

This Frequently Asked Questions (FAQ) document provides guidance related to graduation requirements for students receiving special education services in Texas, as outlined in the [19 Texas Administrative Code \(TAC\) §89.1070](#). These questions and answers clarify expectations and are intended to support staff at local educational agencies (LEAs) in navigating the graduation process for students with disabilities.

This document clarifies common questions related to the following topics:

1. [Rule Overview](#)
2. [Curriculum and Assessment](#)
3. [Dismissal or Revocation of Consent for Special Education Services](#)
4. [Considerations for the Conditions Included in 19 TAC §89.1070\(b\)\(3\)](#)
5. [Commencement Ceremonies and Returning to Request Additional Services Beyond Graduation](#)
6. [Summary of Performance and Evaluation](#)
7. [TSDS PEIMS Coding Considerations](#)

1. Rule Overview

1.1 Which students are eligible to graduate under 19 TAC §89.1070?

These rules apply to any student who is receiving special education services and enrolled in a public school district or open-enrollment charter school.

1.2 When was the most recent revision to this rule?

Amendments to this rule were adopted in November 2024. The adopted amendments clarified the requirements based on stakeholder feedback and removed obsolete language. Agency response to public comments for this rule package can be found on the [Texas Register](#).

While the revised rules applied to students in all cohort years, there was no requirement to update the individualized education program (IEP) for students who entered grade 9 prior to the 2024-25 school year.

1.3 What is the difference between subsections 19 TAC §89.1070(b)(1) and (b)(2)?

TAC §89.1070(b)(1) states that a student who receives special education services may graduate and be awarded a diploma if the student meets the same expectations for graduation as students without disabilities.

Subsection (b)(2) clarifies that an ARD committee has determined that satisfactory performance, beyond what would otherwise be required in subsections (b)(1) and (d) of this section, on the required end-of-course assessment instruments is not required for graduation.

Subsection (d) states that a student in Grade 11 or 12 who has failed to achieve satisfactory performance on *no more than two* state assessments would be eligible to graduate under the first condition described in 19 TAC §89.1070(b)(1).

Note that a student's ARD committee determines whether a student is required to achieve satisfactory performance on an end-of-course (EOC) assessment. As specified by [19 TAC §101.3022\(f\)\(1\)](#), a student receiving special education services is not subject to the requirements for Individual Graduation Committee (IGC).

1.4 Under what conditions can a student receiving special education services be awarded a diploma through modified content?

Subsection (b)(3) specifies the requirements for students with modified content and curriculum expectations established in the student's individualized education program (IEP). See section 4 to learn more about ARD committee considerations for 19 TAC §89.1070(b)(3).

1.5 What are the options for students with disabilities to earn an endorsement under this rule?

19 TAC §89.1070(c) specifies the requirements for a student receiving special education services to earn an endorsement. A student receiving special education services may earn an endorsement if the student:

- (1) satisfactorily completes the requirements for graduation under the Foundation High School Program specified in §74.12 of this title as well as the additional credit requirements in mathematics, science, and elective courses as specified in §74.13(e) of this title with or without modified curriculum;
- (2) satisfactorily completes the courses required for the endorsement under §74.13(f) of this title without any modified curriculum or with modification of the curriculum, provided that the curriculum, as modified, is sufficiently rigorous as determined by the student's ARD committee; and
- (3) performs satisfactorily as established in TEC, Chapter 39, on the required end-of-course assessment instruments unless the student's ARD committee determines that satisfactory performance is not required.

The amendment to this subsection from previous rule replaced the word “necessary” with “required” to align with language elsewhere in the rule related to ARD committee determination for satisfactory performance on the required EOC assessment instruments.

1.6 Must an LEA require a separate ARD meeting specifically to address graduation?

No. [Graduation](#) may be discussed during any ARD meeting, including the annual ARD meeting, with decisions documented in the IEP.

During the year in which the student graduates, the ARD committee is not required to hold a separate meeting to discuss graduation unless it was not addressed during the annual ARD meeting or if there were subsequent changes to the graduation plan that conflict with IEP documentation. Since graduation is a change in placement, if an additional ARD meeting is required to address graduation, an [amendment without a meeting](#) **may not** be used to make changes to the IEP. Additionally, [prior written notice](#) **must be** provided at least five days before the local educational agency (LEA) proposes a change in placement.

For example, an annual ARD meeting is held in October for a student who is expected to graduate in May. Ten days before the annual ARD meeting, the prior written notice was sent to the parent and adult student. This notice contained a summary of the proposed actions, which included the student’s annual IEP review and a discussion of a change in placement due to graduation.

During the annual ARD meeting in October, the ARD committee members agreed to the change in placement due to graduation (after the last school day in May). In this example, the “reasonable timeframe” of at least five school days before proposing the change in placement was met because the ARD notice was sent 10 school days prior to discussing graduation.

2. Curriculum and Assessment

2.1 What should the ARD committee consider when determining whether “the curriculum, as modified, is sufficiently rigorous” for a student to earn an endorsement?

