligible

for an endorsement if the student meets the other endorsement requirements. *19 TAC 89.1070(d)*.

Sec. 6. TRANSITIONING TO THE FOUNDATION HIGH SCHOOL PROGRAM

A student receiving special education services who entered ninth grade prior to the 2014-2015 school year may graduate and be awarded a high school diploma under the Foundation High School Program, if the student's ARD committee determines the student should take courses under the Foundation High School Program and the student completes the requirements of that Program. *Tex. Educ. Code § 28.025(c)(1); 19 TAC 74.1021(a)(1), 89.1070(e)*.

A student transitioning to the Foundation High School Program may earn an endorsement if the student meets the requirements for an endorsement. *19 TAC 89.1070(c)-(e)*.

A student transitioning to the Foundation High School Program who is classified as in grade 11 or 12 who took each of the required assessments, but failed to achieve satisfactorily on no more than two of the assessments may graduate if the student met all other applicable graduation requirements. *19 TAC 89.107(e), 101.3022(f)(1)*.

Sec. 7. SUBSTITUTIONS UNDER THE FOUNDATION HIGH SCHOOL PROGRAM

a) *Language- Other-Than-English ("LOTE")*

A student who, due to disability, is unable to complete two credits in the same language in a LOTE, as provided in Section 28.025(b-1)(5), may substitute for those credits:

1. Two credits in ELA, mathematics, science, or social studies; or
2. Two credits in career and technology education ("CTE"), technology applications, or other academic electives.

A credit allowed to be substituted under the above provisions may not also be used by the student to satisfy a graduation credit requirement other than credit for completion of a LOTE. The determination regarding a student's ability to participate in LOTE courses will be made by the student's ARD committee.

Tex. Educ. Code § 28.025(b-14)(1); 19 TAC 74.12(b)(5)(D)(i).

b) *Physical Education*

In accordance with State Board of Education ("SBOE") rules, a student who is unable to participate in physical activity due to disability or illness is allowed to substitute for the physical education credit required under TEC 28.025(b-1)(8):

1. One credit in ELA, mathematics, science, or social studies;

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2. One credit in a course that is offered for a credit as provided by TEC 28.002(g-1); or
3. One academic elective credit.

A credit allowed to be substituted for PE credit may not also be used by the student to satisfy any other graduation requirement. The determination regarding a student's ability to participate in physical activity must be made by the student's ARD Committee.:

Tex. Educ. Code § 28.025(b-11),(b-14); 19 TAC 74.12(b)(6)(G)(i).

Sec. 8. CERTIFICATES OF COURSEWORK COMPLETION

International Leadership of Texas may issue a certificate of coursework completion to a student who successfully completes the curriculum requirements identified by the SBOE under Education Code Section 28.025(a) but who fails to comply with Section 39.025 (Secondary-Level Performance Required) relating to exit-level assessment requirements, as determined by the student's ARD Committee. It is International Leadership of Texas discretion whether or not it allows a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas. *Education Code 28.025(d).*

Sec. 9. CERTIFICATE OF ATTENDANCE

International Leadership of Texas shall issue a Certificate of Attendance to a student who receives special education services under Subchapter A, Chapter 29 of the Texas Education Code and who has completed four years of high school but has not completed the student's IEP. International Leadership of Texas shall allow a student who receives a certificate of attendance to participate in a graduation ceremony with students receiving high school diplomas. A student may participate in only one graduation ceremony. Receiving a Certificate of Attendance does not preclude a student from receiving a diploma if the student completes the IEP. *Education Code 28.025(f).*

Sec. 10. STUDENTS ELIGIBLE TO RETURN TO SCHOOL AFTER GRADUATION

A student who meets the age requirement for eligibility for continued services – i.e., who has not reached age 21 on September 1 of a school year – will be eligible for special education services and may return to school after graduation provided the student was awarded a diploma that satisfied the following conditions:

1. The student was required to successfully complete the student's individualized education program ("IEP"); and
2. The student was required to:
 - a. Obtain full-time employment, based on the student's abilities and local employment opportunities, in addition to mastering sufficient self-help skills to enable the student to maintain the employment without direct and ongoing educational support of International Leadership of Texas;

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- b. demonstrate mastery of specific employability skills and self-help skills that do not require direct and ongoing educational support from International Leadership of Texas; or
- c. have access to services that are not within the legal responsibility of public education or employment or educational options for which the student has been prepared for by the academic program.

