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High School Completion Program

Participation of High School Students Receiving Special Education Services

Purpose

These guidelines outline the process for determining whether students enrolled in school who are eligible for and/or are receiving special education services should be referred to or participate in the High School Completion Program (HSCP). It contains pertinent details related to statute, rules, and policy governing the Adult Education and Literacy Programs, the High School Completion Program, and Special Education.

Background on the High School Completion Program

When the HSCP was created through the passage of Act 176 (2005) and first initiated in 2006, it was to re-engage disengaged learners who had not completed secondary school and only those unenrolled from school could access the program. The program was further amended with the passage of Act 44 (2009) when the statute (formerly 16 V.S.A. §1049a now redesignated) was expanded to allow enrolled-in-school students to participate in the program to reduce interruptions in learning. With the passage of Act 77 of 2013, the HSCP was redesignated ([16 V.S.A. § 943](#)) under the Flexible Pathways Initiative allowing broad flexibility for districts to create programs and educational activities that “. . . acknowledge individual goals, learning styles, and abilities.” As Education Fund dollars, the HSCP funds continue to support districts to implement flexible educational services to both enrolled and unenrolled-from-school students seeking a high school diploma. HSCP students must meet the partnering high school's Proficiency-Based Graduation Requirements (PBGRs), as is expected of all students.

Students With IEPs Considering HSCP

Students, parents, and high school staff must be informed that Adult Education and Literacy (AEL) providers/HSCP staff do not provide special education services, which are the LEA's responsibility. Those enrolled in school may pursue their diploma through the HSCP if they are at risk of disengaging from their education and not obtaining their high school diploma. They also must be Vermont residents and at least 16 years old.

Participation in the High School Completion Program may require additional services or time from the Individualized Education Program/Plan (IEP) team (meetings, monitoring of progress, etc.) to ensure that the student is well-served with continuity of learning and appropriate educational activities. It is important



to note that students who enroll in the AEL HSCP will abide by the [HSCP policy manual](#) and the educational team from the sending LEA will continue to follow all rules and regulations outlined in IDEA; however, the AEL provider and staff will, in collaboration with the IEP team, lead the academic program for the student to ensure all proficiency based graduation requirements are being met according to the personalized learning plan under HSCP.

As a result of Act 77, LEAs are providing many diverse and personalized educational opportunities available to enrolled students that most often precludes the need for HSCP's flexibility. It is therefore, *only under unusual circumstances* that a student enrolled in school would need the HSCP as the flexible pathway that leads to graduation. HSCP is not an "alternative placement", but rather a flexible pathway that is available to those enrolled students *who are at risk of disengaging before graduation*.

The following steps outline a process for determining the suitability of the HSCP for those on IEPs who will remain enrolled in school in order to access Special Education services.

Step 1

Students who are considering co-enrollment initially work with high school staff familiar with this option. If appropriate, a referral will be made to a [Vermont AEL provider](#) to initiate eligibility screening and plan development. Currently, students must score at National Reporting System (NRS) level 4 on the Test of Adult Basic Education (TABE) assessments in each content area of reading, writing and math in order for their services to be reimbursable under the High School Completion Program. NRS level 4 demonstrates skills equivalent to grade levels 6-8, depending on the score in each content area. For those scoring below NRS 4 in one or more of the three content areas, the school and the AEL provider may agree to contract for services on a case-by-case basis if the student will remain enrolled in school. Most importantly, a determination must be made regarding the efficacy of HSCP participation in conjunction with the special education services that will remain the responsibility of the district. During this preliminary work it will be essential that the high school liaison to the HSCP review the special education records of the student as part of the initial planning process.

It is important to note that this pathway to a high school diploma is appropriate for students who demonstrate a level of executive function conducive to being successful in a flexible setting. Students should be able to effectively seek out extra help if needed and communicate using a variety of modalities, such as email and/or phone messaging. Students will need to be able to take constructive feedback and exercise control over verbal and physical behavior in a variety of settings. The ideal candidate will be self-motivated and be able to conceive goals and work with teachers to achieve them with guidance from high school and AEL staff. This is truly a unified process and the student, along with caregivers and families, must be comfortable becoming an equal partner in the student's educational aspirations with the IEP Team and the AEL provider staff.

