

SECONDARY TRANSITION

8.1	PURPOSE AND SCOPE.....	8-1
8.2	DEFINITION OF TRANSITION SERVICES	8-1
8.3	TIMELINE FOR DEVELOPING INDIVIDUAL TRANSITION PLAN	8-2
8.4	AREAS TO BE ADDRESSED	8-2
	8.4.A INSTRUCTION.....	8-2
	8.4.B RELATED SERVICES	8-2
	8.4.C COMMUNITY EXPERIENCES.....	8-2
	8.4.D EMPLOYMENT	8-3
	8.4.E DAILY LIVING SKILLS AND FUNCTIONAL EVALUATION	8-3
8.5	OTHER AGENCY INVOLVEMENT	8-3
8.6	IEP TEAM PARTICIPANTS FOR SECONDARY TRANSITION	8-3
8.7	POST-SECONDARY GOALS.....	8-5
8.8	SUMMARY OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE	8-5
8.9	TRANSFER OF RIGHTS AT AGE OF MAJORITY.....	8-6
8.10	POST-SECONDARY FOLLOW-UP.....	8-6
8.11	STUDENTS BETWEEN NINETEEN AND TWENTY-TWO YEARS	8-6
	APPENDIX A LEGAL REQUIREMENT AND BEST PRACTICES Q & A	8-8

SECONDARY TRANSITION

8.1 PURPOSE AND SCOPE

Transition services (designed with a results oriented process focused on improving academic functional achievement of the student) must be addressed in the IEP of the student not later than in the year in which he/she turns 16 years of age. The goal of **transition services** is planned movement from secondary education to adult life that provides opportunities which maximize economic and social independence in the least restrictive environment for individuals with exceptional needs. Planning for transition from school to postsecondary environments should begin in the school system well before the student leaves the system. (30 EC 56460)

Transition is all about planning for a student's future and how academic courses, functional curriculum and vocational activities help move a student towards the future goal. Discussion about transition or future planning should be addressed at the beginning of the IEP team meeting so that the IEP team is focused throughout the meeting on helping the student work towards his or her future goals. The goal of transition is to provide the student with all the skills, knowledge and support necessary to make their post school goals a reality.

8.2 DEFINITION OF TRANSITION SERVICES

The term "transition services," is a coordinated set of activities for students with special needs that does all of the following:

- (1) Is designed within an results-oriented process, that is focused on improving the academic and functional achievement of the individual with exceptional needs to facilitate the movement of the pupil from school to post-school activities, including postsecondary education, vocational education, integrated

- employment, including supported employment, continuing and adult education, adult services, independent living, or community participation.
- (2) Is based upon the individual needs of the pupil, taking into account the strengths, preferences, and interests of the pupil.
 - (3) Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.
 - (4) Transition services for students with special needs may be special education, if provided as specially designed instruction, or a designated instruction and service, if required to assist a pupil to benefit from special education. Is based upon the individual needs of the pupil, taking into account the strengths, preferences, and interests of the pupil.
 - (5) Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation. (56345.1. (a))

8.3 TIMELINE FOR DEVELOPING INDIVIDUAL TRANSITION PLAN

Beginning not later than the first IEP to be in effect when the child is 16, and updated annually thereafter:

- (a) appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills;
- (b) the transition services (including course of study) needed to assist the child in reaching those goals; and
- (c) beginning not later than 1 year before the child reaches the age majority (age 18), a statement that the child has been informed of the child's rights that will transfer to the child when reached age 18.

8.4 AREAS TO BE ADDRESSED

8.4. A Instruction

The IEP is an individualized instructional and support plan for students with disabilities. The transition planning, activities and services detailed in the IEP align instruction with student's post-secondary goals.

8.4. B Related Services

The IEP must describe any related services the student may need, such as transportation to a work experience or career counseling to help the student prepare for his or her future goals.

8.4. C Community Experiences

Instructional activities may take place in the community such as community based instruction to help students generalize the skills learned in the classroom to the real world.

8.4. D Employment

All students should have employment related language in their IEP. For some students this may be a goal to go to college; for others it may mean job training or supported employment. Other students may go right to work after leaving school. LEAs are responsible for helping students identify their goals and develop plans that prepare students to achieve.

8.4. E Daily Living Skills and Functional Evaluation

Some students may need specific instruction and activities in order to learn to take care of themselves and live as independently as possible. Some students may need a functional evaluation to determine which skills they will need to develop so that they are able to enter employment or live independently.

8.5 OTHER AGENCY INVOLVEMENT

A representative from any agency that is likely to be responsible for providing or paying for transition services may be invited to the IEP beginning when the student is 16 or younger if appropriate with parental consent or consent of adult student.

If a participating agency (other than the district) fails to provide the transition services described in the IEP, the IEP team will reconvene to identify alternative strategies to meet the transition objectives for the student.

If an invited agency representative cannot attend the IEP meeting to develop transition services, the district will obtain agency participation in planning for these services by some other means.

8.6 IEP TEAM PARTICIPANTS FOR SECONDARY TRANSITION

Student

Role: Participates, communicates preferences and interests, communicates strengths, and takes part in the IEP development.

(If the student is not in attendance, how were the student's interests and preferences determined?)

300.321(b)(1) Would provide that the child be invited to the IEP meeting if a purpose of the meeting is consideration of the child's postsecondary goals and the transition services needed to achieve those goals.

(2006 IDEA Regulations Comments indicated that if the student is a minor, the parents (unless ed. rights have been limited or extinguished) have the authority to determine whether the student should attend the IEP Team meeting (pg.46671)
300.321(b) (2) it is the public agency's obligation to take other steps to ensure that the student's preferences and interests are considered if the child is unable to attend the meeting.

Parent/Family

Role: Supports the student, reinforces the value of an individual program, provides information about student's strengths and areas where assistance is needed.

Special Education Specialist

Role: Provides information, provides teaching strategies including accommodations and or modifications, suggests course of study related to student's post school goals; identifies related services, provides input into transition service needs, links student and parents with appropriate post-school services, coordinates all people, agencies, services or programs involved in the transition planning process

General Education Teacher

Role: Assists in planning course of study, assists in identifying and providing modifications, adaptations, support and positive behavioral strategies or interventions.

(34 CFR 300.321 – Not less than one regular education teacher of such child (if the child is, or may be, participating in regular education)

LEA Representative

Role: Support staff and allocate LEA resources

- Qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities
- Is knowledgeable about the general curriculum and the availability of resources of the LEA
- Has the authority to commit the LEA to implement the IEP
- LEA may designate another staff member of the IEP team if these criteria are met.

Other Specialists

- Who can interpret the instructional implications of evaluation results
- Who may be one of the team members already listed.

Other Appropriate Agency Personnel

Role: Provide information about services, eligibility criteria, explain difference between entitlement of school programs and eligibility of adult services, assist in identifying community or adult services

8.7 POST-SECONDARY GOALS

The IEP must document development of measurable postsecondary goals based on age-appropriate transition assessments. The IEP for students 16 years old or younger, if appropriate, must contain: appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; (bb) the transition services (including courses of study) needed to assist the child in reaching those goals. [Section 614(d) (1) (A) (i) (VIII)]

8.8 SUMMARY OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE

The Summary of Academic Achievement and Functional Performance is not part of the IEP process. The summary is prepared by the LEA and provided to the student when he/she leaves school, either by graduating with a general diploma or reaching the age of 22. The summary will offer the student a document that summarizes his/her academic and functional performance with recommendations about what accommodations and supports the student may need to enter post-school activities, such as training, higher education, employment, and independent living. For a student whose eligibility terminates, a LEA shall provide the student with a summary of his/her academic achievement and functional performance, which shall include recommendations on how to assist the student in meeting the his/her post-secondary goals. (Section 614(c) (5) (B))

NOTE: Refer to Chapter 16 Forms for Summary Academic Achievement and Functional Performance Forms

8.9 TRANSFER OF RIGHTS AT AGE OF MAJORITY

The IDEA '04 continues the requirement of notifying the student and family that educational rights convert to the student upon reaching the age of majority, which is 18 years old in California: beginning not later than 1 year before the student reaches the age of majority under State law, a statement that the student has been informed of his/her rights if any, that will transfer to the child on reaching the age of majority. (Section 614(d) (1) (A) (i) (VIII), emphasis added)

8.10 POST-SECONDARY FOLLOW UP

The State requires districts to seek information from students who have graduated from high school to collect data on post school outcomes.

NOTE: Refer to Chapter 16 Forms for Post-Secondary Follow-Up Letter

8.11 STUDENTS BETWEEN NINETEEN AND TWENTY-TWO YEARS

Between the ages of nineteen and twenty-one, inclusive; enrolled in or eligible for a program under this part or other special education program prior to his or her nineteenth birthday; and has not yet completed his or her prescribed course of study or who has not met proficiency standards.

- A) Any person who becomes 22 years of age during the months of January to June, inclusive, while participating in a program under this part may continue his or her participation in the program for the remainder of the current fiscal year, including any extended school year program for individuals with exceptional needs.
- B) Any person otherwise eligible to participate in a program under this part shall not be allowed to begin a new fiscal year in a program if he or she becomes 22 years of age in September or that new fiscal year. However, if a person is in a year-round school program and is completing his or her individualized education program in a term that extends into the new fiscal year, then the person may complete that term.
- C) Any person who becomes 22 years of age during the months of October, November, or December while participating in a program under this act shall be terminated from the program on December 31 of the current fiscal year, unless the person would otherwise complete his or her individualized education program at the end of the current fiscal year or unless the person has not had an individual transition plan incorporated into his or her individualized education program and implemented from the age of 20 years, in which case the person shall be terminated from the program at the end of the fiscal year.
(E.C., Sec. 56026: (c) (4))

Refer to *Transition to Adult Living, An Information and Resource Guide*, California Department of Education, 2007 on the following website:
http://www.calstat.org/publications/pdfs/transition_guide_07.pdf

APPENDIX A

LEGAL REQUIREMENTS AND BEST PRACTICES Q & A

(Taken from *Transition to Adult Living* from CDE)

The IDEA of 1990 required planning for post-school transition at IEP meetings for all students with disabilities. The law required that students be invited to attend the IEP meeting and that transition services and planning be addressed in the following areas:

- Instruction
- Employment and other post-school adult living objectives
- Community experiences
- If appropriate, daily living skills
- Functional vocational evaluation

The IDEA of 1997 further expanded transition planning in the IEP to include related services necessary to achieve the activities stated in the transition plan and required procedures for the transfer of legal rights from the parent to the student upon reaching the age of majority under state law.

Question: Are education agencies responsible for preparing students for their futures?

Answer: Yes. IDEA '04 continues to reinforce the intention that education agencies will assist students to successfully transition from school to adult living. Its purpose clearly states the legislative intent that education agencies prepare students for life after leaving school: (d) PURPOSES.—The purposes of this title are— (1) (A) to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living. (Section 601, emphasis added)

What It Means: The primary purpose of the IDEA is to ensure that children and youth with disabilities have a right to a free appropriate public education; but it also means that education agencies will prepare them for activities after leaving school. These activities include attending college, training for employment, getting a job, living independently, and participating in the life of the community.

Question: What is the definition of “transition services”?

Answer: The definition of transition services in the IDEA '04 explains how improving a student's academic and functional achievement will improve the transition from school to adult living: (34) TRANSITION SERVICES. —The term “transition services” means a coordinated set of activities for a child with a disability that— (A) is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to

facilitate the child's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. (Section 602, emphasis added)

What It Means: The IDEA expects that local education agencies, community and state agencies, and families will work together to design educational programs that prepare students with disabilities for life after leaving school. The IDEA lists specific results: improved academic and functional achievement that will offer youth choices in adult life. These choices include continued education, employment, and the ability to assume adult roles.

Question: What is the coordinated set of activities designed to help students move from school to adult living?

Answer: The definition of transition services is a coordinated set of activities. The activities to which the IDEA refers have a concerted purpose: to help students move successfully from school to adult living. Improving a student's academic and functional performance while in school increases the student's chances for a better future. Best practices involve helping the student understand the connection between school and careers, coordinating all stakeholders—the student, the family, the school, and other service providers— and having the student's goals for the future as the focus of all activities. The definition further clarifies that transition services are based on the student's interests and include the areas of instruction, community experiences, developing employment or other goals (such as further education), and any other related services the student may need to achieve his or her long-term goals. (34) TRANSITION SERVICES. —The term "transition services" means a coordinated set of activities for a child with a disability that— (A) is designed to be within a results- oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation; (B) is based on the individual child's needs, taking into account the child's strengths, preferences, and interests; and (C) includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation. (Section 602)

What It Means: General and special educators coordinate activities with the student to assist the student in identifying his or her strengths, interests, and preferences for post-school activities— such as further education, training, or employment—and to help the student achieve those goals. General and special educators coordinate activities to ensure that students with disabilities receive a standards-based or functional education, individually determined according to student need, with appropriate supports, services, accommodations, and modifications to be successful in school and beyond school. Additionally, students receive instruction and engage in activities that prepare them for the world of work and community. Local education agencies coordinate with community and state agencies involved with higher education, employment training, and services for adults

with disabilities to better inform students about the options available after leaving school. Local education agencies work with families to develop transition plans designed to help students reach their future goals and, ideally, provide information to families about post-school options and adult services for their children.

Question: What is the required transition services language in the IEP?

Answer: The definition of transition services in the IDEA '04 further explains that transition planning is student-centered and focused on the student's goals. Specific areas must be addressed in transition planning in the IEP. Transition services refer to a set of activities that: (B) is based on the individual child's needs, taking into account the child's strengths, preferences, and interests; and (C) includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation. (Section 602, Article 34)

What It Means: The definition of transition services clarifies that when education agencies and families develop transition services language in the IEP, it must be based on the student's strengths, interests, and ideas about what he/she wants to do when finished with school. Students may not know what they want to do after leaving school or they may not have realistic goals; so the transition services language should include activities that help students make informed decisions to formulate realistic goals that match their unique personalities, interests, and preferences. Once student interest and preference have been identified, the IDEA identifies the following areas to be addressed in transition services language in the IEP:

Areas to Be Addressed: in transition services language in the IEP Instruction The IEP is an individualized instructional and support plan for students with disabilities. The transition planning, activities, and services detailed in the IEP align instruction with the student's post-school goals. For most students, participation in a standards-based instructional program will provide them the requisite skills to enter college, further training, or employment. Many students benefit from seeing the connection between school and career by participating in school- and work-based instructional experiences, while others may need more intensive functional skills training to enter the world of work. Related services The plan must describe any related services the student may need— such as transportation to a work experience or career counseling— to help the student prepare for his or her future goals. Community experiences Instructional activities may take place in the community, such as community-based instruction, to help students generalize the skills learned in the classroom to the real world. Employment All students should have employment related language in their IEP. For some students this may be a goal to enter higher education in order to obtain a degree leading to their career choice. Other students may need job training or supported employment; and for others still, going to work right after leaving school may be the goal. Regardless of what the goals are, schools should help students identify their goals and develop plans that prepare the students to achieve them. Daily living skills and functional evaluation (if appropriate) Some students need specific instruction and activities in order to learn to take care of themselves and live as independently as possible. Some students may need a

functional evaluation to determine which skills they will need to develop so that they are able to enter employment or live independently.

Question: When must transition service language be included in the IEP?

Answer: Not later than the student's sixteenth birthday. The point in time when transition language must be added to the IEP for students with disabilities was raised from the age of 14 in the IDEA of '97 to the age of 16 in the IDEA '04. However, for many students, beginning transition services earlier than 16 may be appropriate. And the IDEA '04 allows for it: (VIII) beginning not later than the first IEP to be in effect when the child is 16, and updated annually thereafter. [Section 614(d) (1) (A) (i)]

What it Means: The IEP that is developed on or before the student's sixteenth birthday must contain transition service language. If the student turns 16 before the next scheduled IEP meeting, the IEP team is required to develop transition services language and identify needed services during the IEP when the student is 15 years old, so that the plan is in effect when the student turns 16. However, it may be appropriate for many students to begin discussing the connection between school and careers as early as elementary school. For other students it may be appropriate to include transition services language in the IEP during middle school or when the student moves from middle to high school in order to identify appropriate courses of study that support the student's post-school goals.

Question: What are **measurable postsecondary goals**?

Answer: The IDEA '04 adds a new requirement for transition services language in the IEP, the development of measurable postsecondary goals based on age-appropriate transition assessments. The IEP for students 16 years old or younger, if appropriate, must contain: (aa) appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; (bb) the transition services (including courses of study) needed to assist the child in reaching those goals. [Section 614(d) (1) (A) (i) (VIII)]

What It Means: The use of the term "goal" to describe both what students want to happen once they leave school and also to describe what schools must do to help students achieve their long term objectives can be confusing. The IDEA '04 requires transition services language in the IEP to include postsecondary goals, or the student's aspirations for his or her future. The IDEA '04 also requires annual goals in the IEP to help students achieve their goals for the future. Annual, measurable goals in the IEP should be written each year to help the student achieve his or her post-school goals. The e annual goals must be designed and reasonably calculated to assist students to achieve their long-term goals and must be included in the IEP no later than the student's sixteenth birthday, or earlier if appropriate. The e postsecondary goal is what the student wants for his or her future in terms of higher education, training, employment, and independent living. The annual, measurable goals in the IEP are what schools will do to help the student in high school, or earlier if appropriate, to achieve long-term goals. The annual goals must be based on age-

appropriate transition assessments in the areas of training, education, and, if appropriate, independent living. They must also support the student's postsecondary or long-term goals for the future. (Samples of measurable annual goals that support postsecondary goals in the area of employment, education or training, or independent living are included in Appendix F, page 140.) Additionally, the transition services language must include any needed transition services, including a course of study that a student may need to accomplish his or her post-school goals. Some examples of needed transition services may include participation in career exploration and preparation experiences, career guidance counseling, and establishing connections with adult service providers. Samples of statements of needed transition services are included in Section 2, page 42.

Question: Do measurable transition goals repeat measurable annual academic and functional goals?

Answer: The IDEA '04 does not require that transition services language in the IEP repeat what was already addressed in another section of the IEP: (ii) RULE OF CONSTRUCTION. — Nothing in this section shall be construed to require— (I) that additional information be included in a child's IEP beyond what is explicitly required in this section; and (II) the IEP Team to include information under 1 component of a child's IEP that is already contained under another component of such IEP. [Section 614(d) (1) (A)]

What It Means: If academic and functional achievement goals are developed in another section of the IEP, it is not necessary to repeat them again. Likewise, if the student's courses of study are described in another section of the IEP, it is not necessary to repeat them again. What should be included are measurable goals that will support the student's post school success. Examples of measurable transition goals are included in Section 2, pages 36–39.

Question: Is a new evaluation necessary when the student leaves school?

Answer: If a student's eligibility is discontinued because of graduation with a general diploma, not a certificate; or when a student reaches the age of 22, a new evaluation is not required: (B) EXCEPTION.— (i) IN GENERAL.—The evaluation described in subparagraph (A) shall not be required before the termination of a child's eligibility under this part due to graduation from secondary school with a regular diploma, or due to exceeding the age eligibility for a free appropriate public education under State law. [Section 614(c) (5)]

What It Means: The IDEA '04 does not require an assessment or evaluation when the student leaves school either by earning a general diploma or "aging out" of eligibility. However, the IDEA '04 adds the requirement that, upon exit from school, either by graduation with a general diploma or "aging out" of eligibility, the school will provide the student with a Summary of Performance that will assist the student in reaching his or her post-school goals.

Question: What is a "summary of academic achievement and functional performance"?

Answer: The Summary of Performance is a new requirement in the IDEA '04. The summary is prepared by the school and provided to the student when he/she leaves school, either by graduating with a general diploma or reaching the age of 22. The summary will offer the student a document that summarizes his or her academic and functional performance with recommendations about what accommodations and supports the student may need to enter post-school activities, such as training, higher education, employment, and independent living. (ii) SUMMARY OF PERFORMANCE. — For a child whose eligibility under this part terminates under circumstances described in clause (i), a local education agency shall provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's post-secondary goals. [Section 614(c) (5) (B)]

What It Means: The Summary of Performance is not a new section of the IEP or a new evaluation. The summary of academic achievement and functional performance details existing achievement data and provides recommendations about the supports and services students will need to achieve their post-school goals. Best practices involve the student in the preparation of the summary and include the student's goals for the future. At a minimum, the student's academic and functional levels are listed, along with recommendations for the supports the student will need in post school activities. Education agencies are required to provide students with disabilities with a Summary of Performance upon exit from school.

Question: Are local education agencies still required to inform students about their rights upon reaching the **age of majority**?

Answer: Yes, the IDEA '04 continues the requirement of notifying the student and family that educational rights convert to the student upon reaching the age of majority, which is 18 years old in California: (cc) beginning not later than 1 year before the child reaches the age of majority under State law, a statement that the child has been informed of the child's rights under this title, if any, that will transfer to the child on reaching the age of majority under section 615(m). [Section 614(d) (1) (A) (i) (VIII), emphasis added]

What It Means: No later than age 17, the student and family must be informed that, upon reaching the age of 18, educational rights are given to the student. This means that the student and not the parent will give consent to educational decisions, including placement and services, and sign all educational documents, including the IEP. Best practices will continue to involve the family in all discussions and decisions; but upon reaching the age of majority, final decisions are the student's right. This may be challenging for families of students with significant cognitive disabilities; however, in California, the only avenue for families to retain educational rights for their sons or daughters is through a legal process called conservatorship. Obtaining conservatorship is the responsibility of the family, not the educational agency. An explanation of this process and resources for families is included in Section 4, Family Involvement, page 59.