

Toolkit for Secondary Transition

Prepared by the Disability Rights Network of Pennsylvania

Tool A: The Law	3
1. IDEA Regulations: Secondary Transition	
2. IDEA Regulations: Individualized Education Program (IEP)	
3. Pennsylvania Chapter 14 Regulations	
4. Basic Education Circular (BEC): Voter Registration as Part of Transition to Adult Life	
Tool B: Use of Research in Developing a Transition Plan	23
Tool C: Understanding Vocational Assessments	25
Tool D: Types of Vocational Assessments	26
Tool E: Sample Student Self-Assessment	27
Tool F: Sample Letter Requesting Transition Assessment	31
Tool G: Checklist for Developing a Successful Transition Plan	32
Tool H: Sample Transition Plan	34
Tool I: Annotated Form for Summary of Performance from PDE	36
Tool J: Transition to Adult Life for Children with Disabilities	38
From the Education Law Center	
Tool K: Suggestions for Further Reading	45
Contact Information	46

IMPORTANT: This publication is for general informational purposes only. This publication is not intended, nor should be construed, to create an attorney-client relationship between the Disability Rights Network of Pennsylvania (DRN) and any person. Nothing in this publication should be considered to be legal advice.

Please Note: For information in alternative formats or a language other than English, contact DRN at 800-692-7443 Ext. 400, TDD: 877-375-7139, or drnpa-hbg@drnpa.org.

Tool A:

The Law

1. IDEA Regulations: Secondary Transition
2. IDEA Regulations: Individualized Education Program (IEP)
3. PA Chapter 14
4. Basic Education Circular (BEC): Voter Registration as Part of Transition to Adult Life

IDEA Regulations
SECONDARY TRANSITION
**(See also Individualized Education Program (IEP) and
Changes in Initial Evaluation and Reevaluation)**

Issued by the U.S. Department of Education, Office of Special Education
Programs

The reauthorized *Individuals with Disabilities Education Act (IDEA)* was signed into law on Dec. 3, 2004, by President George W. Bush. The provisions of the act became effective on July 1, 2005, with the exception of some of the elements pertaining to the definition of a “highly qualified teacher” that took effect upon the signing of the act. The final regulations were published on Aug. 14, 2006. This is one in a series of documents, prepared by the Office of Special Education and Rehabilitative Services (OSERS) in the U.S. Department of Education that covers a variety of high-interest topics and brings together the regulatory requirements related to those topics to support constituents in preparing to implement the new regulations.¹ This document addresses significant changes from preexisting regulations to the final regulatory requirements regarding secondary transition.

IDEA Regulations

1. Add “further education” of children with disabilities to the IDEA’s purposes.

The purposes of IDEA include ensuring that all children with disabilities have available to them a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living.
[34 CFR 300.1(a)] [20 U.S.C. 1400(d)(1)(A)]

¹ Topics in this series include: Alignment With the *No Child Left Behind (NCLB) Act*; Changes in Initial Evaluation and Reevaluation; Children Enrolled by Their Parents in Private Schools; Discipline; Disproportionality and Overidentification; Early Intervening Services; Highly Qualified Teachers; Identification of Specific Learning Disabilities; Individualized Education Program (IEP) Team Meetings and Changes to the IEP; Individualized Education Program (IEP); Local Funding; Monitoring, Technical Assistance and Enforcement; *National Instructional Materials Accessibility Standard (NIMAS)*; Part C Amendments in *IDEA 2004*; Part C Option: Age 3 to Kindergarten Age; Procedural Safeguards: Surrogates, Notice and Consent; Procedural Safeguards: Mediation; Procedural Safeguards: Resolution Meetings and Due Process Hearings; Secondary Transition; State Complaint Procedures; State Funding; and Statewide and Districtwide Assessments. Documents are available on the *IDEA* Web site at: <http://IDEA.ed.gov>.

2. Refer to a “child” instead of a “student.”

The definition of “transition services” is changed to refer to a “child,” rather than a “student,” with a disability.

