



**ARIZONA DEPARTMENT OF
EDUCATION**

Arizona Department of Education

Tom Horne, Superintendent of Public Instruction

**Exceptional Student Services
Arizona Technical Assistance System
(AZ-TAS)**

**Frequently Asked Questions about
Graduation of Students with Disabilities in
Arizona's Schools**

Revised 1/31/2020

**Technical Updates 4/2024: Updated CCC Resource Locations (pg. 5),
CPR citation (pg. 5)**

Introduction

Graduation is typically defined as the completion of high school; however, there are many interpretations and meanings attached to the term. Since the landmark decision of *Brown v. Board of Education* recognized the universal right of *all* students to attend educational institutions equally, graduation and the graduation ceremony have become a normative rite of passage from childhood to adult status in our culture. As a result of hard-won progress and Acts such as the Individuals with Disability Education Act and No Child Left Behind, students with disabilities now have the same opportunity to earn a high school diploma as all other students.

This document, created by the Arizona Department of Education/Exceptional Student Services (ADE/ESS) in collaboration with the Dispute Resolution and Assessment sections, is meant to serve as technical assistance for special education stakeholders and is written in question and answer format. It is intended to provide answers to questions received by ADE/ESS regarding graduation of students with disabilities. This document will outline what it means to graduate from high school in Arizona.

How does the Individuals with Disabilities Education Act describe a free appropriate public education?

The Individuals with Disabilities Education Act (IDEA) is a comprehensive federal law that governs the provision of special education and related services to children with disabilities. One of the stated purposes of the IDEA is to “ensure that all children with disabilities have available to them a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living.”ⁱ A FAPE is defined as special education and related services that are provided at public expense, under public supervision and direction, and at no cost to parents.ⁱⁱ These must be provided in conformity with each student’s individualized education program (IEP).ⁱⁱⁱ

How does high school graduation affect the right of a child with a disability to receive a FAPE?

The federal regulations that implement the IDEA require that all children with disabilities between the ages of 3 and 21 receive a FAPE, with some exceptions.^{iv} Students with disabilities who have graduated from high school with a regular high school diploma are no longer entitled to receive a FAPE.^v Students are still entitled to receive a FAPE until they graduate with a regular high school diploma or until they have “aged out.”^{vi} In Arizona, students with disabilities who reach the age of 22 during the regular school year shall continue to receive special education services until the end of that school year.^{vii}

What is a regular high school diploma in Arizona?

A regular high school diploma is a written acknowledgment by a public education agency's (PEA) governing board that a student has met the graduation requirements established by the Arizona State Board of Education by successfully earning a passing grade in courses aligned with the State's academic standards. "The determination and verification of student accomplishment and performance shall be the responsibility of the subject area teacher."^{viii}

Regardless of the student's educational environment, IEP teams determine the accommodations, modifications, and other supports needed in a course so that the student can access the content and make meaningful academic progress. Courses taken across different settings and in a variety of placement environments may be eligible for credit toward a regular high school diploma if the course is aligned to the state standards in the requisite content category. The determination as to whether course content is appropriately aligned to Arizona's Academic Standards is made at the PEA level and should be decided on a case-by-case basis.

In Arizona, the diploma that qualifies as a *regular high school diploma* is the standard high school diploma (those that are issued to a preponderance of students in the State), a higher diploma awarded by a governing board, or the Grand Canyon diploma.^{ix}

Does a GED or a certificate issued by the PEA qualify as a *regular high school diploma*?

All students should be given the opportunity to earn a regular high school diploma. According to the regulations that implement the IDEA, a regular high school diploma is a diploma that is aligned with the State's academic standards. In order to conform with the definition found in the Elementary and Secondary Education Act (ESEA), the IDEA regulations were recently revised to clarify that 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." Although it is within the authority of PEAs to issue an alternative credential that is not aligned with the State's academic standards or any other alternative certificate option, these options are *not* considered a regular high school diploma. A student who has not earned a regular high school diploma still has the right to receive a FAPE.^x

There are instances in which a student may not receive a regular diploma. For a small subset of students, even when provided with substantial support, accommodation, curriculum

modification, and services beyond their graduation cohort, the ability to meet minimum state standard requirements may not be possible.