Step 2

When a determination has been made that a student receiving special education is a viable candidate for co-enrollment in the HSCP and his/her local high school, and the IEP team meeting is convened that includes the local AEL provider's HSCP plan manager, the team will consider a change in pathway for the student. It is crucial that the student who is on an IEP remain enrolled in the high school to ensure continued access to special education services and access the benefits under a Free and Appropriate Public Education (FAPE). Adult Education and Literacy programs DO NOT provide FAPE. This is a protection under IDEA that pertains to PreK-12 education for those aged 3-21 and, therefore, it is imperative that the student stay enrolled in the local high school. This will also provide access to programming, such as physical education and other proficiency-based grade level requirements (PBGRs). The IEP team determines what specially designed instruction, related supplemental services and accommodations the student requires, and the responsibility for providing special education services and funding remains with the Local Educational Agency (LEA). If the student needs specialized instruction or related services, those are provided at the local high school or other AOE-approved location determined by the IEP team. The LEA is responsible for assuring that these services are provided by qualified staff and for supervision of these services and responsible for continuing to follow the [Vermont Special Education Procedures and Practices Manual](#).

Step 3

The IEP team provides required notice of any change of pathway. In making the pathway decision, the team considers the special education needs of the student based on the student's disability, his/her ability to access and progress in the general education curriculum, the student's transition plan, the information gathered by the HSCP Plan Manager, and any special considerations presented by the individual student. The team then determines whether co-enrollment in the High School Completion Program and the local high school along with any special education and related services provides a Free Appropriate Public Education (FAPE) for the individual student.

The student, school, and AEL provider must comply with all HSCP policies, including the requirement for submission of the [Request to Graduate form](#) and approval of the AOE before the student graduates, if the student is assessing with skills below NRS 5 (high school level) on any of the three content areas of reading, writing, and math. If it is unlikely that the student will be able to reach NRS 5 in all skill areas or if the school, student or family does not want to make graduation contingent upon this prior approval from the AOE, then the HSCP is not an appropriate flexible pathway for the student. As evidence that the student has met PBGRs, a [PBGR Access Plan](#) could be developed and completed and then attached with the Request to Graduate form submission.

Important Considerations

- Accommodations and modifications are important tools for a student to successfully accomplish IEP goals and objectives and participate actively with other students in classroom and school activities.
- Accommodations are changes in how a student accesses information and demonstrates learning. Accommodations do not substantially change the instructional level, content, or performance criteria. The changes are made to provide a student with equal access to learning and equal opportunity to show what he or she knows and can do. Accommodations can include changes in the following:
 - specialized services such as English Language services, sign language interpreters, or braille materials, all of which must be administered by certified licensed teachers
 - presentation and/or response format and procedures
 - instructional strategies
 - time/scheduling
 - environment
 - equipment
 - architecture
- Modifications are changes in what a student is expected to learn. The changes are made to provide a student with opportunities to participate meaningfully and productively along with other students in classroom and school learning experiences. Modifications might include changes in the following:
 - instructional day
 - access to content and the scaffolding of grade level curricula
 - performance criteria
- How will accommodations and modifications be communicated to and implemented by the HSCP Plan Manager/AEL staff?
- Behavior Plan: Careful consideration needs to be made regarding the student's ability to participate in the HSCP as a flexible pathway, which requires his/her active engagement in their educational activities described in the HSCP Personalized Learning Plan (PLP). The LEA remains responsible for creating and implementing behavior plans. This includes the monitoring and disciplinary action which may result from a student who does not follow the plan. There must be full transparency of any behavioral accommodations or modifications necessary for everyone involved in the student's education. These terms will need to be included and reviewed annually at the student's IEP meeting which will include AEL educators or representatives.
- Disciplinary Actions: How will the HSCP Plan Manager be informed of past/pending disciplinary actions? How will HSCP/AEL provider staff communicate with the student's IEP case managers concerns regarding attendance and student's engagement with the activities in the PLP? Because disciplinary requirements for students with IEPs have set timelines this communication has to be prompt. The LEA remains responsible for imposing any disciplinary action. AEL providers and the appropriate teaching staff must be informed, prior to the student's next meeting with the teacher but not later than 48 hours after any disciplinary action taken on a co-enrolled student as well as

any consequences to the instructional program. AEL staff schedules are created around student load and many work part-time. We need to ensure that teacher resources are being used effectively and efficiently. Notifications should come from the student's IEP Case Manager and be messaged through the Program Directors to all teachers involved.