[34 CFR 300.43] [20 U.S.C. 1401(34)]

3. Change the definition of “transition services.”

The term “transition services” means a coordinated set of activities for a child with a disability that:

- 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;
- Is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests; and
- 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 functional vocational evaluation.

[34 CFR 300.43 (a)] [20 U.S.C. 1401(34)]

4. Require changes to performance goals and indicators.

The State has established goals for the performance of children with disabilities in the State that ... address graduation rates and dropout rates, as well as such other factors as the State may determine.

[34 CFR 300.157(a)(3)] [20 U.S.C. 1412(a)(15)(A)(iii)]

5. Establish an exception to requirements for evaluation before a change in eligibility.

The evaluation described in §300.305(e)(1) [see 20 U.S.C. 1414(c)(5)(B)(i)] is not required before the termination of a child's eligibility under Part B due to graduation from secondary school with a regular diploma, or due to exceeding the age eligibility for FAPE under State law.

[34 CFR 300.305(e)(2)] [20 U.S.C. 1414(c)(5)(B)(i)]

For a child whose eligibility under Part B terminates under circumstances described above, the LEA 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 postsecondary goals.

[34 CFR 300.305(e)(3)] [20 U.S.C. 1414(c)(5)(B)(ii)]

6. Change the secondary transition requirements in the IEP.

Beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, and updated annually thereafter, the IEP must include:

- Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills;
- The transition services (including courses of study) needed to assist the child in reaching those goals; and
- Beginning not later than one 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 Part B, if any, that will transfer to the child on reaching the age of majority under §300.520 [see 20 U.S.C. 1415(m)].

[34 CFR 300.320(b) and (c)] [20 U.S.C. 1414 (d)(1)(A)(i)(VIII)]

7. Add requirement to invite child to IEP Team meeting when purpose includes “consideration of postsecondary goals.”

The LEA must invite a child with a disability to attend the child's IEP Team meeting if a purpose of the meeting will be the consideration of the postsecondary goals for the child and the transition services needed to assist the child in reaching those goals under §300.320(b).

[34 CFR 300.321(b)] [20 U.S.C. 1414(d)(1)(B)]

8. Add development and implementation of transition programs to list of permissible uses of State-level funds under Part B.

States may use funds reserved under §300.704(b)(1) for the development and implementation of transition programs, including coordination of services with agencies involved in supporting the transition of students with disabilities to postsecondary activities.

[34 CFR 300.704(b)(4)(vi)] [20 U.S.C. 1411(e)(2)(C)(vi)]

9. Delete requirement that an LEA take other steps if an invited agency does not attend an IEP meeting during which transition services will be discussed.

If a purpose of a child's IEP Team meeting will be the consideration of postsecondary goals for the child and the transition services needed to assist the child in reaching those goals, the LEA, to the extent appropriate, and with consent, must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services to attend the child's IEP Team meeting. However, if the participating agency does not attend the meeting, the LEA is no longer required to take other steps to obtain participation of an agency in the planning of any transition services.

[34 CFR 300.321(b)(1) and (3)] [20 U.S.C. 1414(d)(1)]

10. Add requirement for consent prior to inviting a representative of any participating agency likely to be responsible for providing or paying for transition services to attend a child's IEP Team meeting.

To the extent appropriate, with the consent of the parents or a child who has reached the age of majority, in implementing the requirements of §300.321(b)(1), the public agency must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.

[34 CFR 300.321(b)(3)]

IDEA Regulations
INDIVIDUALIZED EDUCATION PROGRAM (IEP)
**(See also Individualized Education Program (IEP) Team Meetings and
Changes to the IEP, Statewide and Districtwide Assessments and
Secondary Transition)**

Issued by the U.S. Department of Education, Office of Special Education
Programs

The reauthorized *Individuals with Disabilities Education Act (IDEA)* was signed into law on Dec. 3, 2004, by President George W. Bush. The provisions of the act became effective on July 1, 2005, with the exception of some of the elements pertaining to the definition of a “highly qualified teacher” that took effect upon the signing of the act. The final regulations were published on Aug. 14, 2006. This is one in a series of documents, prepared by the Office of Special Education and Rehabilitative Services (OSERS) in the U.S. Department of Education that covers a variety of high-interest topics and brings together the regulatory requirements related to those topics to support constituents in preparing to implement the new regulations.¹ This document addresses significant changes from preexisting regulations to the final regulatory requirements regarding IEPs.