While the interpretation of “sufficiently rigorous” curriculum is outside the scope of rulemaking and guidance, ARD committee members may find it helpful to consider the following questions when determining whether to award an endorsement for a student who received modified content in one or more courses:

- In which content areas or courses did the student require modified curriculum?
- What types of modifications were needed for the student to access the curriculum standards, [Texas Essential Knowledge and Skills \(TEKS\)](#), for the course? For example, was the student able to make progress toward the student expectations in the TEKS for the course, or were the student’s academic goals aligned to prerequisite skills significantly below the TEKS for the course?
- What other information is available about the student’s academic access, including their participation and progress in courses that satisfy the endorsement requirement?

2.2 Can a student receiving special education services earn a distinguished level of achievement?

Yes. Effective beginning with the 2025-2026 school year, due to the passage and signing of House Bill (HB) 2 in the 89th (2025) Texas legislative session, [Texas Education Code \(TEC\) §28.025\(c-7\) and \(c-8\)](#) were amended to specify requirements for students receiving special education services to earn the distinguished level of achievement. The amended statute applies the same standard as for endorsements by requiring the student’s ARD committee to determine if the curriculum required for the distinguished level of achievement, if modified, is sufficiently rigorous as modified to earn the distinguished level of achievement and whether the student is required to achieve satisfactory performance on an EOC assessment to earn the distinguished level of achievement.

2.3 Can the ARD committee substitute required courses for students with disabilities?

Section 2.1(c) of the 2024 [Minimum Standards for the Academic Achievement Record \(AAR\)](#) specifies that “For students receiving special education and related services, no substitutions are allowed for courses required for high school graduation, except as indicated in the graduation requirements under [19 TAC Chapter 74](#). Students enrolled in a high school course required for graduation must access the curriculum for that course as specified in TEKS ([19 TAC Chapters 110 – 130](#)) or state-approved innovative courses, with specially designed instruction in the appropriate settings as determined by the student’s ARD committee.”

Additional information is available on the [TEA website](#), including responses to frequently asked questions about substitutions for [languages other than English \(LOTE\)](#) and [physical education \(PE\)](#). See question 7.4 for information about coding for courses for high school graduation credit.

2.4 Can the ARD committee exempt a student from meeting additional graduation requirements, such as demonstrating proficiency in the major components of speech?

Unless specifically addressed in TEC or TAC, all graduation requirements and other provisions must be met, with adaptations as described in the IEP.

For example, [19 TAC §74.38\(f\)](#) includes the option for schools to waive the requirement for instruction in Cardiopulmonary Resuscitation (CPR) and use of an Automated External Defibrillator (AED) for a student who, due to a disability, is unable to complete the requirement. Another example is the ability for any student to opt out of the [financial aid application](#) that must be completed before graduating from high school. Students who meet the criteria described in rule and guidance will be able to pursue a diploma without meeting the specified requirement or provision.

If there are no options for a student to opt-out of (or for the school to waive) a requirement or other provision, the ARD committee will consider the disability-related needs of the student and define the [specially designed instruction](#) needed for the student to complete the requirement. This is also true for any local graduation requirements specified by districts and open-enrollment charter schools (unless options for students with disabilities are addressed by local board policy).

For example, neither the instruction on proper interaction with peace officers required by [19 TAC §74.39](#) nor the demonstration of proficiency in major components of speech required by [19 TAC §74.11\(a\)\(3\)](#) include options for schools to waive the requirement. The IEP will describe the adaptations for any student whose disability will impact their access to content or mastery of the required skills.

2.5 During 10th grade, a student’s ARD committee determined that passing the State of Texas Assessments of Academic Readiness (STAAR) EOC assessments for English I and English II was not required for graduation. The student is now in 12th grade and would like to retake the EOC assessments to attempt a passing score. May they be allowed to retake the EOC assessments?

Yes. Required participation in academic content area assessments is outlined in [19 TAC §101.3021](#). Subsection (f) indicates that a student “may retake an EOC assessment under the [TEC, §39.023\(c\)](#), only if the student previously failed the EOC assessment. A student is not required to retake a course in order to be administered a retest of an EOC assessment.”

The ARD committee will consider the options for assessment decisions included in 19 TAC §89.1070 and current information about the student to determine appropriate actions, including retaking any assessments as permitted under 19 TAC §101.3021.

2.6 What are the unique graduation considerations for students who take STAAR Alternate 2?

For a student who meets participation requirements for STAAR Alternate 2 (including eligibility for No Authentic Academic Response or Medical Exception), the ARD committee may consider the questions included in section 4 of this document to establish an individualized graduation plan. **A student who has taken the required EOC assessments through STAAR Alternate 2 or who was determined by their ARD committee to meet eligibility for No Authentic Academic Response or Medical Exception is considered to have met the assessment requirements for graduation.**

2.7 Can the ARD committee determine that passing an EOC assessment is not required for graduation before the student takes the assessment for the first time?