19 TAC 89.1070(b)(3)(A)-(C), (f)(4)(A)-C, (j).

Upon request of the student or parent to resume services, the ARD committee must determine the needed educational services. *19 TAC 89.1070(j).*

Sec. 11. PERSONAL GRADUATION PLAN FOR JUNIOR HIGH AND MIDDLE SCHOOL

International Leadership of Texas will develop and implement a personal graduation plan for each student in junior high or middle school who has not performed satisfactorily on the STAAR or who is unlikely to receive a high school diploma before the fifth school year following the student's enrollment in the ninth grade.

The personal graduation plan will:

- Identify educational goals for the student;
- Include diagnostic information, appropriate monitoring and intervention, and other evaluation strategies;
- Include an intensive program of instruction;
- Address participation by the student's parent or guardian, including consideration of educational expectations for the student; and
- Provide innovative methods to promote the student's advancement, such as flexible scheduling, alternative learning environments, online instruction, and other interventions scientifically proven to improve learning and cognitive ability.

For students with disabilities who receive special education services through an IEP, the student's IEP will serve as the Personal Graduation Plan. *Tex. Educ. Code § 28.0212*

Sec. 12. PERSONAL GRADUATION PLAN FOR HIGH SCHOOL

Every high school student in International Leadership of Texas will have a personal graduation plan. International Leadership of Texas will publish in English and Spanish on the website the information provided by TEA that explains the benefits of choosing a high school graduation plan that includes the distinguished level of achievement under the Foundation High School Program and includes one or more endorsements to enable the student to achieve a class rank in the top 10 percent of students at the campus and encourages parents, to the greatest extent practicable, to have the student choose these options. This information must be available to all high school students

and their parents in the language in which the parents are most proficient only if at least 20 students in a grade level speak that language.

Each high school principal must choose a school counselor or school administrator to discuss personal graduation plan options with each student entering ninth grade, along with the student's parent. This plan must be confirmed and signed by both the student and the student's parent before the end of the student's ninth grade school year.

A personal graduation plan for a student in high school must identify a course of study that promotes college and workforce readiness and career placement and advancement. The personal graduation plan must also help the student transition from secondary to postsecondary education, where applicable. International Leadership of Texas will not prevent the student and the student's parent or guardian from choosing a distinguished level of achievement or an endorsement. For students with disabilities who receive special education services through an IEP, the IEP may serve as the Personal Graduation Plan.

Tex. Educ. Code § 28.02121

Sec. 13. SUMMARY OF PERFORMANCE

A summary of performance ("SOP") generally refers to a summary of the student's academic achievement and functional performance, which includes recommendations on how to assist the student with a disability in meeting the student's postsecondary goals. An SOP is required for the student whose eligibility under special education terminates due to graduation from secondary school with a regular high school diploma or due to exceeding the age of eligibility for FAPE.

The SOP must consider the views of the parent, the views of the student, and written recommendations for adult service agencies (such as the Department of Assistive and Rehabilitative Services) on how to assist the student in meeting postsecondary goals.

An evaluation must be included as part of the SOP for students graduating based on:

- Completion of the credit requirements for graduation under the Foundation High School Program or the Minimum High School Program through courses, one or more of which contain modified curriculum;
- Satisfactory performance on required state assessments, unless the ARD Committee has determined that satisfactory performance on the assessments is not necessary for graduation; and
- Completion of the individualized education program.

34 CFR 300.305(e); 19 TAC 89.1070(g)