IDEA Regulations

1. Revise general requirements for the content of IEPs.

As used in Part 300, the term individualized education program or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with 34 CFR 300.320 through 300.324, and that must include:

¹ Topics in this series include: Alignment With the *No Child Left Behind (NCLB) Act*; Changes in Initial Evaluation and Reevaluation; Children Enrolled by Their Parents in Private Schools; Discipline; Disproportionality and Overidentification; Early Intervening Services; Highly Qualified Teachers; Identification of Specific Learning Disabilities; Individualized Education Program (IEP) Team Meetings and Changes to the IEP; Individualized Education Program (IEP); Local Funding; Monitoring, Technical Assistance and Enforcement; *National Instructional Materials Accessibility Standard (NIMAS)*; Part C Amendments in *IDEA 2004*; Part C Option: Age 3 to Kindergarten Age; Procedural Safeguards: Surrogates, Notice and Consent; Procedural Safeguards: Mediation; Procedural Safeguards: Resolution Meetings and Due Process Hearings; Secondary Transition; State Complaint Procedures; State Funding; and Statewide and Districtwide Assessments. Documents are available on the *IDEA* Web site at: <http://IDEA.ed.gov>.

- A statement of the child's present levels of academic achievement and functional performance...
 - A statement of measurable annual goals, including academic and functional goals designed to:
 - Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and
 - Meet each of the child's other educational needs that result from the child's disability;
 - For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;
 - A description of:
 - How the child's progress toward meeting the annual goals described in 34 CFR 300.320(a)(2) will be measured; and
 - When periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;
 - A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child...
 - A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and districtwide assessments consistent with section 612(a)(16) of the Act; and if the IEP Team determines that the child must take an alternate assessment instead of a particular regular State or districtwide assessment of student achievement, a statement of why the child cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate for the child....
- [34 CFR 300.320(a)] [20 U.S.C. 1414(d)(1)(A)(i)]

2. Revise requirements for the content of IEPs relating to transition services.

Beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, and updated annually thereafter, the IEP must include:

- Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
- The transition services (including courses of study) needed to assist the child in reaching those goals.

[34 CFR 300.320(b)] [20 U.S.C. 1414(d)(1)(A)(i)(VIII)(aa) and (bb)]

3. Clarify requirements regarding transfer of rights.

Beginning not later than one year before the child reaches the age of majority under State law, the IEP must include a statement that the child has been informed of the child's rights under Part B of the Act, if any, that will transfer to the child on reaching the age of majority under 34 CFR 300.520.

[34 CFR 300.320(c)] [20 U.S.C. 1414(d)(1)(A)(i)(VIII)(cc)]

4. Include a rule of construction regarding the content of IEPs.

Nothing in 34 CFR 300.320 shall be construed to require:

- That additional information be included in a child's IEP beyond what is explicitly required in section 614 of the Act; or
- The IEP Team to include information under one component of a child's IEP that is already contained under another component of the child's IEP.

[34 CFR 300.320(d)] [20 U.S.C. 1414(d)(1)(A)(ii)]

5. Set forth requirements for IEPs when children with disabilities transfer from one public agency to another.

If a child with a disability (who had an IEP that was in effect in a previous public agency in the same State) transfers to a new public agency in the same State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide a free appropriate public education (FAPE) to the child (including services comparable to those described in the child's IEP from the previous public agency), until the new public agency either:

- Adopts the child's IEP from the previous public agency; or
- Develops, adopts, and implements a new IEP that meets the applicable requirements in 34 CFR 300.320 through 300.324.

[34 CFR 300.323(e)] [20 U.S.C. 1414(d)(2)(C)(i)(I)]

If a child with a disability (who had an IEP that was in effect in a previous public agency in another State) transfers to a public agency in a new State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide the child with FAPE (including services comparable to those described in the child's IEP from the previous public agency), until the new public agency:

- Conducts an evaluation pursuant to 34 CFR 300.304 through 300.306 (if determined to be necessary by the new public agency); and
- Develops, adopts, and implements a new IEP, if appropriate, that meets the applicable requirements in 34 CFR 300.320 through 300.324.

