

Council recommended changes to Louisiana Department of Education recommended policy revisions related to Act 833

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 2014-15 school year, IEP Teams may ~~shall~~ determine promotion and may establish an alternative pathway ~~methods of demonstrating proficiency~~ for fulfilling graduation requirements, pursuant to regulations set forth in this chapter, for any student with a disability provided the student has not met state established benchmarks on standardized tests and/or local promotion requirements ~~is pursuing regular state academic standards.~~^{i ii}

§ 403 Requirements for Promotion

- A. Beginning in spring 2015 and in accordance with procedures set forth by the LDE, IEP Teams may ~~shall~~ⁱⁱⁱ determine promotion to the next grade level for a student with a disability who fails to meet the required achievement level necessary for promotion to the next grade on a state assessment required or local requirements^{iv} for promotion. Such determination shall be made only if, ~~in grades three and seven,~~ 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 assessments and at or above the approaching basic achievement level of the other, in the school year immediately prior to the grade level with requirements to demonstrate certain proficiency levels^v.
- 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 ~~to grades five or nine,~~ 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, ~~and~~ or^{vi} 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 post-secondary education or work placement.

§ 405 Requirements for Graduation

- A. Beginning with the 2014-2-15 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 in 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 ~~required for graduation~~ 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 assessment required for graduation ^{vii}, the IEP Team shall ~~have the option of determining an alternative method for the student to demonstrate proficiency in order to fulfill graduation requirements. The student's IEP Team shall~~ ^{viii} determine if the student is required to meet state or local established performance standards on any assessment for purposes of graduation.
- C. Any students for whom an IEP Team determines that state-established benchmarks on the required state assessments are no longer a condition for promotion or graduation ~~an alternative method of demonstrating proficiency for purposes of graduation,~~ ^{ix} 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. Such 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. 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 student entering a course ~~in which there is a required state assessment,~~ ^x establish minimum performance requirements in the student's IEP relevant to graduation requirements. The LDE shall make available a list of multiple appropriate assessments that an IEP team may but shall not be required to, ^{xi} 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 or she does not require direct and continuous educational support from the 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.

ⁱ [Act 833 of 2014](#), p.3, line 29.

ⁱⁱ Act 833 of 2014, p.3, lines 6-12 and lines 25-28

ⁱⁱⁱ Act 833 of 2014, p.2, lines 22-24

^{iv} Act 833 of 2014, p.3, line 10

^v Act 833 of 2014, p.3, lines 7-9

^{vi} The use of the word 'and' would require IEP Teams to use all the interventions listed regardless of the evidence for effectiveness. Adjusting the language to 'or' clarifies that IEP Teams determine which methods will be selected as appropriate based on the individual needs of the student.

^{vii} Act 833 of 2014, p.3, line 27

^{viii} Act 833 of 2014, p.4, lines 1-3

^{ix} Act 833 of 2014, p.4, lines 1-3

^x Act 833 of 2014, p.4, lines 4-5

^{xi} Act 833 of 2014, p.4, lines 10-11