



SHOULD I GRADUATE THIS YEAR? A GUIDE FOR STUDENTS AND THEIR FAMILIES

During your senior year of high school, your IEP Team should discuss your progress in school and whether you are ready to graduate. This can be a complicated question. Often, students and their families don't have all the information they need to answer it confidently. Additionally, sometimes IEP Teams don't agree on whether a student is ready to graduate. This guide was created to answer some of your questions about graduation. It is intended to give you a general sense of what your legal rights are.

I am a senior. Do I have to graduate this year?

No. If you have an IEP, have not turned 21, and still need to work on your academic or transition goals, you do not have to graduate. In fact, you have a right to continue in school until the end of the school term during which you turn 21. A "school term" is what we typically refer to as a school year. The school term begins when your public school opens in the early fall and ends when the school closes in the late spring. So, if you will be twenty years old when the school term begins, but will turn twenty-one during the school term, you can attend school until the school term is over in late May or early June.

Why would I want to stay in high school when my classmates and friends are graduating?

Staying in school after your senior year can mean a lot of different things: part time work, community or trade school classes, classes at your high school, or community experiences, to name a few. If you continue in school after your senior year, your IEP Team will develop an educational program that is appropriate for you at this stage of your life. Your program should be focused on your goals for life after high school and the skills you need to accomplish those goals. For example, if your goal is to attend a

trade school, your educational program after your senior year may involve picking a trade, researching schools that offer programs for that trade, applying to schools, and other related activities. If your goal is to be employed in a restaurant, after your senior year, you might be able to spend your school days working in different restaurants to gain employment skills. Staying in school after your senior year could offer you a lot of opportunities!

Is it entirely my decision whether I graduate this year?

No. Others, including your parents and other members of your IEP Team, get to weigh in on this decision. Your IEP Team, including you, should decide whether you are ready to graduate.

How will my IEP Team decide whether I should graduate?

Your IEP Team should decide if you are eligible for graduation based on these two questions:

1. Have you met the academic standards and curriculum requirements established by the state?

For some students who receive special education services, the answer to this question is “no.” If that is the case for you, you may still be eligible for graduation based on the answer to the following question:

2. Have you satisfactorily completed the special education program developed by your IEP Team? In other words, does your IEP Team agree that you have made enough progress on your academic and transition goals to graduate?

How do I decide if I have made enough progress on my academic and transition goals to graduate?

This is a personal decision that you should make with your family, with input from your teachers and other members of your IEP Team. You should think about what your transition goals are. Do you have a goal of being employed in a specific type of job? Do you have a goal of living independently, in your own place? Do you want to go to college or get a degree from a trade school? Most importantly, has your school helped you

figure out what your goals are? Has your IEP Team helped you determine how you can reach your goals? Have they planned activities and provided services to help you reach your goals? Is there more your school can do for you to help you reach your goals? If you don't know what your school can offer, you should ask. Remember, your school is legally required to offer you an appropriate program for you at this stage in your life. If they are not offering an appropriate program based on your goals, and you have questions about your legal rights, you can call Disability Rights Pennsylvania at 1-800-692-7443 or an attorney or advocate of your choice.

Whether you are ready to graduate is an important decision that you and your family should carefully consider.

What if my school thinks I should graduate, but my family disagrees?

If your school and your family do not agree on whether you have made enough progress on your IEP goals to graduate, the disagreement can be resolved through mediation or a due process hearing. If your school has decided that you should graduate, they must give your parents notice of this decision. Notice is usually provided through a form called a "Notice of Recommended Educational Placement" or "NOREP." As indicated on the NOREP form, your parents have the right to disagree with the school's decision. To disagree with the school's decision, your parent must complete the NOREP form, indicating their disagreement. Once they have completed the NOREP form, they should make a copy of it, and send it back to the school. Then, they must send a Mediation Request Form or a Due Process Complaint Notice to the Office for Dispute Resolution (www.odr-pa.org). It is extremely important for your parents to very quickly (within 10 days) notify your school in writing (on the NOREP form) that they are disagreeing with the school's decision to graduate you. By notifying your school of their disagreement, they will preserve your right to continue in school until the dispute is resolved through Mediation or a Due Process Hearing. If they do not notify your school of the disagreement and request Mediation or Due Process, you may not be able to return to school.

If I don't graduate, can I still walk in the graduation ceremony with my class?

Yes! Even if you don't graduate, you can still participate in your graduation ceremony with your class. This is true even if you need accommodations

at the ceremony. If you are not officially graduating, you will not receive a diploma at your ceremony, but you will receive a certificate of attendance or some type of modified diploma.

If I don't graduate at the end of my senior year, do I have to stay in school until I am 21?

No. You may graduate before the year you turn 21 if your IEP Team agrees that you have made sufficient progress on your academic and transition goals to graduate.

Is it ever OK for my school to graduate me (give me a regular diploma) without discussing it with my family and seeking my parents' consent?

No. Graduation is considered a "change in placement" under the law. Because graduation is a change in placement, your school must give your parents "notice" of their decision to graduate you. Notice is usually provided through a NOREP. As indicated on the NOREP form, your parents have the right to disagree with your school's decision to graduate you by requesting Mediation or a Due Process Hearing through the Office for Dispute Resolution (www.odr-pa.org).

What should I do if my school graduated me without issuing a NOREP?

If you have not yet turned 21 but your school graduated you without issuing a NOREP, and you want to return to school, you may contact Disability Rights Pennsylvania at 1-800-692-7443 (or attorney or advocate of your choice) for more information about your legal rights.

How can I get help?

If you need more information or need help, please contact Disability Rights Pennsylvania (DRP) at 800-692-7443 (voice) or 877-375-7139 (TDD). The email address is: intake@disabilityrightspa.org.

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cannot provide individual services to every person with advocacy and legal issues. Disability Rights Pennsylvania prioritizes cases that have the potential to result in widespread, systemic changes to benefit persons with disabilities. While we cannot provide assistance to everyone, we do seek to provide every individual with information and referral options.

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PLEASE NOTE: For information in alternative formats or a language other than English, contact Disability Rights Pennsylvania at 800-692-7443, Ext. 400, TDD: 877-375-7139 or intake@disabilityrightspa.org.