- Physical education: How will the student participate in either a regular or adapted physical education program?
- Transportation: In determining a student's need for related services, the IEP team must consider whether the student requires transportation in order to access the program and services identified in the IEP, including those services in the transition plan and those services provided by the AEL Provider as part of HSCP participation. In most instances, if a student requires transportation to get to school, then transportation to the location of HSCP services (AEL provider, other site) will be required. Transportation must be arranged by the student's case manager/LEA. Because transportation is billable and provided to the student from IDEA funding, the cost and arrangement of the transportation is the responsibility of the LEA.
- Progress Reporting: How will progress on meeting IEP goals and objectives be reported at least as often as progress is reported for students who do not have IEPs? Progress reporting/monitoring for co-enrolled students must be done at the same frequency and with equal benefit as students/classmates attending the local high school. The frequency of reporting for goals listed in the IEP will be determined at the IEP meeting by all involved in the student's educational program and it will be the responsibility of the case manager to provide the necessary access or forms needed for the AEL teacher to report on the student's progress.
 - All students aged 16 or older must have a transition plan included in their IEP. Special Education students will not be accepted into the HSCP pathway without a current transition plan. The names and contact information of important educational partners such as those who may support the student from agencies like HireAbility must be documented and shared with the AEL provider.

Roles and Responsibilities

Co-enrollment and participation in the HSCP offers an opportunity for students receiving special education who will benefit from the educational activities that the HSCP provides. In order to make this a successful experience, it will be essential that all staff involved with the student understand their roles and responsibilities and that effective communication systems with students, parents, school and HSCP staff are in place. What follows is basic guidance on roles and responsibilities.

High School Liaison to HSCP:

- In consultation with the HSCP Plan Manager, determine whether a student is a viable candidate for HSCP.

- Participate in the development of a High School Transition Plan and HSCP Graduation Education Plan (the HSCP PLP that leads to graduation) and any revisions needed to the IEP as a member of the IEP team.

Special Education Case Manager:

- Continue to carry out case management responsibilities.
- Assure that the IEP is being implemented, including transportation, behavior plan and other related services including those that may be from other state agencies such as HireAbility.
- Monitor progress in meeting IEP goals at high school and HSCP.
- Maintain ongoing communication with HSCP Plan Manager and other HSCP staff.

High School Completion Program Plan Manager and other AEL/HSCP staff:

- Provide initial counseling and assessment.
- In consultation with the High School Liaison, determine whether student is a viable candidate for HSCP.
- Participate in IEP team meetings.
- In consultation with student, parents, High School Liaison, and Special Education Case Manager, develop the Graduation Education Plan.
- Provide ongoing plan management.
- Work with the IEP team and any relevant outside agencies to develop/maintain the transition plan.
- Communicate any potential changes to a student's educational activities, and information on student progress, to the High School Liaison and the Special Education Case Manager.
- Provide educational services described in the Graduation Education Plan that are the stated responsibility of the HSCP provider.

Eligible Costs Under IDEA

The LEA is responsible for IDEA services for eligible populations. LEAs can use IDEA Part B or Census Block Grant (CBG) money to pay for special education services; however, it is up to the LEA to determine what they will pay for with district funds according to law and policy. Please see the [Technical Manual for Use and Accounting of IDEA Part B Entitlement Grants](#) as a reference. Not all services may be eligible for IDEA Part B funds.

Per the Technical Manual, eligible expenses under IDEA Part B include:

- A district may hire or contract with individuals or organizations for tutoring services to carry out CEIS funded activities.
 - Tutors may participate in or provide professional development to enable teachers and other school staff to deliver scientifically based academic and behavioral interventions, and, if appropriate, the use of adaptive and instructional software.

- LEAs may contract with agencies to facilitate the acquisition of employment skills for students with disabilities, typically ages 18-21. The transition services must be identified on students' IEPs. The costs may also be incurred when school is not in session, e.g., summer. Contracted transition services must be provided under the supervision of appropriately licensed special education teachers. Transition agency staff may not assume the role of special education teachers, who must prescribe instruction and evaluate the results of instruction.
- Support, reinforce or follow- up on the provision of educational and behavioral services provided by and under the supervision of an appropriately licensed general education teacher.

Concluding Summary

HSCP is a flexible pathway that is available to students receiving special education services, but it is not an “alternative placement” that is outside of the LEA’s responsibility to directly oversee the flexible educational services the student is receiving. AEL providers do not provide special education services and will not supplant the LEA’s role in ensuring FAPE. Due to the many personalized and flexible opportunities currently offered by districts, it is not expected that this flexible pathway will be appropriate for a large number of students who are enrolled in school. All parties must remain diligent in providing effective services to students receiving special education that ensure their continued engagement in their education as enrolled students in order to protect and secure the students’ rights under IDEA.