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1 **R277. Education, Administration.**

2 **R277-705. Secondary School Completion and Diplomas.**

3 **R277-705-1. Authority and Purpose.**

4 (1) This rule is authorized by:

5 (a) Utah Constitution [Article X, Section 3](#), which vests general control and
6 supervision of public education in the Board;

7 (b) Subsections [53E-3-501\(1\)\(b\)](#) and (c), which direct the Board to make rules
8 regarding competency levels, graduation requirements, curriculum, and instruction
9 requirements; and

10 (c) Subsection [53E-3-401\(4\)](#), which allows the Board to make rules to execute the
11 Board's duties and responsibilities under the Utah Constitution and state law.

12 (2) The purpose of this rule is to:

13 (a) provide consistent definitions;

14 (b) provide alternative methods for a student to earn credit and alternate methods
15 for schools to award credit;

16 (c) provide rules and procedures for the assessment of all students as required by
17 law; and

18 (d) provide rules for a student to receive an alternative to a traditional diploma if
19 appropriate criteria are met.

20

21 **R277-705-2. Definitions.**

22 (1) "Alternate Diploma" means a diploma issued in accordance with Section R277-
23 705-5.

24 (2) "Demonstrated competence" means subject mastery as determined by LEA
25 standards and review. LEA review may include such methods and documentation as: tests,
26 interviews, peer evaluations, writing samples, reports or portfolios.

27 (3) "Diploma" means an official document awarded by an LEA consistent with state
28 and LEA graduation requirements and the provisions of this rule.

29 (4) "FAPE" means a free appropriate public education, which includes special

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30 education and related services that are provided at public expense, under public supervision
31 and direction, and without charge in accordance with Board rule and the IDEA and Section
32 504 of the Rehabilitation Act of 1973.

33 (5)(a) "Secondary school" means grades 7-12 in whatever kind of school the grade
34 levels exist.

35 (b) Grade 6 may be considered a secondary grade for some purposes.

36 (6) "Section 504 plan" means a written statement of [~~reasonable accommodations~~]
37 related aids and services for a student with a qualifying disability that is developed, reviewed,
38 and revised in accordance with [Section 504 of the Rehabilitation Act of 1973](#).

39 (7)(a) "Special purpose school" means a school designated by a regional accrediting
40 agency, adopted by the Board.

41 (b) "Special purpose school" includes a school:

42 (i) that serves a specific population such as a student with a disability, youth in
43 custody, or a school with a specific curricular emphasis; and

44 (ii) with curricula designed to serve specific populations that may be modified from a
45 traditional program.

46 (8) "Student with a significant cognitive disability" or "SWSCD" is determined by a
47 comprehensive understanding of a whole student, including review of educational
48 considerations and data obtained through the IEP process, including whether a student:

49 (a) requires intensive, repeated, modified, and direct individualized instruction and
50 requires substantial supports to learn, maintain, and generalize skills in the student's grade
51 and age-appropriate curriculum;

52 (b) has special education eligibility documentation indicating the disability
53 significantly impacts intellectual functioning and adaptive behavior;

54 (c) demonstrates cognitive functioning and adaptive behavior in home, school, and
55 community environments, which are significantly below age expectations, even with
56 program modifications, adaptations, and accommodations;

57 (d) has a severe and complex cognitive disability, which limits the student from
58 meaningful participation in the standard academic core curriculum or achievement of the

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59 academic content standards established at grade level, without substantial support,
60 modifications, adaptations, and accommodations;

61 (e) may be eligible to participate in alternate assessments; and

62 (f) has a disability, which increases the need for dependence on others for many, if
63 not all, daily living needs, and is expected to require extensive ongoing support through
64 adulthood.

65 (9) "Supplemental education provider" means a private school or educational service
66 provider:

67 (a) that may or may not be accredited; and

68 (b) that provides courses or services similar to public school courses or classes.

69 (10)(a) "Transcript" means an official document or record generated by one or
70 several schools which includes:

71 (i) the courses in which a secondary student was enrolled;

72 (ii) grades and units of credit earned; and

73 (iii) citizenship and attendance records.

74 (b) A transcript is one part of a student's permanent record or cumulative file that
75 may include:

76 (i) birth certificate

77 (ii) immunization records; and

78 (iii) other information as determined by the school in possession of the record.

79 (11) "Unit of credit" means credit awarded for a course taken:

80 (a) consistent with this rule;

81 (b) upon LEA authorization; or

82 (c) for mastery demonstrated by approved methods.

83

84 **R277-705-3. Required LEA Policy Explaining Student Credit.**

85 (1)(a) An LEA governing board shall establish a policy, in an open meeting,
86 explaining the process and standards for acceptance and reciprocity of credits earned by a
87 student in accordance with state law.

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88 (b) An LEA policy described in Subsection (1)(a) shall include specific and adequate
89 notice to a student and a parent of all policy requirements and limitations.

90 (2)(a) An LEA shall accept credits and grades awarded to a student from a school or
91 a provider accredited by an accrediting entity adopted by the Board.

92 (b) An LEA policy may establish reasonable timelines and may require adequate and
93 timely documentation of authenticity for credits and grades submitted.

94 (3) An LEA policy shall provide various methods for a student to earn credit from a
95 non-accredited source, course work, or education provider including:

96 (a) satisfaction of coursework by demonstrated competency, as evaluated at the LEA
97 level;

98 (b) assessment as proctored and determined at the school or school level;

99 (c) review of student work or projects by an LEA administrator; and

100 (d) satisfaction of electronic or correspondence coursework, as approved at the LEA
101 level.

