

## SPECIAL EDUCATION (REGULATION)

### Diplomas

1. It is recommended that **diplomas** issued to handicapped students be the same as those to nonhandicapped students. Those students that cannot meet the state mandated graduation requirements may qualify for an alternative diploma. To do otherwise may leave the local school district open for a discrimination complaint.
2. This recommendation is based on the nondiscrimination clause in Section 504 of the 1973 Vocational-Rehabilitation Act and Oklahoma Regulations. The intent is that handicapped students are entitled to receive the same considerations as nonhandicapped students. Therefore, they should not be excluded, on the basis of their handicap, from receiving any benefit for which they are otherwise qualified.
3. As long as handicapped students have successfully completed all requirements for graduation as outlined by their IEP teams or regular classes (following the Oklahoma State Board of Education guidelines for high school graduation), they cannot be denied graduation or given inferior diplomas.

### Transcripts

A student's transcript must not contain any information that is considered to be confidential. This would include reference to special education placement or categories, special services, test information or reference to handicapping conditions.

### Discipline

When considering disciplinary measures for special education students, the following should be considered:

Counseling  
"Time-out" area  
Restriction from participation in school activities  
Staying after school or class  
In-school suspension

1. When suspension of less than ten (10) days from school is necessary for the special education student, the following guidelines will be followed:
  - A. Conference held with student to:
    1. Provide opportunity for student to defend actions,
    2. Explain disciplinary measures to student;
  - B. Notify parent by telephone and confirm conversation by mail.
2. For suspension of over ten (10) days for the special education student, additional procedures should be followed:

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Schedule an IEP meeting to determine if the student's behavior is the result of the handicapping condition. When the behavior is related to the handicapping condition, and a change in program or removal from the current program is recommended, the IEP **must** be revised to reflect change in placement. The school **must** provide an alternative program (i.e., IEP revision, home-based, etc.). When behavior is not related to the handicapping condition, the procedures established for regular students should be followed. However, any long-term change in the student's current school program should be recorded in the IEP.

3. In an **emergency** situation where the student is endangering himself/herself or others, the school has the authority to remove the child from school immediately. However, the IEP/placement team must convene as soon as possible after an emergency removal to determine further appropriate action. In any event, the school district's disciplinary due process procedures must be followed.
4. Discipline problems that an IEP team is able to anticipate may be addressed on an individual basis in the child's IEP.

\*\* The Policies and Procedures Manual for Special Education for the State of Oklahoma issued by the State Department shall serve as the standing policy in all other matters concerning procedures for serving special education students.

Grading

1. There is one definite rule for grading students in all special education categories: There must not be any discrimination in the system of grading. That is, if all students in a school are graded by the A, B, C, etc., plan, special education students will also receive A, B, C, etc. In recording grades on a permanent record (such as a transcript), there must not be any reference to the student's placement in special education.
2. P.L. 94-142 is based on an "appropriate education." If this mandate is followed, fair grading should be no problem. Some suggestions:
  - A. Grades should never be given as motivation (A's) or punishment (F's).
  - B. A student should **earn** the grade. A program should be planned on the level where the child is functioning, but the teacher should always be alert to expand this level upward.
  - C. Students should not be placed in academic subject classes beyond their ability because of an inflexible school schedule.
3. Parents must understand grading in special classes. The grade earned may not be comparable to grades earned in regular classes. Parents need to be told where the student is functioning and what is being learned, rather than relying on the report card "grades" to understand progress.
4. The teacher who has the student for a period should give the grade for that time. If the grade goes on one regular report card, the special teacher and regular teacher should confer. If the regular teacher objects to giving a "passing" grade to a student who is not in his/her class, both teachers could sign the report card. Since separate report cards are given on the secondary level, there should be no problem.

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5. A student in special education can get a failing grade. The student cannot fail because the academic level is too high (that is, not an appropriate program) but failing grades may be given because of refusal to do work within capability. However, when failure does appear, consideration should be given to addressing the problem on the IEP with the idea of alleviating it.

Example: An LD or EMH student who is working below grade level could receive this grade in reading: B<sup>1</sup>--or if arithmetic or math is no problem, a grade of B<sup>2</sup>. At the end of the scale, a gifted student might receive a C in his or her class.