

Chapter 7 Non-Discriminatory Practices

Oklahoma Special Education
Policies and Procedures
July 2022



OKLAHOMA
Education



Chapter 7: Non-Discriminatory Practices

(Previously titled Chapter 7: Discontinuation of Services, Graduation & Grading)

Guidance about GEDs

Section 1, A

- A GED is not considered a standard high school diploma. Students enrolled in GED programs are not attending public schools and are therefore not eligible for special education services.
- A student who obtained a GED certificate but wants to return to public school to complete credits toward a standard high school diploma may reenroll if 21 years old or younger on or before September 1st of that school year, and if eligible, receive special education and related services.
- Based on Oklahoma Statute (70 O.S. § 5-132.1(B)) the LEA may deny admittance of persons over the age of 21 on or before September 1st.

Alternate Diploma Guidance

Section 1, A

- If a student moves in from out-of-state with an alternate diploma and is twenty-one (21) years on or before September 1 or younger, they are still eligible for FAPE until they meet the requirements for a standard high school diploma in Oklahoma, or through the end of the school year in which they turn 22, whichever comes first.

Discontinuation of Services Guidance

Section 1, A

NEW P&P Guidance

- For students who have not yet graduated from high school and do not meet the requirements for graduation, the LEA's obligation to provide special education services ceases **through the end of the school year in which the student turns 22.**

Previous Handbook Guidance

- For students who have not yet graduated from high school by meeting requirements for graduation, the LEA's obligation to provide special education services ends ~~when the child turns 22 years of age.~~

Diploma=No Special Education Services

Sections 2&3

- Once a student has been issued a standard high school diploma because they have completed all requirements for graduation, then the student is no longer eligible for any services under IDEA.
- In the event a student on an IEP participates in graduation ceremonies while not officially graduating due to a lack of credits and/or a need to continue to receive special education and related services, **the student will not officially graduate until the time the student officially completes all requirements for high school graduation.**

Guidance on When Students are Failing and Grading

Section 4, A

- A student with a disability as identified under IDEA may receive a failing grade. However, under IDEA (20 U.S.C. § 1414(d)(4)) the LEA is obligated to meet to consider the appropriateness of the IEP and revise the IEP to address any lack of expected progress toward the annual goals and in the general education curriculum.
- Any unique grading methods or criteria required to evaluate an individual student's progress must be determined by the IEP team and documented on the IEP. Parent(s) should be informed of these unique methods or criteria, how the student is functioning, and what progress is being made.