102 (4) An LEA may require documentation of compliance with Section 53G-6-204 prior
103 to reviewing a student's home school or competency work, assessment or materials.

104 (5) An LEA policy for participation in extracurricular activities, awards, recognitions,
105 and enhanced diplomas may be determined locally consistent with the law and this rule.

106 (6) An LEA has the final decision-making authority for the awarding of credit and
107 grades from a non-accredited source consistent with state law, due process, and this rule.
108

109 **R277-705-4. Diplomas and Certificates of Completion.**

110 (1) An LEA shall award diplomas and certificates of completion.

111 (2) An LEA shall establish criteria for a student to earn a certificate of completion that
112 may be awarded to a student who:

113 (a) has completed the student's senior year;

114 (b) is exiting or aging out of the school system; and

115 (c) has not met all state or LEA requirements for a diploma.

116 (3) A student with a disability served by a special education program shall satisfy

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117 high school completion or graduation criteria, consistent with state and federal law and the
118 student's IEP.

119 (4) An LEA may award a student a certificate of completion consistent with state and
120 federal law and the student's IEP or Section 504 plan.

121 (5) An LEA may not enroll a student with the intent to award a diploma or a certificate
122 of completion once the student has earned a high school equivalency, ~~unless continued~~
123 ~~enrollment is required by a student's IEP.~~

124

125 **R277-705-5. Alternate Diploma.**

126 (1) An LEA may award an alternate diploma to a student with a significant cognitive
127 disability if:

128 (a) the student accesses grade-level Core standards through the Essential
129 Elements;

130 (b) the student's IEP team makes graduation substitutions in the same content area,
131 from a list of alternative courses approved by the Superintendent; and

132 (c) the student meets all graduation requirements prior to exiting school at or before
133 age 22.

134 (2) An alternate diploma issued in accordance with Subsection (1) may not indicate
135 that the recipient is a student with a disability.

136 (3) Notwithstanding the award of an alternate diploma, an LEA may still be obligated
137 to provide FAPE to an eligible student in accordance with the IDEA.

138 (4)(a) The Superintendent shall provide a list of alternative courses that may be
139 considered for student with cognitive disabilities working to receive an alternate diploma.

140 (b) An LEA may submit courses to the Superintendent to be considered for possible
141 inclusion on the list required by Subsection (4)(a).

142 (c) The Superintendent shall annually update the list of alternative courses required
143 under Subsection (4)(a) following review of LEA recommendations made under Subsection
144 (4)(b).

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146 **R277-705-6. Career Development Credentials.**

147 (1) An LEA may award a career development credential to a student with an IEP or
148 Section 504 plan:

149 (a) who meets the requirements of a career focused work experience prior to leaving
150 school; and

151 (b) consistent with:

152 (i) state and federal law; and

153 (ii) the student's IEP or Section 504 plan.

154 (2) Prior to receiving a career development credential, a student shall:

155 (a) earn the following credits in core content:

156 (i) English Language Arts (3.0);

157 (ii) Mathematics (2.0);

158 (iii) Science (1.0); and

159 (iv) Social Studies (1.0);

160 (b) complete 120 hours of community based work experience, to include:

161 (i) 40 hours of paid employment; or

162 (ii) documentation of completion of intake with a vocal rehabilitation counselor or the

163 Department of Workforce Services;

164 (c) complete an LEA approved transition curriculum class or coursework that
165 includes:

166 (i) disability awareness;

167 (ii) accommodations;

168 (iii) self-advocacy training;

169 (iv) career exploration; and

170 (v) workplace soft skills;

171 (d) receive .5 credits in a CTE Work Based Learning internship, including
172 accommodations or modifications as appropriate and allowed by industry standards; and

173 (e) verify concentration in a CTE pathway in the student's area of interest.

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175 **R277-705-7. Adult Education Students.**

176 (1) An adult education student is eligible only for an adult education secondary
177 diploma.

178 (2) An adult education diploma may not be upgraded or changed to a traditional,
179 high school-specific diploma.

180 (3) A school district shall establish a policy:

181 (a) allowing or disallowing adult education student participation in graduation
182 activities or ceremonies; and

183 (b) establishing timelines and criteria for satisfying adult education graduation and
184 diploma requirements.

185

186 **R277-705-8. Student Rights and Responsibilities Related to Graduation, Transcripts
187 and Receipt of Diplomas.**

188 (1) An LEA shall supervise the granting of credit and awarding of diplomas, but may
189 delegate the responsibility to schools within the LEA.

190 (2) An LEA may determine criteria for a student's participation in graduation activities,
191 honors, and exercises, independent of a student's receipt of a diploma or certificate of
192 completion.

193 (3) A diploma, a certificate, credits, or an unofficial transcript may not be withheld
194 from a student for nonpayment of school fees.

195 (4)(a) An LEA shall establish a consistent timeline for all students for completion of
196 graduation requirements.

197 (b) A timeline described in Subsection (4)(a) shall be consistent with state law and
198 this rule.

199 (5) An LEA's graduation requirements may not apply retroactively.

200

201 **KEY: adult education, high school credits, graduation requirements**

202 **Date of Enactment or Last Substantive Amendment: February 28, 2018**

203 **Notice of Continuation: December 15, 2017**

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204 **Authorizing, and Implemented or Interpreted Law:** Art X Sec 3; 53E-3-501(1)(b); 53E-
205 3-401(4)