Does ADE/ESS determine Arizona's graduation requirements?

ADE/ESS *does not* determine Arizona's graduation requirements. The Arizona State Legislature directed the Arizona State Board of Education to prescribe a minimum course of study for the graduation of pupils from high school.^{xi} Accordingly, the Arizona State Board of Education established the minimum course of study and competency requirements for graduation from high school through the rulemaking process. These requirements can be found in Title 7, Chapter 2, of the Arizona Administrative Code.^{xii}

How are a PEA's minimum requirements for high school graduation determined?

While the Arizona State Board of Education is charged with prescribing a minimum course of study and corresponding competency requirements, incorporating the academic standards in at least the areas of reading, writing, mathematics, science, and social studies,^{xiii} a charter school or district's governing board has the flexibility to prescribe a course of study and competency requirements that are consistent with and not less than the course of study and competency requirements that the Arizona State Board of Education prescribes.^{xiv}

The Arizona State Board of Education has established 22 required credits as the minimum number of credits in specified subject areas necessary for high school graduation. Specifically, for the graduating class of 2017 going forward, students must earn credits in the content areas listed below as determined by the PEA:

- English or English as a Second Language: 4 credits
- Social Studies: 3 credits
- Mathematics: 4 credits
- Science: 3 credits
- The Arts or Career and Technical Education: 1 credit
- Locally Prescribed Courses: 7 credits

Additional information regarding course content and how these requirements may be met for all students, regardless of disability, are defined in greater detail in the Arizona State Board of Education rules.^{xv} The mathematics requirements may be modified for students using a personal curriculum pursuant to [R7-2-302.03](#).

Can students who participate in the Multi-State Alternate Assessment (MSAA) receive credit toward graduation for course work?

Yes. Arizona administers the Multi-State Alternate Assessment (MSAA) for English and math. According to the Arizona Department of Education's Assessment section, the MSAA is a comprehensive assessment system designed to assess students with significant cognitive disabilities and measure academic content that is aligned to and derived from Arizona's academic standards. Students whose coursework is aligned to the State's academic standards through core content connectors, and who would therefore participate in alternate assessments, can receive credit toward graduation upon the successful completion of coursework. The determination as to whether course content is appropriately aligned to Arizona's Academic Standards is made at the PEA level. The Core Content Connectors (CCCs) can be found on the ADE website at <http://www.azed.gov/assessment/msaa/> under the Resources tab, in two documents titled, "NCSC Instructional Resources for English and Language Arts" and "NCSC Instructional Resources for Mathematics."

Must a student with a disability pass the civics test in order to graduate?

Not always. A student with a disability is not required to pass the civics test in order to graduate from high school unless he or she "is learning at a level appropriate for the pupil's grade level in a specific academic area and unless a passing score on the statewide assessment or the [civics test] is specifically required in a specific academic area by the pupil's individualized education program as mutually agreed on by the pupil's parents and the pupil's individualized education program team or the pupil, if the pupil is at least eighteen years of age."^{xvi}

Schools are required to document on each student's transcript that he or she has passed the civics test.^{xvii} In order to meet this documentation requirement for students with disabilities who are not required to pass the civics test without revealing the student's disability status in violation of the Family Educational Rights and Privacy Act (FERPA), schools can simply indicate on the student's transcript that the civics test requirement has been "met" or "not met."

Is participation or completion of a school-offered cardiopulmonary resuscitation (CPR) program required for graduation?