[34 CFR 300.323(f)] [20 U.S.C. 1414(d)(2)(C)(i)(II)]

To facilitate the transition for a child described in 34 CFR 300.323(e) and (f):

- The new public agency in which the child enrolls must take reasonable steps to promptly obtain the child's records, including the IEP and

- supporting documents and any other records relating to the provision of special education or related services to the child, from the previous public agency in which the child was enrolled, pursuant to 34 CFR 99.31(a)(2) [Family Educational Rights and Privacy Act regulations regarding conditions under which prior consent is not required to disclose information]; and
- The previous public agency in which the child was enrolled must take reasonable steps to promptly respond to the request from the new public agency.
- [34 CFR 300.323(g)] [20 U.S.C. 1414(d)(2)(C)(ii)]

Pennsylvania Chapter 14 Regulations

§ 14.131. IEP.

(a) In addition to the requirements incorporated by reference (see 34 CFR 300.320—300.324), the IEP of each student with a disability must include:

(1) A description of the type or types of support as defined in this paragraph that the student will receive, the determination of which may not be based on the categories of the child's disability alone. Students may receive more than one type of support as appropriate and as outlined in the IEP and in accordance with this chapter. Special education supports and services may be delivered in the regular classroom setting and other settings as determined by the IEP team. In determining the educational placement, the IEP team must first consider the regular classroom with the provision of supplementary aids and services before considering the provision of services in other settings.

(i) *Autistic support.* Services for students with the disability of autism who require services to address needs primarily in the areas of communication, social skills or behaviors consistent with those of autism spectrum disorders. The IEP for these students must address needs as identified by the team which may include, as appropriate, the verbal and nonverbal communication needs of the child; social interaction skills and proficiencies; the child's response to sensory experiences and changes in the environment, daily routine and schedules; and, the need for positive behavior supports or behavioral interventions.

(ii) *Blind-visually impaired support.* Services for students with the disability of visual impairment including blindness, who require services to address needs primarily in the areas of accessing print and other visually-presented materials, orientation and mobility, accessing public and private accommodations, or use of assistive technologies designed for individuals with visual impairments or blindness. For students who are blind or visually impaired, the IEP must include a description of the instruction in Braille and the use of Braille unless the IEP team determines, after the evaluation of the child's reading and writing needs, and appropriate reading and writing media, the extent to which Braille will be taught and used for the student's learning materials.

(iii) *Deaf and hard of hearing support.* Services for students with the disability of deafness or hearing impairment, who require services to address needs primarily in the area of reading, communication, accessing public and private accommodations or use of assistive technologies designed for individuals with deafness or hearing impairment. For these students, the IEP must include a communication plan to address the language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of

needs, including opportunities for direct instruction in the child's language and communication mode; and assistive technology devices and services.

(iv) *Emotional support.* Services for students with a disability who require services primarily in the areas of social or emotional skills development or functional behavior.

(v) *Learning support.* Services for students with a disability who require services primarily in the areas of reading, writing, mathematics, or speaking or listening skills related to academic performance.

(vi) *Life skills support.* Services for students with a disability who require services primarily in the areas of academic, functional or vocational skills necessary for independent living.

(vii) *Multiple disabilities support.* Services for students with more than one disability the result of which is severe impairment requiring services primarily in the areas of academic, functional or vocational skills necessary for independent living.

(viii) *Physical support.* Services for students with a physical disability who require services primarily in the areas of functional motor skill development, including adaptive physical education or use of assistive technologies designed to provide or facilitate the development of functional motor capacity or skills.

(ix) *Speech and language support.* Services for students with speech and language impairments who require services primarily in the areas of communication or use of assistive technologies designed to provide or facilitate the development of communication capacity or skills.

(2) Supplementary aids and services in accordance with 34 CFR 300.42 (relating to supplementary aids and services).