Yes. To determine whether satisfactory performance on the required EOC assessment instruments is required for graduation, the ARD committee will use relevant information about the student, such as evaluation reports, progress monitoring, results of previous STAAR assessments or benchmark testing, the impact of the

student's disability on curriculum access and test-taking, and skill gains in response to Accelerated Instruction or Intensive Program of Instruction.

For most students, these discussions will likely occur *after* attempting the EOC assessment. However, there are no specific requirements for the timing of this determination by the ARD committee.

2.8 What does “Participated in the Assessment Instrument” mean, as referenced in certain Diploma Type codes in the Texas Student Data System (TSDS) and Public Education Information Management System (PEIMS)?

To earn a diploma through the requirements specified by 19 TAC §89.1070(b)(2) or (b)(3), students must attempt the required STAAR EOC assessments at least one time. Absence on the day of the test administration would not qualify as participation in this context. At a minimum, a test instrument for each required STAAR EOC assessment must be submitted and a score received for the student to have “participated” in the assessment.

Students who would not otherwise be required to take a STAAR EOC assessment are not eligible to attempt the assessment for the sake of meeting participation guidelines as specified for special education. For example, a student who moved into a Texas public school from another state or country and the credit previously earned for a course with a corresponding STAAR EOC assessment was accepted by the receiving district would not be required to take the STAAR EOC assessment. See the information available on the [TEA website](#) for more resources related to STAAR testing requirements.

2.9 Are there any options for students to be exempt from taking the required EOC assessments?

No. There are no exemptions to the testing requirements. While there is a STAAR Medical Exclusion policy, this process is for district and campus accountability purposes and does not impact or eliminate a student's testing requirements or graduation requirements. See the information available on the [TEA website](#) for more resources related to testing requirements, including options for students to take a substitute assessment for a required STAAR EOC assessment.

For a student who meets the participation requirements for STAAR Alternate 2, the ARD committee may determine that the student meets the eligibility criteria for “No Authentic Academic Response (NAAR)” or a “Medical Exception,” and the student will not participate in the assessment. See question 2.7 for additional information about participation in the required EOC assessments through STAAR Alternate 2.

3. Dismissal or Revocation of Consent for Special Education Services

3.1 A student exited special education through dismissal or revocation of consent before graduating. Will they need to retake courses for credits they completed through modified curriculum?

No. A student does not have to retake courses when the parent or adult student revokes consent. Students who have had their services revoked are the same as students whose ARD committees dismissed them from special education. The curriculum requirements that were completed while they were receiving special education services, with supports as determined by an ARD committee, are not required to be completed again without special education services in place.

3.2 After participating in the required EOC assessments, a student exited special education through dismissal or revocation of consent before graduating. Previously, an ARD committee determined that passing one or more EOC assessments was not required for graduation. After exiting special education, would this student need to pass the failed EOC assessment(s) in order to graduate?

No. 19 TAC §101.3022(f)(2) reads, “A student dismissed from a special education program who achieved satisfactory performance on an alternate EOC assessment while enrolled in a special education program is not required to take and achieve satisfactory performance on the general EOC assessment to graduate. A student who took an EOC assessment while enrolled in a special education program is not required to retake and achieve satisfactory performance on the EOC assessment if the student’s ARD committee determined that the student was not required to achieve satisfactory performance on the EOC assessment to graduate. **A student dismissed from a special education program must achieve satisfactory performance on any remaining EOC assessments that the student is required to take.** If the student fails to achieve satisfactory performance on no more than two of the remaining EOC assessments, the student is eligible for IGC review under [TEC §28.0258](#), and is subject to the provisions of subsection (e) of this section.”

3.3 For a student who met EOC assessment requirements through STAAR Alternate 2, must they take the STAAR EOC assessments if they are dismissed from (or consent is revoked for) special education services prior to graduating?

No. In this circumstance, the student is not required to take the STAAR assessment or to retake the failed STAAR Alternate 2 EOC assessments if the student’s ARD committee previously determined the student was not required to achieve satisfactory performance to graduate. See the response to question 3.2 for additional information.

4. Considerations for the Conditions Included in Subsection 19 TAC §89.1070(b)(3)

4.1 What should the ARD committee consider when determining which condition under 19 TAC §89.1070(b)(3) is most applicable for a student who accessed the required TEKS through modified content?

After meeting credit and assessment requirements for the Foundation High School Program with modified content and curriculum expectations as established in the IEP (with or without endorsements or distinguished level of achievement), the ARD committee must also consider which condition specified in subsection (b)(3) the student has met to award a diploma.

The following recommendations may be used by ARD committees to consider which of the three conditions is most appropriate for the student. This list is intended as a starting point for ARD committee discussion and is not to be used as regulatory guidance.

Pursuant to subsection **(b)(3)(A)** and *consistent with the IEP, the student has obtained full-time employment, based on the student's abilities and local employment opportunities, in addition to mastering sufficient self-help skills to enable the student to maintain the employment without direct and ongoing educational support of the local school district*

- Is the student currently employed? If so, where and for how long?

