

OASIS · AT A GLANCE

The Diploma Trap

Under federal law, graduating with a regular high school diploma ends the right to a free appropriate public education, even when the student is years short of the state maximum age. In Michigan that maximum is 26.

PILLAR: WHEN, HOW | COMPANION TO BLOG POST B175 | 2-PAGE BRIEF

71.4%

EXIT BY REGULAR DIPLOMA

Share of autistic students who left high school with a regular diploma, the one credential that terminates IDEA eligibility, in a national analysis of 2015 to 2019 exit data.

How a ceremony ends an entitlement

PROPOSE, AWARD, TERMINATE

STAGE 1

The team proposes a diploma

It arrives as good news, usually in a spring IEP meeting, framed as an accomplishment rather than as a legal event.

STAGE 2

The diploma ends FAPE

34 CFR 300.102(a)(3)(i) makes graduation with a regular high school diploma an exception to the right to a free appropriate public education.

STAGE 3

The remaining years disappear

Michigan can provide special education to age 26. A diploma at 18 closes that door, and there is no reenrollment right afterward.

Which credential is on the table

THE FORK THAT DECIDES EVERYTHING

Two pieces of paper, two outcomes

Both students attend the same ceremony and wear the same gown. Only one of them still has a right to services the following Monday.

Is the district awarding a regular high school diploma, or a certificate of completion?

Regular high school diploma

Eligibility for a free appropriate public education ends on the award date under 34 CFR 300.102(a)(3)(i). Every IEP service stops being legally enforceable. There is no reenrollment right, and the district owes prior written notice under 34 CFR 300.503 because graduation is a change in placement.

Certificate of completion

Eligibility continues. Under 34 CFR 300.102(a)(3)(ii) the exception does not apply to children who have graduated from high school but have not been awarded a regular high school diploma. In Michigan, services can run until the student reaches the age of 26.

71.4%

Left with a diploma

Autistic students exiting high school with a regular diploma, the credential that terminates IDEA eligibility outright.

18.5%

Took a certificate

Autistic students exiting with a certificate. That credential preserves eligibility under 34 CFR 300.102(a)(3)(ii).

3.2%

Actually aged out

Autistic students who exited by reaching the maximum age. The overwhelming majority left on a credential, not on a calendar.

THE BEST DAY OF THE YEAR

“

She walked. We cried in the good way. Nobody in that gym said the words free appropriate public education, and nobody had to, because the diploma said them for us. She was nineteen. Michigan would have kept working with her until twenty-six.

A CEREMONY IS NOT A NOTICE. ASK FOR THE NOTICE.

THE TAKEAWAY

TURN THE PAGE

The question is not whether she earned it. The question is whether the district has finished the transition services this IEP commits it to, and if not, what the plan is for finishing them before eligibility ends.

The pre-graduation review, the notice you are owed under 34 CFR 300.503, and what to do if services have already ended.

Review before anyone schedules a cap and gown

ASK IN WRITING, AND KEEP THE ANSWER

ASK

Get it in writing

- ☐ Which credential the team intends to award
- ☐ The exact date it will be awarded
- ☐ Prior written notice under 34 CFR 300.503
- ☐ What the district considered and rejected
- ☐ Whether a certificate was offered as an option

CHECK

Transition goals still open

- ☐ Postsecondary goals met, or copied forward
- ☐ Vocational experiences actually completed
- ☐ Independent living and community skills
- ☐ Transportation and travel training
- ☐ Communication supports and AAC access

CONFIRM

Adult side is real

- ☐ Application filed with vocational rehabilitation
- ☐ Application filed with Community Mental Health
- ☐ An intake date exists on a calendar
- ☐ Someone at an adult agency knows his name
- ☐ Summary of Performance scheduled and drafted

ACT

If the team proceeds anyway

- ☐ State your disagreement on the record
- ☐ Follow the meeting with a letter that week
- ☐ Ask that unmet goals appear in the minutes
- ☐ Ask about mediation or a state complaint
- ☐ Move quickly. Filing timelines are short

BRING ONE PAGE, NOT A BINDER

The graduation review sheet

01

Federal rule

34 CFR 300.102(a)(3). Diploma ends FAPE.

02

Exception

Certificate of completion does not end it.

03

Notice owed

Prior written notice, 34 CFR 300.503.

04

Michigan age

Services can run to 26 under MCL 380.1711.

YOUR MOVE

When the team says he has earned it

1

Agree

He probably has. That is not the question.

2

Narrow it

Are the IEP transition services complete.

3

Ask for the notice

Graduation is a change in placement.

4

Name the years

Michigan eligibility can run to age 26.

5

Record it

Unmet goals belong in the minutes.

A team that has to write down why a student with unmet transition goals is ready to exit sometimes discovers, in the writing, that he is not.

SOURCES

U.S. Department of Education. 34 CFR 300.102, Limitation and exception to FAPE for certain ages. Subparagraph (a)(3)(i) exempts children who have graduated from high school with a regular high school diploma; (a)(3)(ii) states the exception does not apply to children who graduated without a regular diploma; (a)(3)(iii) makes graduation with a regular diploma a change in placement requiring written prior notice under 34 CFR 300.503.

McLean KJ, Carey ME, Cooper D, Lyall K, Mandell DS, Shea LL. High School Exiting Among Autistic Students: A National Analysis of Special Education Data from 2015 to 2019. Behavioral Sciences. 2026;16(4):566. Source of the 71.4 percent regular diploma, 18.5 percent certificate, and 3.2 percent maximum age exit figures.

Michigan Department of Education. FAPE for Adult Learners. States that eligible students have available to them a free appropriate public education until they reach the age of 26 or receive a regular high school diploma. Cites MCL 380.1711 and Michigan Administrative Rules for Special Education R 340.1701 and R 340.1702.

Michigan Alliance for Families. Free federally funded assistance for Michigan families on IEP disputes, transition planning, and exit decisions.

Disability Rights Michigan. Protection and advocacy organization handling special education complaints, mediation, and due process matters in Michigan.

ABOUT THE AUTHOR

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