(3) A description of the type or types of support as defined in § 14.105 (relating to personnel).

(4) The location where the student attends school and whether this is the school the student would attend if the student did not have an IEP.

(5) For students who are 14 years of age or older, a transition plan that includes appropriate measurable postsecondary goals related to training, education, employment and, when appropriate, independent living skills.

(6) The IEP of each student shall be implemented as soon as possible, but no later than 10 school days after its completion.

(7) Every student receiving special education and related services provided for in an IEP developed prior to July 1, 2008, shall continue to receive the special education and related services under that IEP, subject to the terms, limitations and conditions set forth in law.

(b) In addition to the requirements incorporated by reference in 34 CFR 300.324 (relating to development, review, and revision of IEP), each school entity shall designate persons responsible to coordinate transition activities.

Authority

The provisions of this § 14.131 amended under sections 1372 and 2603-B of the Public School Code of 1949 (24 P. S. § § 13-1372 and 26-2603-B).

Source

The provisions of this § 14.131 adopted June 8, 2001, effective June 9, 2001, 31 Pa.B. 3021; amended June 27, 2008, effective July 1, 2008, 38 Pa.B. 3575. Immediately preceding text appears at serial pages (293072) and (304975).

Notes of Decisions

IEP Compliance

School district was required to pay tuition and fees for special-education student in a transitional program after high school for only 1 year, not indefinitely, where payment for more than 1 year would have exceeded what was required for compliance with student's individualized education program (IEP). *Susquehanna Township School District v. Frances J.*, 823 A.2d 249, 255-256 (Pa.Cmwlt. 2003).

Cross References

This section cited in 55 Pa. Code § 3270.4 (relating to definitions); 55 Pa. Code § 3280.4 (relating to definitions); and 55 Pa. Code § 3290.4 (relating to definitions).

This material has been drawn directly from the official Pennsylvania Code full text database. Due to the limitations of HTML or differences in display capabilities of different browsers, this version may differ slightly from the official printed version.

Voter Registration As Part Of Transition To Adult Life

25 Pa. C.S.A. §1101 et seq.

DATE OF ISSUE: December 1, 1999 (formerly BEC 25 P.S. §961.101)

DATE OF REVIEW: July, 2009

September 1, 2003

Issued by the Pennsylvania Department of Education.

PURPOSE

This BEC is designed to provide additional direction for Local Educational Agencies (LEAs) regarding their duty to address voter registration opportunities as part of an eligible student's transition to adult life.

As provided by 22 Pa. Code §14.131 and 34 CFR §300.320, an Individualized Education Program (IEP) team must begin transition planning for each student who is 14 years of age or older. Transition services must be a component described as part of the IEP. Pursuant to 34 CFR §300.43(2), transition services are based on the individual child's needs, taking into account the child's strengths, preferences, and interests; and 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.

The school district has the primary responsibility for a student's IEP and must designate persons responsible to coordinate transition activities. When working on transition planning, the IEP team must invite the student to attend the IEP team meeting. If the student does not attend, the school district shall take other steps to ensure that the student's preferences and interests are considered.

LEA Responsibility

Receiving voter registration information and assistance is an important element of preparation for adult life. To comply with 34 CFR §§300.320(b), and 300.43, the transition section during the IEP meeting must include discussion of whether, when, where and how voter registration for the student should take place, and what assistance will be provided by school personnel, if appropriate.

To achieve compliance with the regulations and the settlement agreement in *United States v. Commonwealth of Pennsylvania*, No. 95-CV-382 (E.D. Pa.), and *ACORN, v. Ridge*, No. 94-CV-7671 (E.D. Pa.), voter registration issues must be addressed, at a minimum, in accordance with the procedures set forth below. The implementation of the minimum procedures is also required by the terms of a

judicially-approved agreement partially settling litigation brought by the U.S. Department of Justice (DOJ) and several private plaintiff organizations against the Commonwealth to enforce the National Voter Registration Act of 1993 (NVRA).