- Is the student successful in their job(s)? How do you know?
- Did the student require any support from special education to obtain or retain the job? If yes,
 - Who will the student contact once they graduate from high school to access the same type of support to retain their job or obtain a new job?
 - Is the student already in contact with this person/agency?
- “Full-time” is not clearly defined in this rule. The ARD committee can determine what this means “based on the student’s abilities and local employment opportunities.”

Pursuant to subsection **(b)(3)(B)** and *consistent with the IEP, the student has demonstrated mastery of specific employability skills and self-help skills that do not require direct ongoing educational support of the local school district*

- What job experiences did the student have during high school?
- If the student has never held a job or been competitively employed, what courses has the student taken that prepared them to obtain or retain a job (as identified in their postsecondary employment goal), including courses that provided instruction for self-help skills the student would need to be successful in that job (based on their individual disability-related needs in the PLAAFP)?
- Was the student successful in these courses? How do you know (e.g., an IEP goal was developed and the student mastered the goal)?
- What job skills and self-help skills were addressed in the student’s IEP, such as the coordinated set of activities or annual IEP goals aligned to the student’s disability-related needs?
- Do the results of transition assessments (including a functional vocational evaluation, as appropriate) show evidence of job skills and self-help skills?

Pursuant to subsection **(b)(3)(C)**, *the student has access to services or other supports that are not within the legal responsibility of public education, including employment or postsecondary education established through transition planning*

- What activities have been established for the student’s daily schedule after graduation, including opportunities for continued learning or employment?
- Did the student require any support from special education to participate in learning, community, or daily activities? If yes,
 - Who will provide the same type of support to obtain or maintain a new job, or participate in continued learning and daily activities after exit from public school?
 - Is the student already receiving support from this person/agency? If not, how will supports be established prior to exit from public school?

4.2 After a student has completed the required curriculum and assessments, must they graduate when they have met their IEP and one of the three conditions listed in 19 TAC §89.1070(b)(3)?

Graduation through subsection (b)(3) is determined individually based on each student’s unique situation. Appropriate special education services, including transition requirements specified by [19 TAC §89.1055\(k\)](#) and (l), are determined by the ARD committee. See question 4.1 for questions the ARD committee can consider when determining which condition a student who is pursuing graduation through subsection (b)(3) has met.

The determination to recommend graduation must not be made based solely on the availability of services through public agencies outside of the LEA.

4.3 After completing credit and assessment requirements for graduation through 19 TAC §89.1070(b)(2) or (b)(3), the ARD committee recommends continued enrollment to complete transition planning, but the student wants to receive their diploma and exit public school. Can the school withhold their diploma until the student can show proof of readiness for meeting postsecondary goals?

No. A student who has met the credit and assessment requirements for graduation is entitled to receive a diploma and exit public school. For students who are eligible to continue enrollment, the ARD committee will consider transition services, including courses of study, as specified by 19 TAC §89.1055(l)(2). If continued enrollment is recommended and the parent or adult student prefers to exit, the diploma must not be withheld. In such cases, it is recommended that the IEP include a statement outlining the option to request additional services after receiving a diploma, as specified by 19 TAC §89.1070(j).

See question 4.1 for ARD committee considerations to select the appropriate condition for students pursuing a diploma through subsection (b)(3) and consult with local legal counsel for questions about the appropriate provision of FAPE for individual students.

4.4 What happens when a student reaches maximum age eligibility, and their ARD committee does not agree they have completed their IEP and/or met one of the three conditions in subsection 19 TAC §89.1070(b)(3)?

Careful consideration should be given to a student who has met credit and curriculum requirements for graduation and appropriate transition planning was not provided before they reach maximum eligibility (see question 4.1 for recommended questions to consider for selecting the appropriate condition). In such rare cases, the ARD committee should consider the following questions to determine whether compensatory services are needed to ensure adequate provision of services, consulting with local legal counsel as appropriate.

- What transition services have been provided since the first IEP to be in effect by the student's 14th birthday?
- What strengths, preferences, interests, and skills were identified through transition assessments? Did the selected assessments provide adequate information to establish appropriate transition services? If not, was a functional vocational evaluation as specified by 19 TAC §89.1055(k)(4) considered?
- What are the student's postsecondary goals related to education, employment, and independent living? What special education services were provided to support the student in reaching those goals?
- What career planning was completed, such as participation in Career and Technical Education (CTE) and other work-based learning opportunities?
- What connections to governmental agencies did the school facilitate, as specified by 19 TAC §89.1055(k)(5)?
- What supplementary aids, services, curricula, and other opportunities to assist the student in developing decision-making skills were provided, as specified by 19 TAC §89.1055(k)(6)?
- What supports and services to foster the student's independence and self-determination were provided, as specified by 19 TAC §89.1055(k)(6)?
- What age-appropriate instructional environments, including community settings or environments that prepare the student for postsecondary education or training, competitive integrated employment, or independent living, in coordination with the student's transition goals and objectives, were considered?

as specified by 19 TAC §89.1055(n)(2)? What age-appropriate environments were accessed by the student as part of their schedule of services after meeting curriculum and assessment requirements for graduation?

