

Division of Special Education/Early Intervention Services

Graduation Requirements and High School Assessments (HSA) for Students with Disabilities

1. What are the current high school credit requirements for graduation from high school?

The current credit requirements for a Maryland High School Diploma listed in COMAR 13A.03.02.04 were finalized in July of 2004. The regulation requires at a minimum the following specified course credits, which include:

- Four English,
- Three mathematics: One in algebra/data analysis, and One in geometry
- Three science: One in biology, and Two with laboratory experience (earth, life, or physical science)
- Three social studies: One in U. S. history; One in world history; One in local, state, and national government
- One fine arts,
- One technology,
- One-half ($\frac{1}{2}$) health,
- One-half ($\frac{1}{2}$) physical education,
- Two foreign language, or two advanced technology, and
- Three electives; or
- Four in a career and technology program, and one elective credit.

In addition to required course credits, all students are to complete 75 hours of student service or complete a locally designed program in student service approved by MSDE. These credit requirements for the Maryland High School Diploma apply to all students. Local school systems may establish additional credit requirements or add endorsements to the diploma as incentives for students to meet locally established requirements beyond the minimums specified by the State.

The alignment of high school course credit with the Core Learning Goals requires each student to take courses designated for an HSA test. During the year a student is enrolled in a course for credit, the student must take the corresponding HSA. Each HSA test is comprised of the following subtests:

HSA	Subtests
Algebra/Data Analysis	<ul style="list-style-type: none"> • Analyzing Patterns and Functions • Modeling Real-World Situations • Collecting, Organizing, and Analyzing Data • Using Data to make Predictions
English	<ul style="list-style-type: none"> • Reading and Literature: Comprehension and Interpretation • Reading and Literature: Making Connections and Evaluation • Writing: Composing • Language Usage and Conventions
Government	<ul style="list-style-type: none"> • U.S. Government Structure, Function, and Principles • Systems of Government and U.S. Foreign Policy • Protecting Rights and Maintaining Order • Impact of Geography on Governmental Policy • Economic Principles, Institutions, and Processes
Biology	<ul style="list-style-type: none"> • Skills and Processes of Biology • Structure and Function of Biological Molecules • Structure and Function of Cells and Organisms • Inheritance of Traits • Mechanism of Evolutionary Change • Interdependence of Organisms in the Biosphere

While these courses may be challenging for students with disabilities this has provided increased opportunities for access to high quality programs and the content needed to be eligible for a Maryland High School Diploma and post-secondary opportunities.

The graduating class of 2009, students entering grade 9 in the 2005-2006 school year, are required to take the HSA in English, algebra/data analysis, biology, and government **and** pass all four tests, **or** earn a minimum score on each test and a combined score equal to the total of the four passing scores, **or** earn a passing score on approved substitute tests.

2. What are the graduation and Maryland HSA expectations for students with disabilities?

ALL students, including students with disabilities, are expected to receive instruction consistent with the Voluntary State Curriculum (VSC), based on the Maryland Content Standards, Core Learning Goals, and must be assessed on their attainment of grade level reading (English) and math (algebra/data analysis) content for the high school band of Maryland School Assessment (MSA) and course content of algebra/data analysis, biology, and government for the HSA. Students with disabilities are expected to have access to general education curriculum, instruction in the content, meet the same enrollment, attendance, credit, course, service learning requirements as their nondisabled peers, and participate in State assessment programs (MSA and HSA). If the student has been determined by his or her Individualized Education Program (IEP) team to have a significant cognitive disability, that student would be required to participate in the ALT-MSA. Question #10 below describes the required criteria for participation in Alt-MSA.

3. Are there any other testing options for student who may not be able to pass the HSA?

Yes. MSDE is currently working on different assessments for students with disabilities and others who may not be able to pass the HSA.

- **Alt-MSA:** Students with significant cognitive disabilities who are unable to participate in regular testing take the Alternate Maryland School Assessment—or Alt-MSA—which has been administered since 2003. The Alt-MSA is tailored to each student’s unique instructional needs, and students taking the test earn a Certificate of Program Completion instead of a high school diploma. For more information, please refer to Question #11 in this document.
- **Mod-HSA:** In May 2004, the U.S. Department of Education gave states permission to develop modified tests for a small number of students with disabilities who are able to make progress toward grade-level standards but not in the same timeframe as other students. The Modified HSA—or Mod-HSA—will be based on a modified version of the voluntary state curriculum (VSC). The Mod-HSA for algebra/data analysis and English should be available by spring 2007. Modified assessments for biology and government will follow. Students passing the Mod-HSA will be eligible to earn a high school diploma. For more information, please refer to Question #12 in this document.
- **Comp-HSA:** In fall 2004, a task force began exploring how the state might provide assessments for students—with and without disabilities—who have difficulty on traditional tests. While the Comparable HSA—or Comp-HSA—will be administered differently than the regular HSA, both assessments will be based on the VSC. The task force is still determining what the Comp-HSA will look like and which students will be eligible to take it. Recommendations should be issued by fall 2007. Students passing the Comp-HSA will be eligible to earn a high school diploma. For more information, please refer to Question #4 in this document.

