Date:               April 7, 2015

Subject:          Official Message from the State Director of the Special Education Division

Please distribute to all administrators and special education personnel.

As graduation day approaches, we would like to remind you that California *Education Code (EC)* sections 56390–56392 allows students with disabilities to participate in graduation ceremonies and activities. They may participate whether or not they have completed all state and local graduation requirements for a diploma or certificate or document of educational achievement.

The California Department of Education (CDE) is committed to ensuring that all students with disabilities achieve to their maximum potential. It is also important to recognize each individual student’s efforts in this regard. Californialaw provides a way to recognize students with disabilities who are unable to earn a high school diploma or who have not completed all graduation requirements by the end of grade twelve.

A student with disabilities who does not meet all state and local requirements for earning a high school diploma, **may** be awarded a certificate or document of educational achievement or completion if any one of the three criteria outlined in *EC* Section56390 are met. Awarding a student with an actual certificate is a local decision.

However, any student who meets any one of the three criteria, whether or not they are receiving a document such as a certificate or a diploma, **shall** be permitted to “participate in any graduation ceremony and any school activity related to graduation in which a pupil of similar age without disabilities would be eligible to participate,” such as walking in graduation ceremonies with their class. (*EC* Section 56391)

Following are the three criteria outlined in *EC* Section 56391:

1. The individual has satisfactorily completed a prescribed alternative course of study approved by the governing board of the school district in which the individual attended school or the school district with jurisdiction over the individual and identified in his or her individualized education program, or
2. The individual has satisfactorily met his or her individualized education program goals and objectives during high school as determined by the individualized education program team, or
3. The individual has satisfactorily attended high school, participated in the instruction as prescribed in his or her individualized education program, and has met the objectives of the statement of transition services.

If a student with disabilities, who is scheduled to earn a high school diploma by the end of their senior year, has not met all graduation requirements, the district is still responsible to provide free appropriate public education (FAPE) to the student until they complete their graduation requirements or turn age twenty two, whichever comes first, even if the student has participated in a graduation ceremony (*EC* Section 56026). The individualized education program team will determine appropriate annual goals and special education supports and related services, and also will determine the appropriate educational setting that will (a) prepare the student to meet all graduation requirements by age twenty two or; (b) provide the student with functional life skills and vocational preparation until age twenty two. Should the student and/or parent refuse the offer of FAPE, the student may exit special education and the district may award the student with a certificate of completion.

If you have any questions regarding certificates of completion or diplomas for students with disabilities, please contact Jill Larson, Special Education Consultant, Quality Assurance Unit, Special Education Division, CDE; by phone at 916-327-0866 or by e-mail at [jlarson@cde.ca.gov](mailto:jlarson@cde.ca.gov).