4.5 Do students who meet graduation requirements described in 19 TAC §89.1070(b)(2) need to meet one of the three conditions specified by subsection (b)(3) of this rule?

No. While students who are awarded a diploma through meeting the requirements specified by subsection (b)(2) are eligible to continue enrollment in public school to receive special education services aligned to their unique situation, no additional conditions are included in this subsection. The ARD committee will consider information about the student, such as the results of transition assessments, their postsecondary goals, skills or supports needed to be successful in postsecondary environments, and disability-related needs for postsecondary assessments (such as college entrance exams) to determine appropriate services in the least restrictive environment.

4.6 What is the expectation for the student to “complete their IEP” as described in 19 TAC §89.1070(b)(3)?

When a student pursuing graduation through subsection (b)(3) has completed the credit and assessment requirements for graduation, their ARD committee will review their IEP to confirm that annual IEP goals have been met and services have been provided.

See questions 4.1 and 4.4 for ARD committee considerations related to awarding a diploma through subsection (b)(3).

5. Commencement Ceremonies and Returning for Additional Services Beyond Graduation

5.1 What are the options for students to participate in commencement ceremonies if they will be continuing enrollment rather than exiting public school?

As described in TEC §28.025(d), a school district *may issue* a “certificate of coursework completion” to a student who completes the curriculum requirements for graduation but who does not meet EOC assessment requirements.

Subsection (f) of this statute specifies that a school district ***shall issue*** a “certificate of attendance” to a student who receives special education services and has completed four years of high school but will continue enrollment to complete their IEP. Students receiving a certificate of attendance may participate in only one graduation ceremony and may receive a diploma upon meeting the requirements specified in 19 TAC §89.1070.

Note that 19 TAC §89.1070(e) specifies that a student who reaches maximum age eligibility but has not met the requirements for graduation may receive a certificate of attendance. See question 4.4 in this document for recommended ARD considerations for a student who has reached maximum age eligibility and completed curriculum and assessment requirements through 19 TAC §89.1070(b)(3). See question 7.2 in this document for use of the IEP Continuer indicator for students who receive a certificate of attendance.

5.2 If a student violated the code of conduct that would otherwise restrict them from participating in commencement ceremonies, must they be allowed to attend if they will be receiving a certificate of attendance?

Disciplinary decisions, including restriction from commencement ceremonies for students receiving either a certificate or a diploma, will consider local LEA policy related to [TEC §37.001](#). See [subsection \(b-1\)](#) of this statute for provisions related to students receiving special education services.

In cases where a student with a disability will be restricted from participating in commencement ceremonies due to conduct violations, it is recommended that school administrators consider the unique circumstances and the student's disability-related needs. See the [Behavior Supports and Guidance for Students with Disabilities](#) to learn more about state guidance related to this topic.

5.3 Can a student return to request additional services after graduating and receiving a diploma?

As specified in 19 TAC §89.1070(j), students who graduate and receive a diploma according to subsections (b)(2) or (b)(3)(A), (B), or (C) of this section are entitled to an ARD committee meeting to determine needed special education services upon the request of the student or parent to resume services, as long as the student meets the age eligibility requirements.

Technical assistance related to [Child Find and Evaluation](#) may be helpful for ARD committees and school teams. Additionally, the lists of considerations in questions 4.1 and 4.4 of this document may be helpful for ARD committees to focus on the transition planning needs of a student who returns to request additional services.

5.4 If a student is determined eligible and re-enrolls after receiving a diploma, will funding for the services provided to the student be the same as if they had continued enrollment (without graduating and exiting public school)?

Yes. The table in section 3.2.3 in the [Student Attendance Accounting Handbook](#) lists "a student with a disability who graduated by meeting the requirements of 19 TAC §89.1070(b)(2) or (3)(A), (B), or (C) as determined by an admission, review, and dismissal (ARD) committee and who is still in need of special education services" as eligible for Foundation School Program benefits. Additionally, section 3.2.2.4 of this resource clarifies that "students who are continuing enrollment to receive special education services; or students who have returned to school to receive special education services after receiving a diploma" are exceptions to the rule for funding eligibility of students who have met all graduation requirements and thus are eligible to continue to generate Average Daily Attendance (ADA) for funding purposes.

5.5 A student who was home-schooled (or attended private school) until age 18 enrolled in our district to request special education services in our 18+ program. Can the ARD committee award a diploma?

In such cases, it is recommended that ARD committees start by exploring local policies and procedures related to evaluating courses/curriculum completed through home schooling or unaccredited private schools. The following state guidance for evaluating curricula completed through home schooling or unaccredited private schools should be followed, as appropriate.