All students with disabilities—regardless of the test they take—are entitled to the same accommodations on assessments that are provided during daily instruction and prescribed in their Individualized Education Programs (IEPs).

4. Will the State Board of Education reexamine COMAR Graduation regulations?

Yes. In response to stakeholder concerns that students with disabilities and other students with special needs may have difficulty demonstrating their knowledge in traditional test settings, the State Board of Education approved a resolution in March 2004 to authorize the State Superintendent of Schools, Dr. Nancy S. Grasmick, to convene a task force. This task force will examine comparable methods of measuring student skills and knowledge in the subjects of English, algebra/data analysis, government, and biology and make recommendations to the State Board of Education regarding the feasibility of implementing one or more of those options as a part of the assessment requirements for high school graduation. The Task Force on Comparable Testing Methods for the Maryland High School Assessments is to present final recommendations to the State Board of Education by September 2007.

5. Will the State Board of Education revisit the graduation requirements?

Yes. In accordance with COMAR 13A.03.02.09C the State Board of Education will review the results of the HSA and determine whether revisions to the requirements are appropriate by the end of the 2008 calendar year. Additionally, the recommendations of the Task Force on Comparable Testing Methods for the Maryland High School Assessments will be available to the State Board of Education for their consideration.

6. What alternative methods are available to students to enable them to meet high school credit requirements?

COMAR 13A.03.02.05 lists several methods for **ALL** students to earn credits towards a Maryland High School Diploma. The implementation of alternative methods is at the discretion of the local school system. Alternative methods include summer school, evening school, correspondence and online courses, tutoring, work-study programs, college courses, independent study/internship, and credit through examination. Students who receive credit through these alternative methods are still required to take the appropriate HSA test.

7. What assistance is to be given to students with disabilities to enable them to meet high school credit requirements?

The alternative methods identified in COMAR 13A.03.02.05 are also available to students with disabilities. In addition to these alternative methods, students with disabilities may receive instructional and assessment accommodations to address the student's disability as recommended through the IEP team process. As stated above in question #6, students with disabilities who receive credit through these alternative methods are still required to take the HSA test.

Local school systems may consider modifying the delivery of the instruction by providing students the opportunity to receive instruction in Core Learning Goals through two courses rather than a single course. Additional options may include targeted assistance to address skill gaps and summer school participation. Other options developed by MSDE which will support students with disabilities include online courses and the use of the combined-score to offset lower performance on one test with higher performance on another.

8. How are the graduation requirements impacted by No Child Left Behind (NCLB) and the Individuals with Disabilities Education Improvement Act (IDEA) of 2004?

For determining adequate yearly progress (AYP) under NCLB, all students, including students with disabilities, are to be assessed in reading and math during high school. The Maryland State Board of Education has elected to use English and algebra/data analysis for all students to satisfy the NCLB requirements.

The federal IDEA Amendments of 1997 and the recently reauthorization of IDEA of 2004 require all students with disabilities to be included in all general State and district-wide assessment programs. These provisions prohibit the State from exempting any students from participation in these assessment programs. Therefore, students with disabilities not eligible for Alt-MSA must participate in English and algebra/data analysis.

IDEA emphasizes providing students with disabilities access to the general curriculum and to educational reforms as an effective means of ensuring better results. Students with disabilities are to participate and progress in the general education curriculum. It is the responsibility of each student's IEP team to consider accommodations, supplementary aids, services, and supports to enable the student to participate and progress in the general curriculum with nondisabled peers to the maximum extent appropriate.

9. What is the role of a student's IEP Team in determining participation and graduation?

Each student's IEP team includes that student's parents. The student's IEP team must discuss and document:

- How the student will participate and progress in the general education curriculum with nondisabled peers;
- Performance and participation in Statewide and districtwide assessments; and
- Status of completing graduation requirements.

This includes documentation of individual instructional accommodations, including accommodations for use during the administration of State or districtwide assessments of student achievement. The intent of test accommodations is to mediate the effect of a student's disability so that the construct of the test is measured, not the effect of the student's disability on the skills and processes being assessed.

