This document outlines the most frequently asked questions from the September and October webinars on how to implement the graduation and promotion components of Act 833. To review full copies of the power point presentations click here: Graduation (updated 10/13/14) Promotion

**Implementation**

**How does the 30-day timeline outlined in Act 833 impact districts?**
Act 833 states that within 30 days of an eligible student entering a course, the IEP team must establish minimum performance requirements for the course in the student’s IEP. The 2014-2015 school year is the first time districts will be implementing this law and the Department will not collect any data associated with Act 833 until the second semester of 2014-2015 school year.

**Who decides whether the student should receive credit for a course?**
The teacher of record determines if the student will receive credit for the course based on the performance criteria outlined in the student’s individual education program (IEP).

**Who decides if a student should be promoted to the next grade level?**
The teacher of record, in consultation with the special education teacher, should make a recommendation for promotion based on the performance criteria outlined in the student’s IEP. If any member of the IEP team disagrees with the recommendation, the IEP team may review the recommendation and determine if promotion to the next grade is appropriate.

**How do LEAs document information related to ACT 833?**
The IEP may reflect Act 833 decisions in multiple places of the IEP. This can include but is not limited to documenting information in the General Student Information (GSI), Present Levels of Performance, Programs, Services, and Comments sections on the IEP. Additionally, the IEP team should document the goal(s) aligned to the standards for specific courses in the Instructional section of the IEP.

**Are certificates of achievement still available?**
Yes, the Certificate of Achievement is still an exit pathway for students who meet the Certificate of Achievement criteria outlined in Bulletin 1706.

**Is the state still offering the graduation waiver process?**
Yes. Bulletin 741 outlines the criteria regarding the waiver of a required graduation examination. The Department will release guidance this fall on the process for LEAs to submit waiver requests.

**Individual Performance Criteria**

**Must a student with a disability meet state-established performance standards to earn credits for purposes of graduation?**
If eligible under Act 833, the student’s IEP team may set individual performance requirements for a student that are aligned to the grade-level standards for the specific courses(s) of enrollment and shall be incorporated by the teacher of record when awarding course credit.
Can the IEP team change the achievement level definitions of an EOC or LAA2 assessment for accountability purposes?
No, the achievement level definitions for all assessments have been approved by the Board of Elementary and Secondary Education (BESE) and cannot be altered. For example, an IEP Team cannot determine that an "Unsatisfactory" or “Approaching Basic” score will count as a “Satisfactory” score for accountability. The IEP Team, in conjunction with the teacher of record, can develop an education plan that includes how the student will demonstrate individual performance requirements necessary to receive course credits, including but not limited to applicable EOC or LAA 2 tests.

Can students who are eligible for LAA1 receive a high school diploma?
Yes, for the 2014-2015 school year, school districts may award diplomas to students eligible for LAA 1 and evaluated using the LAA 1 assessments. Eligible students must meet the requirements of the Certificate of Achievement and also meet one of the three criteria:
  • Employment in integrated inclusive work environments and demonstrate self-help skills; or
  • Demonstrate mastery of employability skills and self-help skills; or
  • Access to services, employment, or education options that are not available within the public school system