- [Alternative Schooling](#): Notice the language under Home Schooling: “The Texas Education Agency has no regulatory authority over home schools, and the state of Texas does not award diplomas to students who are home schooled.” There is also information about private schools.
- [Home Schooling](#): This page indicates that “The State of Texas does not award a diploma to students that are home schooled. Home-schooled students can enter public school at any time but should be aware that most districts have policies and procedures in place to assess the mastery level of courses that students in home schools have taken. The results of the assessment may be used for grade placement or award of credit or both. Students transferring from home schools should be afforded the same treatment as students transferring from unaccredited private schools.”
- Additionally, section 1.7(d) of the 2024 Minimum Standards for the AAR includes guidance for evaluating transferred credit from other Texas public schools and from non-Texas public schools.
- The rules for students to earn Credit by Exam (CBE) are outlined in [19 TAC §74.24](#). For students who need modifications to content or alternate assessment, there is no specific guidance.

5.6 A student received a diploma in another state and moved to Texas before reaching age 22. They enrolled in our district, and the ARD committee agrees that our 18+ program is the least restrictive environment for the student. Does the student need to meet Texas graduation requirements to receive special education services in an 18+ setting?

Section 3.2.2.6 of the Student Attendance Accounting Handbook clarifies funding eligibility for students awarded a diploma outside of the United States: **“A student may also be entitled to receive special education services through age 21 if the student has a disability and the district determines the student would have met the Texas criteria to continue the receipt of special education services after having been awarded a diploma.”**

While this section refers to funding eligibility for students awarded a diploma *outside of the United States*, this guidance may also apply to determining the provision of special education services for a student who was awarded a diploma in another state.

Section 4.3.3 of the handbook describes evaluation procedures when a student transfers from a school district in another state in the same school year or during the summer and the parents or previous district verifies that the student had an IEP that was in effect in the previous district. School teams may consider using the [Students with Disabilities Who Transfer In-State and Out-of-State Quick Guide](#) for support to understand the federal and state requirements.

6. Summary of Performance (SOP) and Evaluation

6.1 Is the SOP required for all students receiving special education services?

Yes. Any student who will be exiting public school through meeting the graduation requirements specified by 19 TAC §89.1070(b)(1)-(3) or exceeding maximum age eligibility must be provided an SOP.

6.2 What must be included in the SOP?

As specified under IDEA through [34 CFR §300.305\(e\)](#), the SOP must include:

- A summary of the child’s academic achievement and functional performance; and

- Recommendations on how to assist the student in meeting their postsecondary goals.

As specified by 19 TAC §89.1070(g), the SOP must also consider, as appropriate:

- The views of the parent and student; and
- Written recommendations from adult service agencies on how to assist the student in meeting postsecondary goals.

See question 6.3 for additional SOP requirements for certain students.

6.3 When is the reevaluation process required as part of the SOP?

There are **two answers** to this question. While all students receiving special education services who exit public school through graduation or exceeding age eligibility must receive an SOP, not all SOPs must include an evaluation.

1. The reevaluation process is **not required** for students who have met graduation requirements specified by 19 TAC 89.1070(b)(1). The reevaluation process is also **not required for students who have exceeded maximum age eligibility** without meeting graduation requirements.
2. The reevaluation process is **required** for students who have met graduation requirements specified by 19 TAC 89.1070(b)(2) or (b)(3). These students are entitled to an evaluation as described by 34 CFR §300.305(e):
 - (1) Except as provided in paragraph (e)(2) of this section, a public agency must evaluate a child with a disability in accordance with §§[300.304](#) through [300.311](#) before determining that the child is no longer a child with a disability.
 - (2) The evaluation described in paragraph (e)(1) of this section is not required before the termination of a child's eligibility under this part due to graduation from secondary school with a regular diploma, or due to exceeding the age eligibility for FAPE under State law.
 - (3) For a child whose eligibility terminates under circumstances described in paragraph (e)(2) of this section, a public agency must provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

The requirements for the SOP are described in 19 TAC 89.1070(f) and (g). For additional information and guidance related to the reevaluation process, see the [Review of Existing Evaluation Data and Reevaluation: Question and Answer Document](#).

6.4 For a student who is “entitled to an evaluation” as part of their SOP, may the REED process be used if the FIE is current?

Yes. If the student is not due for a three-year (triennial) reevaluation, the guidance for Review of Existing Evaluation Data (REED) and Reevaluation may be used to determine appropriate evaluation for the student's SOP. It is worth noting that while students who will be exiting public school through meeting the graduation requirements specified by 19 TAC §89.1070(b)(1) or exceeding maximum age eligibility are not *entitled* to an evaluation, it is recommended that appropriate reevaluation is considered for each student.

6.5 Can the SOP be created and reviewed outside of an ARD meeting and provided to the student in the year in which they graduate, either before or after their annual ARD meeting?

There are no requirements related to reviewing the SOP in an ARD meeting. As a matter of practice, it likely makes sense in most cases to review it as part of the annual ARD for a student who is on track to graduate or reach maximum age eligibility within the IEP year, but there are no specific requirements surrounding this issue. It is left to the LEA to develop practices that meet the needs of each student to receive the information in ways that allow them to utilize their SOP beyond exit from public school. The LEA should also ensure the results of decisions related to the SOP are documented in the IEP.