While an IEP team can no longer substitute other instructional course credits in place of the required courses aligned with the Core Learning Goals and corresponding HSA in the student's IEP, alternative methods for obtaining course credit listed above in questions #6 and #7 are available for consideration to assist students with disabilities.

Prior to 2001-2002 school year the receipt of a Maryland High School Diploma was not contingent upon a student taking high school level courses aligned with the Core Learning Goals for which high school credit was given. The State's Core Learning Goals are a subset of the Maryland content standards from which the VSC was developed.

Beginning with the 2001-2002 school year, in order to be eligible for a Maryland High School Diploma, each student must have preparation in courses aligned with the Core Learning Goals and must take the Maryland HSA in English, algebra/data analysis, biology, and government, for which they received high school level credit. Also, local school superintendents/chief executive officers certify in writing that high school courses for which their systems are giving high school credit are aligned with the Core Learning Goals.

10. May students with disabilities be designated as working toward obtaining a Maryland High School Certificate of Program Completion rather than a Maryland High School Diploma before the 12th grade if they are participating in the MSA and HSA?

No. COMAR 13A.03.02.09A(3)(d) states that, “The decision to award a student with disabilities a Maryland High School Certificate of Program Completion will not be made until after the beginning of the student's last year in high school unless the student is participating in the alternative Maryland School Assessment Program (Alt-MSA).”

ALL students with disabilities are required to participate in State and districtwide assessments. See Questions #1, 2, and 8 above.

In addition, it ensures all students are provided opportunities to receive a Maryland High School Diploma through appropriate instruction in the VSC high school course content that includes participation in the end of course HSA test, and required participation in the NCLB assessments in English and algebra/data analysis.

11. What are guidelines for determining that a student with a disability will receive a Maryland High School Certificate of Program Completion rather than a Maryland High School Diploma?

ALL students with disabilities are expected to receive instruction in the general education curricula aligned with the VSC content standards and participate in MSA and HSA unless, a student’s IEP team has determined, on an individual basis, that the student has a significant cognitive disability and he or she meets **EACH** of the following six criteria:

- The student is learning extended Maryland reading (at emerging, readiness, or functional literacy levels) and extended mathematics content standards objectives.
AND
- The student requires explicit and ongoing instruction in a functional life skills curriculum, including personal management, community, recreation/leisure, career/vocational, communication/decision-making/interpersonal.
AND
- The student requires extensive and substantial modification (reduced complexity of objectives and learning materials, and more time to learn) of general curriculum. The curriculum differs significantly from their nondisabled peers. They learn different objectives, may use different materials, and may participate in different learning activities.
AND
- The student requires intensive instruction and may require extensive supports, including physical prompts, to learn, apply, and transfer or generalize knowledge and skills to multiple settings.

AND

- The student requires extensive support to perform and participate meaningfully and productively in daily activities in school, home, community, and work environments.

AND

- The student cannot participate in the MSA even with accommodations.

Students with disabilities not meeting the six criteria above **WILL** participate in the MSA and HSA with or without accommodations, as appropriate, based on the student's IEP.

12. What are the criteria for a student's participation in the Mod-HSA?

The Mod-HSA tests would be appropriate for those students who had been previously identified as participating in modified content standards and who would have been participants in the Mod-MSA testing. Mod-HSA is currently an appeal process to address the performance of students with disabilities unable to participate in the HSA with accommodations, as indicated in their IEPs, and whose access to the general curriculum has been based on participation in modified academic content and achievement standards in prior years. The Mod-HSA will assess and report student attainment in algebra/data analysis (Mod-algebra/data analysis) and English (Mod-English).

Each student's IEP team will make the decision as to which assessment is appropriate for an individual student. A student who will be instructed and assessed using modified academic content standards must meet **EACH** of the following criteria:

- The student is learning using modified academic content standards in reading and/or mathematics.

AND

- The student requires modifications during instruction and assessment, in addition to accommodations. These testing/assessment and instructional modifications may include: reduced complexity of language, reduced number of test items, reduced amount of content to learn, paraphrasing of reading passages, embedded scaffolding for a written response such as sentence stems, guided response outline, guided questioning to generate response, software such as Co-Writer and Write Outloud, use of calculator, and spell check.

AND

- The student requires the use of a modified general curriculum. The curriculum for the student is aligned with the Maryland content standards for the student's grade level, but is modified (reduced amount to learn, reduced complexity, reduced output) so the student can access the content and demonstrate what he/she has learned.

