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MEMORANDUM

TO: Superintendents and Special Education Directors

FROM: OSDE Office of Special Education Services

DATE: February 8th, 2023

SUBJECT: Graduation and Diplomas for Students who Participate in the Oklahoma Alternate Assessment Program

Under the IDEA, the obligation to make available a free appropriate public education (FAPE) continues beyond high school if the student has not graduated from high school with a regular diploma (as defined by IDEA and ESSA). To be treated as a "regular high school diploma" federal law requires that it be fully aligned with the State's standards. ESSA, Section 8101(43).

§ 300.102 Limitation - exception to FAPE for certain ages.

- As used in paragraphs (a)(3)(i) through (iii) of this section, the term *regular high school diploma* means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma;
- *except that* a regular high school diploma **shall not be aligned to the alternate academic achievement standards** described in section 1111(b)(1)(E) of the ESEA. A regular high school diploma does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential.

Therefore, students assessed through the Oklahoma Alternate Assessment Program (OAAP) are NOT eligible for a regular high school diploma. The OAAP is aligned to alternate academic achievement standards. This means that the standard diploma offered in Oklahoma districts to these students does not cease a district's FAPE obligation and should not count as graduated for accountability purposes.

Our state currently only has one diploma option. The OSDE has been exploring options to ensure there is no negative impact on these students or the districts providing them a FAPE.

ESSA provides for the development of a state-defined alternate diploma, specifically designated for students with the most significant cognitive disabilities assessed using the alternate assessment aligned to alternate academic achievement standards (OAAP). In essence, this allows students who take the OAAP to receive a diploma that counts for graduation purposes under our accountability system. Those students may then continue to receive services until the school year in which they turn 22. Students who earn an alternate diploma may not be prevented from working towards meeting the requirements for the standard diploma.

Once a student earns the required credits utilizing the alternate academic achievement standards, typically completed within four years, they would then receive an alternate diploma. However, even after graduating with an alternate diploma a student may return to receive FAPE through the maximum age. Furthermore, as an example, after four years of high school earning the required credits to graduate with an alternate diploma, the adult student or the guardian of the student may choose to exit and not to return to receive FAPE through the school year in which they turn 22 (maximum age).

A state-defined alternate diploma must meet three requirements:

- ✓ Standards-based;
- ✓ Aligned with the State requirements for the regular high school diploma; and
- ✓ Obtained within the same period for which the State ensures the availability of a free appropriate public education under section 612(a)(1) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(1)).

How is the State-defined Alternate Diploma different from a Standard Diploma?

- A State-defined Alternate Diploma does not terminate a free appropriate public education (FAPE) for students with an Individualized Education Program (IEP).
- The alternate diploma is only for those students assessed using the alternate assessment aligned to alternate academic achievement standards.

How will this diploma impact these students' future postsecondary and/or transition opportunities?

- For postsecondary and transition opportunities, many institutions will accept the credential for transition opportunities. As with the standard diploma, there would most likely be additional admission criteria for postsecondary institutions.

How does the Alternate Diploma apply to the four-year adjusted cohort graduation rate (ACGR) calculations?

- Students receiving a State-defined Alternate Diploma will count toward the four-year adjusted cohort graduation rate, regardless of the year they receive their alternate diploma – provided they graduate within the time period for which Oklahoma

ensures the availability of a free appropriate public education (FAPE) for students with disabilities.

- This allows schools to serve those students without being penalized if they do not graduate within their four-year cohort.

What are the benefits of a State-Defined Alternate Diploma?

- Although districts in Oklahoma have been providing high quality education to students with the most significant cognitive disabilities, developing an alternate diploma will help create more access and opportunity for these students and provide services that are more closely aligned to their unique needs.
- Academic coursework for these students needs to be appropriate and challenging. The OSDE will ensure through the alternate academic achievement standards that students will be exposed to the same level of academic rigor across the state.
- Life skills, transition skills, and career readiness, should be an important part of the curriculum for these students. The OSDE would like to create, through the help of stakeholders (parents and teachers), additional courses that reflect what these students need to help them succeed in postsecondary life.
- These students should receive recognition for their accomplishments and that recognition should provide equal benefit. Other options, such as a certificate of completion, do not carry the same weight as a state-defined alternate diploma.

Should students who reach the “maximum age” in the 2022-2023 school year be awarded a standard diploma?

- An IEP team should determine whether, absent the option for an alternate diploma for the 2022-2023 school year, to award a student participating in the OAAP with a standard diploma. The OSDE does not wish to negatively impact postsecondary options for these students or prevent them from receiving recognition for their accomplishments.
- If a student has not reached the maximum age for FAPE, receiving a standard diploma (for the 2022-2023 school year) will not cease a district’s FAPE obligation. However, some adult students may wish to pursue postsecondary options and exit high school prior to reaching maximum age.

For questions, please contact the OSDE Office of Special Education Services at (405) 521-3351.