6.6 Is there a standard template or format for the SOP?

No. While there is not a standardized format required for the SOP, there are model forms that LEAs may consider when developing their local resources for SOP. For LEAs that use the SOP form(s) included in their IEP software, the LEA should contact the software vendor, as appropriate, if it is determined that changes are needed.

The following examples of SOP templates may be helpful for LEAs in reviewing their local resources for SOP. Note that these examples do not include the additional Texas requirements for SOP specified by 19 TAC §89.1070(g). See questions 6.2 and 6.3 for the federal and state-required elements to be included in the SOP.

- Transition Tennessee https://transitiontn.org/wp-content/uploads/2018/08/Planning_Summary-of-Performance-Template_06-14-2018_FINAL.pdf
- National Technical Assistance Center for Transition: The Collaborative (NTACT:C) <https://transitionta.org/wp-content/uploads/docs/Summary-of-Performance-Packet.pdf>
- Transition Coalition - https://transitioncoalition.org/wp-content/uploads/2022/07/OK_SoP1213302788.pdf

7. TSDS PEIMS Coding Considerations

The [Texas Student Data System \(TSDS\)](#) is a statewide system for collecting and reporting education data for publicly funded schools in the state of Texas. The [Texas Education Data Standards \(TEDS\)](#) is a collection of data standards for transferring data to TSDS. The [Texas Web-Enabled Data Standards \(TWEDS\)](#) is a web-based version of TEDS. The TWEDS describe the data reporting requirements, responsibilities, and specifications.

Students who graduated or exited during the 2023-24 school year were reported in prior year leaver data for the 2024 fall submission using the 2024-25 TWEDS. Data for this cohort will be used for accountability purposes beginning in summer 2025.

Students who graduate or exit during the 2024-25 school year will be reported in prior year leaver data for the 2025 fall submission using the 2025-26 TWEDS. The TWEDS will be updated to reflect amendments to 19 TAC §89.1070 that were effective November 7, 2024.

Beginning in the 2025-2026 school year, current-year leaver and graduation data will be reported in the PEIMS Summer and Extended Year Submissions using the 2025-26 TWEDS. See the Early Notice of PEIMS Reporting Changes for the 2025-2026 School Year for more information.

The following references in the TWEDS are directly related to submitting graduation data for students receiving special education services.

Data Element Name	Previous Data Element Name	Definition	More Information
CourseCode Data Element ID E3071	<i>Service-ID code</i>	This refers to a unique alphanumeric code assigned to a course.	The list of CourseCodes (including courses eligible for state high school credit, local credit, and CTE) can be found on the References tab in TWEDS. The Course Code Table is available at the Course Codes Link under the “References” tab.
DiplomaType Data Element ID 0806	<i>Graduation-type code</i>	This indicates the type of plan under which the student graduated.	The list of DiplomaType descriptors can be found in Table C062.
EndorsementCompleted Data Element ID E3021		This indicates the student has successfully completed a Foundation High School Program to earn a STEM, Business and Industry, Public Services, Arts and Humanities, or Multi-Disciplinary Studies endorsement.	The list of EndorsementCompleted descriptors can be found in Table C332.
ExitWithdrawType Data Element ID E1001	<i>Leaver Reason code</i>	This identifies the reason a student (1) exited from the local education agency (LEA), or (2) did not exit the LEA but had a CalendarCode, ADAEligibility, StudentAttribution, or EntryGradeLevel change during one school year.	The list of ExitWithdrawType descriptors can be found in Table C162.
IEP Continuer Table C344	<i>IEP-CONTINUER-INDICATOR-CODE (E1564)</i>	This student characteristic refers to students who remain enrolled beyond meeting credit requirements for graduation, as eligible through 19 TAC §89.1070.	Additional information, including the definition for IEP Continuer, can be found in DR28 of the StudentEducationalOrganizationA ssociation Entity.

7.1 A student in our LEA graduated, received a diploma, and exited. They returned to request additional services and were determined eligible to re-enroll and receive special education services. What does the school need to consider when submitting data about this student?

The LEA should follow procedures described in section 4.3.3 of the Student Attendance Accounting Handbook: Enrollment Procedures for a Student Who Is New to Your District but Was Previously Receiving Special Education Services. The IEP that was in place when the student graduated, including evaluation data, may be reviewed by the ARD committee to determine the appropriate next steps.

An ExitWithdrawType descriptor *will not* be submitted when this student exits again after re-enrolling. The student can be considered a “mover” in terms of data submissions upon exit after re-enrolling. During the TEA leaver reconciliation process, this student will be identified as a *previous graduate* and not classified as a *dropout* or *underreported*. Additionally, the IEP Continuer indicator will not be submitted. Otherwise, all data will be submitted as appropriate for a student in any grade (for example, instructional setting).

7.2 Should the IEP Continuer indicator be submitted for each school year a student is enrolled beyond the 4th year? For example, a student completed graduation requirements and continued enrollment to receive 18+ services. They remained enrolled for 3 more years before receiving a diploma and exiting. Should the IEP Continuer indicator be submitted for the 2nd and 3rd year of 18+ services?