A.R.S. § 15-718.01(A) states, "On or before July 1, 2019, school districts and charter schools shall provide public school pupils with one or more training sessions in cardiopulmonary resuscitation, through the use of psychomotor skills in an age-appropriate manner, during high school."^{xviii} Although it is unclear from the statute whether CPR training is required for graduation, A.R.S. § 15-718.01(D)(3) allows a child's IEP team to make an individualized determination to excuse the child from the instruction.

What can the IEP team do with regard to graduation requirements?

IEP teams may determine the sequence of courses and which classes the student may take to fulfill the minimum competency requirements, so long as the classes are aligned to the state standards. *It is the responsibility of PEAs to determine if the course content aligns to state standards.* Mastery of IEP academic or transition goals should enable students with disabilities to progress in the minimum course of study set forth by the Arizona State Board of Education and PEA but cannot be substituted for earning the credits required for graduation. IEP teams may not alter the number of credits nor the subject matter areas required to graduate with a regular high school diploma.

This is based upon guidance provided by the United States Department of Education/Office of Special Education and Rehabilitative Services (OSERS), which has explained that the IDEA does not make achievement of the IEP goals of a student with a disability a prerequisite for acquiring a regular high school diploma. The IDEA does not establish standards for graduation as a general matter.^{xix} OSERS further explained in 2014 when describing why a Louisiana statute that allowed IEP teams to set requirements for high school graduation that are not fully aligned with the State’s academic standards could violate federal education and discrimination laws. OSERS explained that the Elementary and Secondary Education Act requires States to apply the same content and achievement standards to all students,^{xx} including students with disabilities.^{xxi} OSERS went on to explain that “the authority to set and/or modify those standards rests solely with the State” (which, in Arizona, is the State Board of Education) and “[g]iving IEP teams authority to apply different standards for promotion or graduation to students with disabilities will result in those students being taught to different and, [sic] potentially lower, standards than students without disabilities, thus depriving them of the same opportunities to learn that are available to their non-disabled peers.”^{xxii} Failing to apply the same academic standards to students with disabilities would be inconsistent with the IDEA’s definition of special education, which requires schools to specially design instruction to meet the unique needs of children with disabilities and provide access to the general curriculum so that they can meet the educational standards that apply to all children.^{xxiii}

What is the difference between high school graduation and “aging out” of high school?

The IDEA regulations mandate that a FAPE must be available to all children with disabilities between the ages of 3 and 21.^{xxiv} In Arizona, students with disabilities who reach the age of 22 during the regular school year shall continue to receive special education services until the end of that school year.^{xxv} When a student with a disability completes the school year in which he or she turns 22, the student “ages out” of special education and is no longer eligible to receive a FAPE, whether or not the student has met graduation requirements. This is different from graduating, which means that the student has met graduation requirements by successfully

completing coursework that is aligned with the State's academic standards, or higher standards established by the PEA, and has, therefore, earned a regular high school diploma. A student with a disability may continue pursuing a diploma through age 22.

How are postsecondary transition activities in IEPs different from graduation requirements?

Graduation requirements are defined as the minimum course of study and corresponding competency requirements established by the Arizona State Board of Education that a student must meet in order to receive a regular high school diploma for all students.

Postsecondary transition activities, in contrast to graduation requirements, are intended to position a child with a disability to pursue employment, education/training, and independent living after high school in accordance with the purpose of the IDEA. The transition services can identify specific instruction and/or activities directly related to measurable postsecondary goals (MPGs) that could take place in a required course. It is important to note that the course of study outlined in a student's IEP is part of the transition activities and not the student's graduation plan. The courses listed in the IEP are targeted to provide the student with the opportunity to gain knowledge and skills directly related to the MPGs and are not designed to be an exhaustive list of graduation requirements. Transition activities are integrated into and occur simultaneously with a student's coursework and are not delayed until after coursework toward graduation requirements has been completed.

Secondary transition activities are required for a FAPE and are critical to the success of students with disabilities for their adult lives. ADE/ESS employs a team of knowledgeable professionals dedicated to supporting transition stakeholders in meeting the secondary transition needs of school-age youths with disabilities. For more information please go to <http://www.azed.gov/specialeducation/transition/>.