Court Settlement

In *United States v. Commonwealth of Pennsylvania*, No. 95-CV-382 (E.D. Pa.), and *ACORN, v. Ridge*, No. 94-CV-7671 (E.D. Pa.), DOJ and the private plaintiffs led by ACORN contended (among other things) that the NVRA requires Pennsylvania to designate all special education offices within public school districts as "voter registration agencies," a position contested by the Commonwealth. In settlement of that issue, DOJ and the ACORN group agreed not to seek such a designation, which otherwise would have required LEAs to implement the NVRA's extensive "agency-based registration" procedures and requirements. In exchange, the agreement approved by the court requires the Commonwealth to establish the much simpler procedures set forth below as the minimum means of achieving compliance with voter registration aspects of the community living component of required transition services.

IEP DEVELOPMENT for Students Age 17 or Older

When an IEP team meets for the purpose of reviewing or developing an IEP for a student who is 17 years of age or older, the IEP team shall discuss whether voter registration is an appropriate community living/citizenship training goal to be included in the IEP, and if so, when and how voter registration should be accomplished. The parents (and student, if present) shall be informed that voter registration can be accomplished at school, that designated school officials will be made available during the school day to assist the student in filling out voter registration forms, and that school officials will transmit completed voter registration forms to the appropriate county voter registration commission's offices at no cost to the student or parents.

The parents (and student, if present) shall also be informed that school-based voter registration or assistance in registering are not mandatory and may be declined at their option, and that they and the student are free instead to make other arrangements for the student to register to vote outside the school setting (for example, in conjunction with driver licensing, or during orientation or other visits to human services offices or other agencies where voter registration forms and/or assistance is available, etc.), or to decline voter registration altogether. Because voter registration may need to be renewed or changed because of changes of residence or other reasons, this discussion shall take place at least annually at an IEP team meeting for a student age 17 or older, whether or not registration has previously been accomplished or offered.

Sample Introductory IEP Discussion

An example of an appropriate way to introduce this subject for the first time at an IEP meeting would be as follows:

"Since (student name) is now 17, and will be of voting age within the next twelve months, we need to discuss whether taking advantage of voter registration is an appropriate transition IEP goal for him (her), and if so, how that should be accomplished. Because of the importance of voting as a basic element of citizenship and community living, we make voter registration information and assistance available here at school, in addition to other registration opportunities that are available in the community through other agencies. We can provide forms and one-on-one help in filling them out, and will transmit completed forms to the appropriate county voter registration office at no cost to you. The purpose of considering this as a possible IEP goal is to make registration opportunities readily accessible for students with disabilities.

The IEP would simply outline what assistance would be provided here at school at the appropriate time, or, for example, whether other registration opportunities will be used instead, such as in conjunction with drivers licensing. Of course, neither registration nor voting is mandatory, even if we include registration as an IEP goal, and it is up to you whether you choose to use school-based assistance. It is also up to the student whether to actually register at the time assistance is offered, and what registration choices to make. If this is included in the IEP, our records would note only that assistance was offered at the time and in the manner set forth in the IEP, but we are not allowed to track or keep records of whether a student actually registers or to know things like party affiliation, which are strictly private information. Is voter registration something you think we should discuss further as a possible as a program modification in the IEP for (student name)?"

Maintaining Records

Beyond an introduction such as that set forth above, school personnel should not further pursue the topic of voter registration during an IEP meeting if the parents indicate that further discussion is not appropriate or is unwanted. Voter registration will not be included in IEP goals without parental consent. Nevertheless, voter registration information or assistance may not be denied to any IEP student who independently requests it, whether or not the topic is addressed in the student's agreed IEP, and will be provided upon such request to the same extent as would be available pursuant to an IEP.

Although school personnel may answer questions about available school-based assistance or other non-school registration opportunities, school personnel are not permitted to influence in any way the parents' and student's decision about whether or how to register, and may not participate in or influence any discussion

regarding choice of political party affiliation. Discussion of political party affiliation should not take place during the IEP team meeting or other meeting at which school officials are present, and party affiliation information will not be included in the IEP or other LEA-maintained records.

If the parents agree that voter registration is an appropriate transition goal to be included in the IEP, the time and manner for accomplishing registration will be included in the written IEP and implemented in accordance with it. If the manner of registration chosen by the parents and student does not contemplate use of school-based assistance (e.g., in conjunction with driver licensing or other opportunities), no further action on the part of school personnel is required, unless the student or parents later request school-based assistance. However, even in the absence of such a request, the subject of voter registration will be discussed again in accordance with the above procedure, at least annually, when the IEP team meets to further develop, review or update the IEP.

Registration forms will be provided to the parents or student at any time upon request of the parent or student, whether or not further school-based assistance is desired or voter registration is addressed in the IEP. Forms completed outside the school setting, even if not originally obtained through the school, may be submitted to the LEA for transmission to the appropriate county voter registration commission as provided below.

Program Modifications in the IEP for Voter Registration

If the parents and student choose to make use of school-based assistance in accomplishing voter registration as set forth below, the IEP will:

- specify the time frame in which this will occur (e.g., within 30 days of the student's eighteenth birthday, and no later than 30 days prior to the next election;
- identify the LEA contact person responsible for implementing this aspect of the IEP;
- ensure that the student is provided with a voter registration form and one-on-one assistance in filling it out (unless declined by the student). Such assistance may be provided by a regular or special classroom teacher, guidance counselor, principal or other school personnel, including school office personnel with appropriate knowledge or training in these procedures. The assistance opportunity may be provided by special arrangement for the particular student, or by means of referral to a point of contact for a school-wide procedure under which all students can obtain voter registration forms and assistance upon request, if such a process exists;
- if referral to a general school-wide location or procedure (see below) is the method provided for in the IEP, the LEA must ensure that the student receives any necessary assistance in appearing at the proper location at a

- time when assistance with voter registration forms is available, and that one-on-one assistance in filling out the form is offered and actually provided (unless declined by the student), even if such assistance is not otherwise provided to the general student population;
- the student may decline to register at any time. A voter registration program modification in an IEP will be considered to have been fulfilled when a voter registration opportunity and assistance have been afforded or offered at the time or in the manner set forth in the IEP, even though the student may have declined and registration did not actually occur. Whether not registration actually occurs, the fact that the opportunity was afforded at the time and in the manner specified in the IEP will be reported to and noted for record by the lead school official on the IEP team, although the student's records should not reflect whether or not registration was declined or actually accomplished at that time;
 - the LEA implementing the portion of the IEP providing for school-based voter registration is responsible for transmitting the completed voter registration form to the appropriate county voter registration commission, at no cost to the student or parents, within ten days after school officials have received the completed form from a student eligible for special education or the parents, whether or not the form was completed within the school setting or with assistance of school personnel. This may be accomplished by first class mail or other reliable means of delivery;
 - At no time are voter registration forms to be regarded as student or school records, but all voter registration forms shall be treated as confidential information and safeguarded from unauthorized access or disclosure.

LEA RESPONSIBILITIES – Coding Forms and Contacts Persons

The Pennsylvania Department of State has designed coding information for voter registration forms that will identify forms submitted in connection with school-based registration, for purposes of measuring the frequency of school-based registration. Unless blank form supplies provided to LEAs are pre-marked, the LEA is responsible for marking with the proper code (e.g., by marking boxes indicating some alpha-numeric combination, etc.) upon any registration form it transmits to county voter registration commissions resulting from school-based registration information or assistance as described in this BEC.

Forms provided by school personnel are to be coded when first provided to a student or parents of a student for the student, even where it is anticipated the form will be completed outside the school setting and submitted via other avenues. Forms obtained outside the school setting but submitted to school personnel for transmittal also will be marked with the school-based code at the time they are received for transmittal.

Each LEA is required to designate a contact person responsible for implementation of these procedures within the LEA, to whom the Pennsylvania

Department of Education and the Department of State may direct further information and guidance about these procedures, and from whom information about that LEA's compliance with the BEC may be obtained. Each LEA must furnish the name, voice and fax telephone numbers and mailing address of the contact person to the Bureau of Special Education no later than thirty days after the date of this BEC, and within thirty days after any subsequent change in the foregoing information.