Yes. The definition described in DR28 of the StudentEducationOrganizationAssociation Entity specifies that “Per Texas Education Code TEC §39.053(g-2), the **IEP Continuer** student characteristic indicates whether a student:

- a) is at least 18 years of age as of September 1 of the school year as reported for the Fall semester PEIMS submission of the current year and has satisfied the credit requirements for high school graduation,
- b) has not completed his or her individualized education program under 19 TAC §89.1070 (b)(2) or (b)(3) and the Individuals with Disabilities Education Act (20 U.S.C. §1400 et seq.), and
- c) is enrolled and receiving individualized education program services.

See questions 5.3 and 5.4 for school considerations related to students who have returned after receiving a diploma and were determined eligible to reenroll.

7.3 What Diploma Type code may be used for a student who revoked consent or was dismissed from special education after earning credits through modified content and curriculum, meeting state assessment requirements through alternate assessments, or an ARD committee determination that passing was not required for more than would otherwise be allowable?

Code 34 may be used for students who are not receiving special education services at the time of graduation, including for students who revoked consent or were dismissed from special education, as well as for students receiving special education services who are awarded a diploma through 19 TAC §89.1070(b)(1).

Codes 35, 54, 55, and 56 may be used only for students who are receiving special education services at the time of graduation. It is important to note that DiplomaType codes for students receiving special education services are selected based on which condition described by 19 TAC §89.1070(b) was met, as determined by

their ARD committee. **These codes do not reflect the location of services**, such as self-contained settings, where the student received instruction.

7.4 What CourseCode should be used for a student who received modified content to access the curriculum?

With the exception of course codes aligned to STAAR Alternate-2 EOC assessments, the standard course code should be used for all students, regardless of the adaptations to course content. **Codes related to course completion should be selected based on the student's access to content, not the location of instruction.**

For example, a student who meets participation requirements for STAAR Alternate 2 attends classes in a general education setting for English I, receiving modifications and supports as described in their IEP (including prerequisite skills aligned to the TEKS for English I). In this case, the unique code 032201**07** would be entered for the course code. This same student also takes World Geography in a self-contained special education setting. The course code used for their World Geography class will be the standard code 033201**00** because no EOC assessment exists for that course.

For additional information about accurate reporting of course codes, see Appendix B in the 2024 Minimum Standards for the AAR. See question 2.4 for additional information about course substitutions.

The Post-Addendum Course Code table available in the Course Codes Link includes the following statements:

“No substitutions are allowed for required high school courses or credits for students receiving special education services who entered grade 9 in or after the 2011-2012 school year.

For elementary and middle school students receiving special education services, courses in the required curriculum that have been modified in content as a result of an ARD committee decision should be coded using the standard code for the subject area at the designated grade level.”

It is important to note that the Course Entity represents the organization of subject matter and related learning experiences provided for the instruction of students on a regular or systematic basis. This is the course catalog of all courses offered at each school. The CourseIdentificationCode common type represents a standard code that identifies the organization of subject matter and related learning experiences provided for the instruction of students.

7.5 What should be entered on the AAR for a student whose ARD committee determined that passing the EOC assessment was not required for graduation?

For students whose ARD committees determined that passing one or more EOC assessments is not required for graduation, the assessment performance level entered on the AAR should align with the table described in section 2.6(a)(5) of the 2024 Minimum Standards for the Academic Achievement Record.

For example, if a student did not meet performance standards for the Biology EOC assessment and their ARD committee determined passing was not required for graduation, the AAR would reflect a “DidNotMeet” performance for that assessment. The indication of a graduation date and inclusion of an appropriate graduation program seal indicate whether a student has completed the assessment requirements (and curriculum requirements) for graduation.

As specified by 19 TAC 101.3022(f)(1), a student receiving special education services is not subject to the requirements for IGC. Therefore, the guidance in section 2.6(c) of the 2024 Minimum Standards for the AAR does not apply to a student whose ARD committee determined passing was not required for one or more EOC assessments.

Additional resources

- [Academic Achievement Record](#) (Minimum Standards for the AAR)
- [Career and Technical Education \(CTE\) and Special Education FAQ](#)
- [Curriculum Standards](#)
- [Graduation Toolkit](#)
- [State Graduation Requirements](#)
- [Student Assessment](#) (including [Assessments for Special Populations](#))
- [Student Attendance Accounting Handbook](#)
- [Texas Transition and Employment Guide](#)
- TEA Contacts
 - Counseling, Advising, and Student Supports
 - Email: CASSTeam@tea.texas.gov
 - Curriculum
 - Phone: (512) 463-9581
 - [Curriculum Help Desk](#)
 - Public Education Information Management System (PEIMS)
 - To contact PEIMS Customer Support, create a [TIMS Ticket](#) or email TSDSCustomerSupport@tea.texas.gov
 - Special Education
 - Email: sped@tea.texas.gov
 - Student Assessment
 - [TEA Student Assessment Help Desk](#)