

**Act 151 and Act 291 of the 2013 Legislative Session** provide for public high school students with exceptionalities who are not pursuing a high school diploma to not be administered any examination pursuant to the Louisiana Educational Assessment Program or the Louisiana school and district accountability system, including American College Testing (ACT), unless one or both of the following apply:

- The student's Individualized Education Plan (IEP) indicates that the examination is an appropriate assessment instrument for the student; and/or
- The student's parent or legal guardian requests in writing that the student is administered the examination.

**This is not a change from current policy or practice; IEP Teams have always determined the appropriate pathways and assessments for students with disabilities and should continue to do so.** To clarify how the new state law impacts testing and exit pathway decisions made for student with disabilities, the Department developed guidance in response to the most frequently asked questions.

## **Frequently Asked Questions (FAQs)**

### **What are the current exit options available for students with disabilities?**

Students with disabilities who meet the Louisiana Alternate Assessment Level 1 (LAA 1) eligibility criteria are eligible to receive a Certificate of Achievement.

All other students with disabilities, including students who meet the Louisiana Alternate Assessment Level 2 (LAA 2) eligibility requirements, are eligible for a high school diploma and should participate in general education courses and content standards. The current exit options on the IEP include the LA Core 4 Diploma, the Basic Core Diploma, the Career Diploma, the Non-Diploma Industry Based Certificate (IBC), the Non-Diploma State Approved Skills Certificate (SASC), the Non-Diploma High School Equivalency Diploma and the Non-Diploma Certificate of Achievement (COA).

The non-diploma options are considered when a student does not meet the graduation requirements. Full graduation requirements can be found at <http://www.louisianabelieves.com/academics/graduation-requirements>.

### **Who determines the appropriate anticipated exit pathway for students with disabilities?**

The IEP Team, including the parent and student, determine the most viable option for the student based on the student's abilities, postsecondary goals, and transition planning.

### **How do IEP teams ensure parents clearly understand students' exit pathways, particularly the potential negative consequences of choosing a non-diploma pathway?**

IEP teams must explain the differences between diploma options and non-diploma options. They should also explain the implications of the various options and ensure parents understand. As part of the IEP process, the Team should discuss the exit pathways and discuss the difference between a diploma and a non diploma pathway. If it appears a student will be unable to meet the graduation requirements for a high school diploma, the IEP Team must complete a Non-diploma Pathway Consideration Checklist. A parent signature is also required on the Placement/Least Restrictive Environment page of the IEP to ensure that the parents understand the implications of their child receiving a non-diploma exit certificate.

## **How does an IEP Team determine if a student eligible for LAA 2 should be placed on a non-diploma pathway?**

In the vast majority of cases, students eligible for LAA 2 should be working toward a diploma and have access to the general education courses and content standards. The decision to place a student eligible for LAA 2 on a non-diploma pathway should not be made lightly given the long-term impact on a student's postsecondary opportunities, including access to higher education as well as employment options.

The IEP team will review the Individual Graduation Plan (IGP) and create the student's Transition Plan. As part of this process, when a team believes a non-diploma pathway is appropriate, the team will complete the Non-diploma Checklist to ensure all exit options have been considered. If both the IGP and the Non-Diploma Checklist indicate that the student will not be earning a diploma and the parents agree that this is the best option, the student is moved to a non-diploma pathway. It is critical, however, that the implications of placing the student on a non-diploma pathway are clearly articulated to the student and parents.

## **How does the Individual Graduation Plan (IGP) support the IEP Planning Process?**

An IGP must be developed for all students at the end of 8th grade and reviewed annually. The IGP outlines a student's high school course of study by first determining the student's postsecondary goal and the exit document needed to achieve that goal. The IGP should be reviewed annually based on the student's performance in coursework, statewide assessments, and the Transition plan. The information on the IGP should support the development of the student's annual IEP goals and Transition plan. The student's postsecondary goals and proposed high school course of study should be the most critical factors to consider when identifying the anticipated exit document on the Transition Plan and the IGP should indicate the student is non-diploma bound.

## **Will the Individual Graduation Plan (IGP) need to be updated if the student is moved to the non-diploma pathway?**

Yes, any changes to exit options, areas of concentration, etc. should be updated in the IGP and

signed off by the student's parents/guardians.

## **Does the new legislation apply to End-of-Course tests (EOCs)?**

Yes, if the IEP Team has determined a non-diploma pathway is the only viable option for the student, the student is not required to participate in an EOC test unless the IEP team or the parent decides that the student should participate in EOC testing. This should be a rare occurrence since most students eligible for LAA 2 should be taking general education courses with their peers.

## **Does the new legislation apply to the American College Testing (ACT) requirement?**

Yes, if the IEP Team has determined that a non-diploma pathway is the best option for the student, the student is exempt from taking the ACT. If the IEP deems that the ACT is an appropriate assessment or the parent/guardian has requested in writing that the student take the ACT or related assessments, then the student shall participate.

## **When is a high school student considered “non-diploma bound” for accountability purposes?**

Students are considered “non-diploma bound” when an IEP team selects a non-diploma pathway as the anticipated exit document on the Transition Plan within the student's IEP and all necessary documentation is completed and signed by parents and IEP team members. The Transition Plan must be developed and implemented by the student's sixteenth birthday, and the Transition Plan portion of the IEP must be reviewed and updated annually.

## **If a student eligible for LAA 2 and placed on a non-diploma pathway does not take the statewide assessment per IEP team's recommendation, how does this impact the school and district accountability score?**

If the student's IEP identifies that the student is on a non-diploma pathway as indicated on the Transition Plan, the school will not receive a zero for having a “non-tested student” if the student does not take the statewide assessment. However, per federal regulations, non-tested students will be counted as non-participants in all federal reporting including subgroup calculations.

Federal regulations require states to issue a penalty for districts that fail to meet 95% subgroup participation. Currently districts that do not meet the 95% participation requirement are ineligible for the Top Gains distinction and this will continue to be in effect. Additionally, districts that do not meet the participation minimum will be required to submit a written explanation including actions that will be taken to prevent low participation from reoccurring.

## **How are students in LAA 1 impacted by this legislation?**

Students in LAA 1 are not impacted by this legislative change.