

Title 28 EDUCATION

Part XCVII. Bulletin 1530—Louisiana's IEP Handbook for Students with Exceptionalities

Chapter 4. Alternative Pathways to Promotion and Graduation

§401. Eligible Students and IEP Team Responsibilities

A. Beginning with the 2014-2015 school year, IEP Teams shall determine promotion and may establish an alternative pathway for fulfilling graduation requirements, pursuant to regulations set forth in this chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4, R.S. 17:183.2, R.S. 17:183.3, R.S. 17:1941 et seq., and R.S. 17:2925.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 40:

§403. Requirements for Promotion

A. Beginning in spring 2015 and in accordance with procedures set forth by the LDE, IEP Teams shall determine promotion to the next grade level for a student with a disability who fails to meet state or local established performance standards on any assessment for purposes of promotion. Such determination shall be made only if, in the school year immediately prior to each grade level in which the student would otherwise be required to demonstrate certain proficiency levels in order to advance to the next grade level, the student has not otherwise met the local requirements for promotion or has not scored at or above the basic achievement level on the English language arts or mathematics components of the required state assessment and at or above the approaching basic achievement level on the other.

B. If an IEP Team determines that the student is not required to meet state or local established performance standards on any assessment for purposes of promotion, it shall:

1. Identify rigorous educational goals for the student;
2. Include diagnostic information, appropriate monitoring and intervention, and other evaluation strategies;
3. Include an intensive instructional program;
4. Provide innovative methods to promote the student's advancement including flexible scheduling, alternative learning environments, online instruction, or other interventions that are proven to accelerate the learning process and have been scientifically validated to improve learning and cognitive ability; and
5. Identify a course of study that promotes college or workforce readiness, or both, career placement and advancement, and transition from high school to postsecondary education or work placement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4, R.S. 17:183.2, R.S. 17:183.3, R.S. 17:1941 et seq., and R.S. 17:2925.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 40:

§405. Requirements for Graduation

A. Beginning with the 2014-2015 school year, by the end of eighth grade, the IEP Team of a student with a disability shall begin to develop an Individual Graduation Plan pursuant to Bulletin 741 and the provisions of this chapter.

B. Beginning with the 2014-2015 school year, if a student with a disability has not met state-established benchmarks on state assessments for any two of the three most recent school years prior to high school, or for the two most recent administrations of any state-established assessments required for graduation, the IEP Team may determine if the student is required to meet state or local established performance standards on any assessment for purposes of graduation.

C. Students with disabilities shall be afforded the same opportunities to pursue a standard diploma and to exit with all course credits, honors, and financial awards as other students. A student is not guaranteed a diploma and

shall meet either the standard requirements for graduation or those established by his IEP Team to be awarded a diploma.

D. Pursuant to the Elementary and Secondary Education Act (ESEA), the state academic content standards shall apply to all public schools and public school students in the state and include the same knowledge and skills expected of all students and the same level of achievement expected of all students, with the exception of students with the most significant cognitive disabilities who may access alternate academic achievement standards and achievement levels. Only diplomas earned by students who have pursued the regular academic state standards and who have earned all state-required Carnegie credits shall be considered regular diplomas in the state and district accountability system, pursuant to federal laws and regulations.

E. If an IEP Team determines that state-established benchmarks on the required state assessments are no longer a condition for graduation for a student, it shall:

1. Within thirty days of the start of the next school year or course, establish minimum performance requirements in the student's IEP relevant to graduation requirements. The LDE shall make available a list of multiple appropriate assessments and guidance for use in establishing minimum score requirements on the assessments that an IEP team may, but shall not be required to, use for this purpose. The IEP Team shall consider establishing minimum performance requirements for annual academic and functional goals designed to meet the student's needs that result from the student's disability and that will enable the student to be involved in and make progress in the general education curriculum, and to meet other educational needs of the student that result from the student's disability, including the student's postsecondary goals related to training, education, employment, and where appropriate, independent living skills.

2. Provide the student and his parent or legal guardian with information related to how requirements that vary from standard expectations may impact future educational and career options.

3. Require the student to successfully complete IEP goals and requirements and to ensure that the student meets at least one of the following conditions, consistent with the IEP:

a. Employment in integrated, inclusive work environments, based on the student's abilities and local employment opportunities, in addition to sufficient self-help skills to enable the student to maintain employment without direct and continuous educational support from the school district;

b. Demonstrated mastery of specific employability skills and self-help skills that indicate that he does not require direct and continuous educational support from the school district; or

c. Access to services that are not within the legal responsibility of public education or employment or education options for which the student has been prepared by the academic program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4, R.S. 17:183.2, R.S. 17:183.3, R.S. 17:1941 et seq., R.S. 17:2925, 20 U.S.C. 6301 et seq. and 20 U.S.C. 1400 et seq..

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 40: