

LEGAL BASICS

IDEA REQUIREMENTS

IDEA '97 defines transition services as follows:

(a) as used in this part [34 CFR part B], transition services means a coordinated set of activities for student with a disability that

- (1) is designed within an outcome-oriented process that promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
- (2) Is based on the individual student's needs, taking into account the students preferences and interests; and
- (3) Includes
 - a. Instruction;
 - b. Related services;
 - c. Community experiences;
 - d. The development of employment and other post-school adult living objectives; and
 - e. If appropriate, acquisition of daily living skills and functional vocational evaluation.

(b) transition services for students with disabilities may be special education, if provided as specially designed instruction, or related services, if required to assist the student with a disability to benefit from special education." [34CFR 300.29]

IDEA '97 requires that, among other elements, the IEP include:

A statement of the child's present levels of educational performance including how the child's disability affects the child's involvement and progress in the general curriculum (i.e., the same curriculum as for non-disabled children)."[34 CFR 300.347 (a)(1)(i)]

For each student with a disability beginning at age 14 (or younger, if determined appropriate by the IEP team) and updated annually, a statement of the transition service needs of the student that focuses on the students course of study (such as participation in advanced-placement courses or a vocational education program)." [34 CFR 300.347(b)(1)]

For each student beginning at age 16 (or younger, if determined appropriate by the IEP team), a statement of the needed transition services for the student, including if appropriate, a statement of the interagency responsibilities or any needed linkages." [34 CFR 300.347(b)(2)]

Participants at the meeting may include, at the discretion of the parents or the agency, other individuals who have knowledge or special expertise regarding the child including related services personnel as appropriate.) [34 CFR 300.344(a)(6)]

The public agency also shall invite a representative of any other agency that is likely to be responsible for providing or paying for transition services." [34 CFR 300.344(b)(3)(i)].



TRANSITION IEP REQUIREMENTS

Beginning at the age of 14, or younger when appropriate, the focus of the IEP should be framed around the individual student's identified long range, post school outcomes. Strengths and needs of the student, decisions about course selection and participation in standards, should be considered in relation to the desired post school outcomes. Emphasis is placed on the need to develop a coordinated set of strategies that links the student with appropriate general education, community and adult agency services.

The following information is based on the use of the Colorado State Recommended IEP Forms. Individual districts make the decision about the forms to be used so it will be important to become familiar with the forms and procedures used in your particular district. The components described here are generic and must be included in some way in the IEP of all students.

Notice of Meeting: For students age 14 and over, including those who will turn 14 during the effective dates of the IEP, the student must be invited to attend the IEP meeting. This can be documented by including the name of the student on the notice of meeting, or by noting that the student was invited personally and the date. If the student does not attend, the LEA must document how the student's interests and preferences were considered.

The notice of the IEP meeting must indicate that a purpose of the meeting will be the consideration of transition needs and services.

The LEA is required to invite a representative of any agency that is likely to provide or pay for transition services. If an agency representative is unable to attend, the LEA must take other steps to obtain their participation in the planning of any transition services.

Documentation of Evaluation Data/Present Level of Educational Performance and Needs

For a student who is age 14 or older, identify the Post School Transition Outcome in the areas of career/employment, postsecondary education/training, and community/residential prior to discussing evaluation data and present levels of performance. Then, consider the student's strengths and needs in relation to the identified transition outcomes.

Post school Transition Outcome: Identify the student's desired outcome for each domain:

Career/Employment (i.e. Student wants to be licensed as a registered nurse; student wants to be employed as an auto/body specialist; student desires supported employment in food service)
Postsecondary Education/Training (i.e. Student wants to be accepted at CSU; student wants to participate in auto/body program at area vocational school; student wants to be eligible for an apprenticeship program in building trades; student desires to complete high school to be competitively employed)
Community/Residential (i.e. Student desires to live in dormitory at CSU; student wants to live in own apartment; student wants assisted living support in own residence)

Summary of Transition Services

The Transition Summary page is required for students no later than the age of 14; however, transition services may be addressed for younger students as determined on an individual basis by the IEP team. Beginning at age 14 and updated annually, the IEP team determines transition service needs of the child that focuses on the child's course of study. Beginning at age 16 specific transition services, coordinated activities and agency linkages must be addressed. (If using forms other than the Colorado State Recommended Forms, you may find these components on different pages.)

Graduation/Program Completion: Identify the projected date (month and year) that the student is anticipated to graduate or otherwise complete a secondary education program. If your district has a practice of social graduation, specify the date of social graduation and the date of program completion. Identify the projected document of completion of a secondary education program (e.g. standard diploma, GED, Certificate of Attendance, etc.).

Statement of planned course of study: Identify the course of study related to the student's post school outcomes. Consider core courses required for graduation or acceptance into a post secondary program, any courses and experiences that are modified or specially designed for this student, and elective courses. The concept is to think about, plan for and ensure that all courses and educational experiences offered to the student will help them achieve their desired post school goals or outcomes – basically, to develop a road map for this student. Examples include listing specific courses, narrative forms or attaching a four-year plan that has been developed for the student as part of a general education, school to career, planning process.

Example of course of study with specific classes listed:

Based upon Sarah's current level of transition and academic performance, and her interest in attending the area vocational school, the following courses are suggested to help her reach identified post-school outcomes:

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|-----------|--|
| Grade 9: | Reading, Study Skills, World Geography, Earth Science, Beginning Foods, Applied Math, and Theater. |
| Grade 10: | Oral and Written Communication, Reading, Applied Math, Intro. to Biology, Geography, Experience Based Career Education. |
| Grade 11: | Algebra, U.S. History, Natural Resources/Forestry, PE, Computer Studies, Photography, Single Survival, Cooperative Work Experience. |
| Grade 12: | Composition, Government, Technical Carpentry, Natural Resources and Forestry (dual enrollment program), Alternative Cooperative Education. |

Example of course of study in a narrative format:

- (1) Fred expresses an interest in pursuing post-secondary education upon graduation from high school. In addition to the high school graduation requirements, he will need to determine entrance requirements for the colleges he is considering and complete the courses required. Fred should enroll in the college preparatory course at the high school to receive support in the areas of study skills, time management, organizational skills and self-advocacy skills.
- (2) Sarah expresses an interest in seeking full-time competitive employment or technical skills training upon graduation from high school. She should investigate the program options at the regional vocational-technical school and determine necessary prerequisites. If this is not feasible, Sarah should address how she will begin career exploration, job training and community based work experience as part of her high school program and the graduation requirements.

Statement of Needed Transition Services: Identify and describe the specific transition services, including related services, required in each area to move the student toward his/her identified post school outcome. Indicate services provided through general education such as school to career activities, applied academics, and adult living. Specify services from other agencies and linkages made, as appropriate to the student’s needs. This could include specific services being provided (i.e. counseling, transportation training, etc.) or referrals made to other agencies such as community centered boards, vocational rehabilitation, or community colleges.

Education/Instruction Are special education services needed? **Yes** **No**

John will receive instruction in study skills from the special education teacher. See goals.

He will learn keyboarding skills in the general education computer class. John will increase his communication skills through participation in the theater class. John and his parents have received written information about accessing post secondary education.

Career/Employment Are special education services needed? **Yes** **No**

John will participate in the 10th grade Careers Class. This will include an interest inventory and personality type assessment conducted by the counseling center. He will visit the area vocational school and community college with the class. He has met with the DVR counselor and SWAP coordinator.

Community Are special education services needed? **Yes** **No**

John will be given information about summer opportunities for youth and will be encouraged to participate in volunteer activities to gain work experience. He will be taking golf lessons this spring.

Adult Living Are special education services needed? **Yes** **No**

John will register for the Beginning Foods class. Math skills including fractions, measurements, and pricing will be reinforced in the Applied Math class. (co-taught class) See goals.

Transfer of Rights at Age of Majority: If the student will turn 20 during this IEP period, the parent(s) and student must be informed that all rights under IDEA will transfer to the student at the age of majority (21 in Colorado) unless guardianship has been awarded through a legal proceeding.

TEACHER TRANSITION IEP CHECKLIST

The following checklist corresponds to the specific transition section of IDEA '97 amendments. It has been adapted from Transition Requirements Checklist (Ed O'Leary, MPRRC). The checklist may be used by schools to assist them in aligning their transition services to the requirements of IDEA '97.

| | YES | NO |
|---|------------|-----------|
| Participants/Invitation | | |
| 1. Did you specifically invite the student and document it? | | |
| 2. If the student did not attend, did you document steps taken to gather information about the student's preferences and interests? | | |
| 3. Did you invite the parents and indicate for those students who are 14 or older, that a purpose of the meeting will be the consideration of transition needs and services? | | |
| 4. Did you invite a representative of any other agency that may be responsible for providing or paying for transition services? | | |
| Content of the IEP | | |
| <i>Beginning no later than age 14</i> | | |
| 5. Did you take steps to ensure that the student's preferences and interests were considered in the development of the <i>post-school outcomes</i> and the <i>transition service needs: course of study</i> ? | | |
| 6. Did you identify and document the student's post-school outcomes? | | |
| 7. Does the IEP include the student's present level of performance as it relates to transition? | | |
| 8. Did you write a statement of <i>transition service needs</i> that specifies a <i>course of study</i> which directly relates it to the student's identified post-school outcomes? | | |
| <i>Beginning at 16 (or younger if appropriate)</i> | | |
| 9. Did you develop a statement of <i>needed transition services</i> relating to the student's post-school outcomes addressing: | | |
| a. Education/Instruction? | | |
| b. Career/Employment | | |
| c. Community? | | |
| d. Adult Living? | | |
| e. Functional vocational evaluation? | | |
| 10. Have you " <i>linked</i> " the student to an outside agency or provided them and their parents with information and documented the activities? | | |
| 11. Do the statements of needed transition services include activities that reflect coordination between general education, special education, family and community agencies? | | |
| Agency Responsibilities for Transition Services | YES | NO |
| 12. If an agency was invited to send a representative to a meeting and did not do so, did you take other steps to coordinate the needed transition services? | | |
| 13. Does the IEP indicate that specific transition related services will be provided by an outside agency? | | |
| 14. Is an agency providing any of the documented services? | | |
| 15. If an agency cannot provide specified services, did you reconvene the IEP team to discuss alternative strategies? | | |
| Graduation/Termination of Services | YES | NO |
| 16. If the student is graduating or aging out, did you notify the student and parent, in writing, that the student will no longer be entitled to FAPE? | | |
| 17. If the student will turn 20 during this IEP period, did you inform the student and parent of the transfer of rights at age of majority (21)? | | |

Teacher IEP Checklist (revised 9-'02)