

Graduation (From Illinois Rules and Regulations)

c) Eligibility; Graduation or Completion of Program

- 1) An eligible student who requires continued public school educational experience to facilitate his or her integration into society shall be eligible for such services through age 21, inclusive (i.e., through the day before the student's 22nd birthday) (see 34 CFR 300.101(a)).
- 2) The provision of FAPE is not required with respect to a student with a disability who has graduated with a regular high school diploma.
- 3) A student with a disability who has fulfilled the minimum State graduation requirements set forth in Section 27-22 of the School Code (105 ILCS 5/27-22, 27-22.05, 27-22.10) shall be eligible for a regular high school diploma.
 - A) If the student's individualized education program prescribes special education, transition planning, transition services, or related services beyond that point, issuance of the diploma shall be deferred so that the student will continue to be eligible for those services.
 - B) If the student is to receive a regular high school diploma, at least one year prior to the anticipated date of its issuance, both the parent and the student shall receive written notification in conformance with the requirements of 34 CFR 300.503 that eligibility for public school special education services ends following the granting of a diploma and that the parent (or student, if Section 226.690 of this part applies) may request an IEP meeting to review the recommendation that the student receive a regular diploma.
- 4) Students who have participated in a graduation ceremony but have not been awarded regular high school diplomas continue to be eligible to receive FAPE through age 21, inclusive.

d) Exception for Certain Students Incarcerated as Adults

Pursuant to 34 CFR 300.102(a)(2), the right to receive FAPE does not extend to students from 18 to 21 years of age who are incarcerated and who were not identified as eligible and did not have IEPs in their educational placements immediately prior to incarceration.

[Source: Amended at 40 Ill. Reg. 2220, effective January 13, 2016.]