For questions regarding providing appropriate transition services or best practices in transition planning, please email the Secondary Transition team at ESSTransition@azed.gov.

What documentation is required when a student with a disability graduates with a regular high school diploma or ages out of special education?

PEAs must provide the student with a summary of his or her academic achievement and functional performance, which must include recommendations to assist an exiting student in meeting his or her postsecondary goals.^{xxvi} Additionally, the PEA must provide prior written notice to the eligible student, or to his or her parents, if the student has not reached the age of majority,

documenting the change of placement.^{xxvii} PEAs are not required to evaluate a student with a disability whose end of eligibility for special education and related services results from the student aging out or graduating.

Do PEAs continue to receive funding for students after their four-year high school cohort has graduated?

The graduation of a student's cohort would not impact the PEA's ability to receive funding for a student who has not yet graduated or aged out. PEAs receive funding for any full- or part-time student, as those terms are defined in A.R.S. § 15-901(A)(1).

Can a student participate in the graduation ceremony if he or she does not earn a regular high school diploma?

The graduation ceremony refers to the event where students are awarded academic degrees or diplomas and is not synonymous with a student's eligibility to receive a diploma. Section 504 of the Rehabilitation Act prohibits PEAs from limiting participation in graduation ceremonies to only students who graduate with a regular high school diploma. Arizona has no specific law or policy regarding who can participate in graduation ceremonies. The decision about whether a particular student may participate lies with the individual PEA and must be made in compliance with Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

ⁱ [20 United States Code \(20 U.S.C.\) § 1400\(d\)](#)

ⁱⁱ [20 U.S.C. § 1401\(9\)](#)

ⁱⁱⁱ *Id.*

^{iv} [34 Code of Federal Regulations \(34 C.F.R.\) § 300.101](#)

^v [34 C.F.R. § 300.102\(a\)\(3\)\(i\)](#)

^{vi} [34 C.F.R. § 300.102\(a\)\(3\)\(ii\)](#)

^{vii} [A.R.S. § 15-764\(A\)\(1\)](#)

^{viii} [A.A.C. R7-2-302\(5\)\(b\)](#)

^{ix} [A.R.S. § 15-792.03](#)

^x [34 C.F.R. § 300.102\(a\)\(3\)\(iv\)](#)

^{xi} [Arizona Revised Statutes \(A.R.S.\) § 15-701.01\(A\)\(1\)](#)

^{xii} [Arizona Administrative Code \(A.A.C.\) sections R7-2-302](#)

^{xiii} [A.R.S. § 15-701.01\(A\)](#)

^{xiv} [A.R.S. § 15-701.01\(C\)](#)

^{xv} [A.A.C. R7-2-302](#)

^{xvi} [A.R.S. § 15-763\(A\)](#)

^{xvii} [A.R.S. § 15-701\(A\)\(2\)](#)

^{xviii} [A.R.S. § 15-718.01\(A\)](#)

^{xix} [See, e.g., Letter to Richards, 17 IDELR 288 \(OSERS 1990\)](#)

^{xx} [The ESEA was reauthorized in 2015 and renamed the Every Student Succeeds Act \(ESSA\). ESEA section 1111\(b\)\(1\)\(B\) cited by OSERS in Letter to White is now ESSA section 1111\(B\)](#)

^{xxi} [Letter to White, 63 IDELR 230 \(OSERS 2014\)](#)

xxii *Id.*

xxiii [34 C.F.R. § 300.39\(b\)\(3\)](#)

xxiv [34 C.F.R. § 300.101](#)

xxv [A.R.S. § 15-764\(A\)\(1\)](#)

xxvi [34 C.F.R. § 300.305\(e\)\(3\)](#)

xxvii [34 C.F.R. § 300.503\(a\)](#)