

Grading and Transcripts

Section 504 of the 1973 Rehabilitation Act prohibits discrimination in the implementation of grading policies, setting of graduation requirements, and awarding diplomas. The information in this document is taken from several letters from the Office of Special Education Programs, the Office of Civil Rights, and Law Reports, and the Special Ed Connection website from LRP Publications. It is intended as an information item only, not a legal interpretation.

In Colorado, local school boards have the authority to set graduation requirements, grading policies, and conditions for awarding diplomas if those policies do not violate a student's civil rights. To ensure that district practices do not discriminate, districts must:

- establish clearly defined standards (both academic and non-academic)
- provide appropriate advance notice to allow reasonable time to prepare to meet the requirements or make informed decisions about alternative options,
- and consider the needs of individual students on a case-by-case basis.

Alternative grading systems are appropriate if the school district ensures that the grading policies and practices of the district are not discriminatory and are available to all students. Consider a process to award modified grades or indicate course modifications on transcripts across the spectrum, from remedial to basic to advanced placement, to ensure that practices are not discriminatory.

Before working with individual students to develop transition services and courses of study through transition IEPs, it will be important to understand district policies related to grading, transcripts, and graduation requirements. Districts must make individualized determinations related to course content, grading, tests, and graduation requirements.

May a student with a disability who receives accommodations in a general education classroom be given modified grades?

NO. Accommodations ensure access to course content for students with disabilities but do not fundamentally alter the standards or course expectations. Unless specifically modified on a student's IEP, the student is presumed to be assessed for course content and graded like non-disabled students.

May a student in a general education classroom who receives modifications be given a modified grade?

YES. Students with disabilities enrolled in general education classes may be given modified grades that are determined collaboratively between the general and special educators and outlined in the IEP when course content is modified. Districts may not modify grades because of a student's special education status alone. If grades in general education classes are used for granting credit (rather than pass/fail), then students with disabilities enrolled in that class for credit shall receive grades.

May classes be identified as special education classes on the high school student's transcript to indicate that the student has had a modified curriculum in the general class.

NO. Words such as "Special Education English" or "Resource Math" should not appear on the transcript. Words such as "English Essentials," "Practical Math Applications" or other descriptive phrases, that are not specifically associated with special education status, should be used.

May asterisks or other symbols or codes be used on the transcript to indicate a modified curriculum?

YES. Modifications or exceptions may be identified on the transcript if grades and courses of all students, not just students with disabilities, are similarly treated and the denotation does not identify the student as having a disability or being in special education. For example, if the modification code system covers enhanced or greater difficulty course work by advanced students as well as students taking remedial courses, it may not violate 504.

Must grades earned in special education classes or general education with the support of special education services be included in district-wide GPA standings for honor roll and college scholarship purposes?

YES. In determining GPA, class ranking, or honor roll a district may not arbitrarily exclude students receiving special education services or assign the students a lower class ranking. If a school district wishes to establish standards for eligibility for class ranking or honors, it may do so if selection procedures are based on objective criteria commensurate with the purpose of the ranking and the policy is implemented district-wide so that a disparate application does not exist.

May a school district implement a weighted grading system or establish other criteria for eligibility for class ranking?

YES, if it does not arbitrarily discount or exclude grades earned by students with disabilities. Any policy and practice must be developed and implemented district-wide, be based on objective criteria, and be applied to all students equally. An appropriate grading policy

provides adequate notice to parents and students, is simple and easy to understand, and provides equal opportunity for identified students to take courses at all levels in the district.

May a school district give a lower grade or weighting to all special education courses?

NO. A school district may not arbitrarily assign the lowest weight to all special education classes. The District may use a weighted grading scale that results from an assessment of academic distinctions between classes including general and special education classes, based upon objective criteria and applied to all students equally.

What does FERPA say about releasing transcripts?

Transcripts may not be released to prospective employers or post-secondary institutions without the written permission of the student and/or parent when appropriate. The district must take steps to inform each student of what his or her transcript contains in the way of modification notifications before releasing it to another party.

REFERENCES

- Office of Civil Rights Memorandum, In re: Report cards and transcript for students with disabilities (SWD), 51 IDELR 50 (OCR 2008)
- Freedman, M. K., Esq. (2000). Testing, grading and granting diplomas to special education students. Horsham, PA: LRP Publications
- Dunbar, D. (1996). Runkel, letter to (grading/diplomas). Office of Civil Rights, Region VIII, Vol. Issue 2504, Posting Date 19970226; 25 IDELR 387
- Authors. (1995) Grades, graduation, and diplomas. Special education bulletin. Helena, MT: Office of Public Instruction

This CDE guidance document is meant for clarification, is not legally binding, and is not to be confused with legal advice. This guidance reflects CDE's recommendations, but Administrative Units (AUs) may have developed their own policies or procedures that differ from those described herein. Be sure to refer to your local AU's policies and procedures through the Director of Special Education. If you are seeking legal advice, please contact your legal counsel.

The contents of this handout were developed under a grant from the U.S. Department of Education. However, the content does not necessarily represent the policy of the U.S. Department of Education, and you should not assume endorsement by the federal government.

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