AND

- The student must have had at least three consecutive years of individualized intensive instruction in reading and/or mathematics consistent with his/her IEP (beginning with the most recent IEP), and although progress toward grade level standards was made, he/she is not making progress at grade level.

AND

- The student must demonstrate that he/she cannot attain proficiency in actual grade level MSA, even with accommodations.

13. What are the regulations for determining if a student will receive a Maryland High School Certificate of Program Completion rather than a Maryland High School Diploma?

Again, all students with disabilities are expected to participate in the general curriculum and assessments that lead to a Maryland High School Diploma. However, in accordance with COMAR 13A.03.02.09A(3), students with disabilities who cannot meet the requirements for a high school diploma may be awarded a Maryland High School Certificate of Program Completion if they meet one of the following standards:

- The student is enrolled in an educational program for at least 4 years beyond eighth grade, or its age equivalency, and is determined by an IEP team, with the agreement of the parents of the student, to have developed appropriate skills for the individual to enter the world of work, to act responsibly as a citizen, and enjoy a fulfilling life, with the world of work including but not limited to: i) gainful employment, ii) work activity centers, iii) sheltered workshops, and iv) supported employment;

OR

- The student has been enrolled in an educational program for 4 years beyond grade 8 or its age equivalent and will have reached the age of 21 by the end of the student's current school year.

Under the IDEA of 2004, beginning at age 16, each student's IEP is to include the student and parent in the discussion and documentation of transition services that promotes a student's movement from secondary education to post-school activities, including employment, community living, and post-secondary education.

Transition services are a coordinated set of activities for a student with a disability, based upon a student's needs, interests and preferences, designed within an outcome-oriented process, that promotes movement from school to post-school activities, including:

- Post-secondary education;
- Career and technology education;
- Integrated employment, including supported employment;
- Continuing and adult education;
- Adult services;
- Independent living; and
- Community participation.

This also includes needed activities in the areas of instruction, related services, community experiences, development of employment or other post-school adult living objectives; acquisition of daily living skills; and functional vocational evaluation, if appropriate. An Exit Document that describes the student's skills shall accompany the Maryland High School Diploma and the Maryland High School Certificate of Program Completion.

14. Does a student have to withdraw (drop-out) from school before he or she may participate in a GED program under the waiver option?

Yes. However, in accordance with COMAR 13A.03.01.01Q(3), a student with a disability may request from the State Superintendent of Schools a waiver of the three-month withdrawal period in order to remain in school up to the date of the GED Test in order to continue to receive his or her special education and related services. The student must be:

- At least 16 years old;
- A Maryland resident; and
- Officially withdrawn from school.

15. What needs to occur prior to requesting a waiver of the three-month waiting period?

The student's IEP team, which includes the student, parents, and local school administrator, need to review the required documentation and applicable timelines. A student's IEP and transition plan should include preparation for the GED Test and passage of the GED Practice Test, as well as any accommodations needed as part of instruction and assessment. A request for waiver of the three-month withdrawal requirement cannot be considered until all required documents are sent to the State GED Office.

16. What is included in a request to waive the three-month waiting period?

A candidate for a waiver must submit the following documents:

- A letter addressed to the State Superintendent of Schools stating the reasons for requesting the waiver;
- Written documentation of passing scores on the official GED Practice Test, signed and dated by an adult education program administrator;
- Written recommendation of the local school principal and local school Superintendent;
- Submission of the student's IEP that includes preparation for and taking of the GED Test is part of the student's transition plan;
- Any accommodations that the student may need for the GED Test, or a statement indicating no accommodations are needed;
- A withdrawal date prior to the GED Test date;
- Signed release from the student's parents indicating:
 - Approval of the waiver request,
 - Acknowledgement of an understanding that a GED diploma ends a student's eligibility for special education and related services, and
 - Authorization for MSDE to share testy results with the student's local school system principal and superintendent.

A student with a disability may continue to attend school after the date of the filing of the waiver request up to the date of withdrawal specified in the waiver request submitted to the State GED Office in order to receive FAPE.

17. Does the local school system approve the request for a waiver prior to submission to the State Superintendent of Schools?

Yes. Both the student's School Principal and local Superintendent of Schools must approve the request for a waiver.

18. Under the waiver option, may a student with a disability return to school if he or she participates in the GED test, but does not pass?

Yes. If a student with a disability fails the GED Test and is found to continue to be eligible for special education, the local school system must convene the student's IEP team to plan for:

- The student's resumption of special education and related services within 90 days of the GED test date; and
- Compensatory services for the period in which the student was withdrawn from school, as appropriate.

For more information, call 410-767-0858

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