



STATE OF NEW JERSEY

DEPARTMENT OF EDUCATION

A Memo from the New Jersey Department of Education

Date: September 20, 2023

To: Local Educational Agency Leads, Administrators of Approved Private Schools for Students with Disabilities

Route To: Directors of Special Services, Special Education Parent Advisory Groups (SEPAGs)

From: Kathy Ehling, Assistant Commissioner
Division of Educational Services

Guidance for Graduation Requirements by Content Area for Students with Disabilities

The purpose of this memorandum is to provide guidance regarding meeting the [New Jersey State Minimum Graduation Requirements by Content Area](#) for students with disabilities. As authorized by N.J.S.A. 18A:7C, the Commissioner of Education, with the approval of the State Board of Education, has established a program of standards for graduation from secondary school which includes guidelines for the development of graduation standards by local boards of education. The guidelines for the development of graduation standards by local boards of education have been codified in N.J.A.C. 6A:8-5.1. No student, including students with disabilities, shall be exempted from statutorily mandated content area requirements necessary to earn a state-endorsed high school diploma.

In order to address the individual needs of students with disabilities, N.J.A.C. 6A:8-5.1(c) permits district boards of education to specify alternate requirements for a state-endorsed diploma for individual students with disabilities. District boards of education shall specifically address any alternate requirements for graduation in a student's individual education plan (IEP), in accordance with N.J.A.C. 6A:14-4.11. Moreover, if local districts develop graduation requirements beyond those that are statutorily mandated, districts may exempt students with disabilities from the local district requirements, but not from the statutorily mandated content area requirements.

In accordance with N.J.A.C. 6A:14-3.7(e), the IEP developed for the student must include a statement of the state and local graduation requirements that the student shall be expected to meet. If the IEP team determines that a student with a disability is exempted from local graduation requirements, or there is a modification to, local or state high school graduation requirements, the statement shall include a rationale for the exemption of local graduation requirements or modification of local or statutorily mandated requirements based on the student's educational needs. In addition, the statement shall also include a description of the alternate proficiencies to be achieved by the student to qualify for a state-endorsed diploma. The alternate proficiency must be related to the content area addressed in the IEP. For instance, if an IEP team determines that a student with disabilities is exempt from meeting the credit requirement for World Languages, it is the responsibility of the IEP team to determine an alternate proficiency related to the World Language requirement to be achieved by the student and document those decisions in the IEP.

The New Jersey State Learning Standards were created to prepare all students for post-secondary, success in life, and work, including students with disabilities. The expectation for all students with disabilities is that accommodations and modifications are necessary to access grade level curriculum and demonstrate what they know. The majority of students with disabilities, barring unique circumstances, should be encouraged to meet all established graduation requirements and earn a standard diploma. Local educational agencies (LEAs) are reminded to ensure that the IEPs of students with disabilities who have been granted an exemption from local requirements or modification to content area requirements for graduation include a rationale and a description of

the alternate proficiencies to be achieved by the student in each content area where there is an exemption or modification. Exemptions of content area requirements without an alternate proficiency to be achieved are not permissible under state regulations. Please see chart below for further explanation.

| Content Area | Statutory Requirement | Regulatory Requirement | Can this course be waived for a student with a disability? | Can this course be modified for a student with a disability? | If waived, must the IEP contain an alternate proficiency for graduation for a student with a disability? |
|--|--|-------------------------------|--|--|--|
| Health, Safety and Physical Education | N.J.S.A. 18A:35-5, 18A:35-7 and 18A:35-8 | N.J.A.C. 6A:8-5.1(a)(1)(vi) | No | Yes | N/A |
| English Language Arts | N/A | N.J.A.C. 6A:8-5.1(a)(1)(i) | Yes | Yes | Yes |
| Mathematics | N/A | N.J.A.C. 6A:8-5.1(a)(1)(ii) | Yes | Yes | Yes |
| World Languages | N/A | N.J.A.C. 6A:8-5.1(a)(1)(viii) | Yes | Yes | Yes |
| Technology | N/A | N.J.A.C. 6A:8-5.1(a)(1)(ix) | Yes | Yes | Yes |
| 21st Century Life and Careers | N/A | N.J.A.C. 6A:8-5.1(a)(1)(x) | Yes | Yes | Yes |
| Science | N/A | N.J.A.C. 6A:8-5.1(a)(1)(iii) | Yes | Yes | Yes |
| Social Studies | N.J.S.A. 18A:35-1 and 18A:35-2 | N.J.A.C. 6A:8-5.1(a)(1)(iv) | No | Yes | N/A |
| Financial, Economic Business, and Entrepreneurial Business Literacy | N/A | N.J.A.C. 6A:8-5.1(a)(1)(v) | Yes | Yes | Yes |
| Visual and Performing Arts | N/A | N.J.A.C. 6A:8-5.1(a)(1)(vii) | Yes | Yes | Yes |

Questions should be directed to the Office of Special Education at (609) 376-9060 or oseinfo@doe.nj.gov.

- c: Members, State Board of Education
- NJDOE Staff
- Statewide Parent Advocacy Network
- Garden State Coalition of Schools
- NJ LEE Group