



New Pathway to High School Diploma For Students with Significant Cognitive Disabilities

Section 51225.31 Diploma

Effective June 30, 2022, Section 51225.31 established a new high school diploma pathway exclusively for students with significant cognitive disabilities in alignment with the federal Every Student Succeeds Act (“ESSA”) ([20 U.S.C. § 7801\(23\)\(A\)\(ii\)\(I\)\(bb\)](#)).

It is important to remember that this new diploma pathway will only apply to a narrow sub-group of students with significant cognitive disabilities who take the California Alternative Assessment (CAA) and who have taken or plan to take the statewide coursework minimum requirements for graduation (modified to alternative achievement standards).

Students with disabilities who qualify must:

- Be a student with an active IEP;
- Working towards a Certificate of Completion; and
- Scheduled to take the California Alternate Assessments (“CAA”)
 - LEAs should carefully review CDE’s [Alternate Assessment IEP Team Guidance](#) to assist in appropriately identifying students for alternate assessments, a preliminary requirement to a Section 51225.31 diploma
 - Students who will commence grades 10, 11 or 12 in the 2022-2023 school year, who took or will take the CAA in 11th grade, could be eligible for a Section 51225.31 diploma if their IEP meets the two requirements above.

IEP Procedural Requirements

- IEP team meeting must be conducted before the student begins 10th grade
- IEP team must determine and notify the student’s parent or guardian whether the student may be eligible to graduate with a Section 51225.31 Diploma

For this diploma, the student’s IEP must reflect:

- Student will take the CAA in 11th grade
- Student will complete state standards-aligned coursework
 - Modified to alternative achievement standards are acceptable

- The IEP team has determined student has significant cognitive difficulties
 - **EXCLUDES** students eligible under Specific Learning Disabilities

FAPE and LEA obligations

- There is no change in an LEA's obligation to provide a FAPE to an eligible student
- This diploma pathway does not constitute a change in placement
- Students must be permitted to participate in graduation ceremonies and activities with peers of similar age but such participation does not end their right to a FAPE

Questions

What if the additional students taking the CAA and qualifying for this new diploma exceed the LEA's 1% cap, thus exceeding our threshold?

LEAs should continue to adhere to the ESSA's 1% cap for students taking the CAA, as those exceeding this threshold may be subject to enhanced monitoring. LEAs can increase their likelihood of remaining under the 1% cap by ensuring that IEP teams review and discuss the considerations included in the CDE's "Alternate Assessment IEP Team Guidance" page linked above.

What if a student is taking the CAA but is enrolled in functional curriculum courses?

If a student does take the CAA, and takes a functional curriculum rather than courses meeting statewide minimum requirements, they will not qualify for a Section 51225.31 diploma. Students participating in functional skills, non standards-based coursework such as community-based instruction, cooking, social skills, etc. are not included in this pathway.

What about other students in the 11th or 12th grade for the 2022-2023 school year? Do they qualify?

It is our understanding that students who will commence grades 10, 11 or 12 in the 2022-2023 school year, who took or will take the CAA in 11th grade, could be eligible for a Section 51225.31 diploma if their IEP meets the two requirements above.

How does CDE address the large group of students who are not eligible for the CAA, but struggle to complete state and local graduation requirements necessary to receive a regular high school diploma?

The most recent California Budget Act of 2022 earmarked IDEA funds for CDE to identify and develop alternative coursework and performance tasks for these students to demonstrate completion of the state graduation requirements through alternate means, which is due to the State Legislature by June 30, 2024.

For the 2022-2023 school year, what actions should LEAs consider?

Identify students in 10th and 11th grade who are or may be eligible to take the CAA in 11th grade (or students in 12th grade who took the CAA in 11th grade);

Convene an IEP meeting for these students (this may require an amendment to the current IEP) to discuss the appropriateness of participation in the CAA in 11th grade, and document accordingly

Develop an IEP that reflects student will complete state standards-aligned coursework meeting the California statewide minimum coursework requirements, if appropriate;

Notify the student's parent or guardian whether the student may be eligible to graduate with a high school diploma under Section 51225.31

What technical assistance and resources will be provided to help LEAs to develop high-quality standards-based coursework using alternative standards and how will this affect data reporting and CALPADS?

CDE has not clarified what resources and technical assistance will be provided to LEAs to assist with developing high-quality standards-based coursework using alternative standards. We will continue to share information and updates as they become available.