

Frequently Asked Questions for Parents about Act 833 (HB 1015) of 2014

HB1015 provides for Individualized Education Program teams of certain students with disabilities to have the option of determining alternative pathways for students with disabilities to advance to the next grade (promotion) and graduation. This bill in no way changes any of IDEA and the federal mandates as required that protects students with disabilities.

1) Why was an alternative pathway created?

Louisiana has had some of the strictest policies for students to advance (be promoted) past fourth and eighth grades and to graduate in the country. It began in 1998 when Louisiana adopted a policy that held students back in 4th grade until the age of 12 or 8th grade until the age of 16 if they did not score high enough on state standardized tests. Louisiana has held back thousands of students each year and has not provided them a pathway to leave school with a diploma. Most parents and students with disabilities realized that there was no meaningful way out and therefore dropped out (40% of all dropouts never reach the high school campus) of school as soon as possible. Advocates wanted to know why other states had such dramatic difference in graduation outcomes for students with disabilities. After review, it became evident that it was the policies regarding student advancement (promotion) and graduation in each state creating these outcome differences, not whether students were being taught or not. States that had adopted policies recognizing individualized programs for students with disabilities that included grade advancements and graduation requirements had fewer students dropping out and much higher rates of students with disabilities continuing in school and earning a high school diploma. Advocates realized that Louisiana could do better and collectively, parents of students with disabilities, special education administrators and advocates worked together to create a proposal. The legislature responded by passing HB1015 of 2014 – Act 833 without objection and over 100 Legislators signing on as co-authors.

2) Which students may have the option for an alternative pathway to be considered?

Not all students will be able, nor should they, be considered for an alternative pathway. Students with disabilities who have met required marks for promotion and/or graduation purposes will not be provided an option that is not necessary for them to be promoted to the next grade or graduate. It is expected that about a third of students with disabilities will not require consideration of an alternative pathway to graduate. Students with disabilities shall meet either the standard requirements or those established by his or her IEP team to be awarded a diploma.

A student's IEP team may determine an alternative pathway for students with disabilities regarding promotion requirements when:

- i. In years prior to 9th grade, a student did not pass the state standardized test the previous school year or did not meet the state and local requirements for advancement (promotion) to the next grade.

A student's IEP team may determine an alternative pathway for students with disabilities regarding graduation requirements when:

- ii. A student did not pass or did not meet state required benchmarks on required state assessments for any two of the three most recent school years prior to high school, or for a student in high school, did not meet state required benchmarks

on two of the most recent administrations of any state assessments required for graduation.

3) Will students on an alternative pathway still have access to the general education curriculum?

Yes. Students with disabilities will continue to have access to the general education curriculum and their Individualized Education Programs should continue to be aligned with the curriculum. The difference is that a student on the alternative pathway may have his or her IEP goals be considered as a requirement for grade promotion and earning credits toward graduation.

4) Will this alternative pathway lower expectations for students with disabilities?

No. At the present time, many students with disabilities are being put on 'non-diploma' tracks at relatively young ages. Decisions are being made as early as 3rd grade that these students will not earn a diploma. This alternative pathway will give the students with disabilities the opportunity to work towards goals without the fear of having to settle and not get a diploma.

This will be a dramatic shift away from IEP teams deciding a student's future as early as third grade but instead will be geared toward every student maximizing their academic and employment potential. Considering that students with disabilities have conditions that adversely impact their academic performance a one-size-fits-all approach to defining success simply will not work. Across every state, including Louisiana, students with disabilities do not perform as well on standardized tests as do students without disabilities. Parents of many students with disabilities recognized that standardized tests are not a true measure of their child's college or career readiness.

5) Did HB1015 create a Special Education Diploma?

No. HB1015 created an alternative pathway for certain students to earn a regular high school diploma.

6) Will this diminish the perception of the value of a diploma in the eyes of employers? Other students?

No, a diploma is an indication that a student has completed a course of study. It is expected that students will have transcripts and other skill certificates that will communicate more precisely what they have accomplished and what they can do. Consider how college diplomas indicate someone pursued and completed a course of study, but the specific course of study matters to the person considering hiring a candidate for a position. Similarly, it is expected that high school graduates will be able to better articulate what skill sets and abilities they bring to the table when being considered for a job.

7) What must the IEP teams do for students on alternative pathway to promotion or graduation?

Within 30 days of the student entering the grade level or high school course, the IEP team must establish what a student must score (minimum performance requirements) on the standardized assessment or end of course tests relevant to promotion and graduation requirements. These minimum performance requirements shall be incorporated for awarding course credits.

Students considered for an alternative pathway and their parents/guardians must be provided information about how requirements that vary from standard expectations may impact future educational and career options.

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.

8) How does this impact students with disabilities taking standardized tests and how the performance on those tests are reported and used?

Students with disabilities will continue to take all appropriate tests for the classes/grades for which they are enrolled. Performance of students will be sent to the federal government for reporting of how well students perform on these standardized tests. The difference will be how the students' scores will, or sometimes will not, be used to determine whether the student will be promoted to the next grade level or meet requirements for graduation. So for state accountability purposes there is no difference; for individual student accountability or decisions there is a world of differences.

9) Does HB1015 – Act 833 open the door for parents of children without disabilities to question why their child should pass a standardized assessment to be promoted or to graduate?

The issue will be whether parents of students without disabilities advocate for changes to the current system of retention and/or use of standardized tests for determining success in school. Considering about half of the states do not use student test performance as a requirement for graduation this may open bigger questions than which kids should have an exemption from the current policies.