Information, training and assistance for school officials providing school-based registration opportunities, including help in coding voter registration forms, is available from the Pennsylvania Department of State, Bureau of Commissions, Elections and Legislation, telephone (717) 787-5280. The Bureau will inform LEAs of the proper form code when that has been established or if it is later changed. The Bureau's existing program of voter registration training for local agency staffs will be expanded to include voter registration training programs for school personnel in selected locations throughout the Commonwealth.

GENERAL SCHOOL-WIDE REGISTRATION PROGRAM

As an alternative to the foregoing IEP-centered procedures, LEAs may satisfy these requirements by implementing a school-wide program affording voter registration opportunities reasonably calculated to offer registration forms and assistance in completing the form to all students of voting age or who are approaching voting age, whether or not identified as exceptional pursuant to the IDEA, as well as timely transmission and coding of completed forms to the proper county registration commission (within ten days of submission to the LEA), at no cost to the student or student's family. The availability of any such alternative program must be communicated to the student body no less than annually. Such a program also must include systems or individualized procedures for ensuring that the opportunity is offered to and accessible to IDEA students of similar age, to whom necessary individual assistance will be available upon request. Any LEA which elects to use this kind of alternative means of compliance must submit a description of the program to the Department of Education, Bureau of Special Education, no later than thirty days prior to the time that such a program would be substituted for the more IEP-specific procedures described in this BEC.

In such an alternative school-wide mode of school-based registration, the role of school personnel is limited to: (1) providing information about registration procedures and the assistance available; and (2) assisting in the completion and transmission of registration forms. As with students eligible for special education, school personnel are not permitted, in connection with providing registration information and assistance, to exert influence upon choices about whether or how to register or political party affiliation. School officials shall not keep records indicating things such as party affiliation or whether or not any particular student has actually registered to vote or declined the opportunity to do so, and should

regard such information, if known, as confidential and inappropriate for mention in school records.

This is not, however, intended to limit discussions of political parties or the importance of voting and other citizenship responsibilities in other contexts in which such topics are typically discussed, such as when relevant in the course of academic courses or the activities of school related civic or other clubs.

REFERENCES:

Purdon's Statutes:

25 Pa. C.S. §1101 et seq.

State Board of Education Regulations

22 Pa. Code §14.131(a) (5)

Federal Statutes

42 USC §1973gg et seq., The National Voter Registration Act of 1993

Federal Regulations

34 CFR §300.320 (b)(Content of IEP)

34 CFR §300.43 (Transition)

34 CFR §300.321 (IEP Team)

Other

United States v. Commonwealth of Pennsylvania, No. 95-CV-382 (E.D. Pa.)

CONTACT BUREAU/OFFICE:

Bureau of Special Education
Pennsylvania Department of Education
333 Market Street
Harrisburg, PA 17126-0333
Phone: 717.783.6134

Pennsylvania Department of State
Bureau of Commissions, Elections and Legislation
Division of Voter Registration
210 North Office Building
Harrisburg, PA 17120
Phone: 717.787.5280

Content Last Modified on 9/10/2009 9:00:57 AM

School Services Unit
Pennsylvania Department of Education
333 Market Street
Harrisburg, PA 17126-0333
Telephone: (717) 783-3750

Tool B:

Use of Research in Developing a Transition Plan

With IDEA 2004's emphasis on using research to develop goals, the IEP team may be able to use research to guide the development of a student's transition plan.

For example, research tells us that:

- Children with disabilities have a high drop-rate (39% for children with disabilities)
- A high percentage of students between the ages of 19 and 21 are idle (that is, not in school and not working). Appropriate programming during this period of time is needed and available for students with disabilities.
- Jobs (while in school) and after-school programs are important
 - To gain experience
 - To develop work ethic
 - Students are more likely to graduate
 - Students are less likely to be involved in crime or be teen parent
 - Students have higher lifetime earnings
- Student involvement in making decisions about the future is critical; students must be engaged in transition for it to be successful. Student involvement also affects drop-out rate.
 - Students need self-determination skills to participate.
- Parent involvement and strong relationships with family and community help to ensure a successful transition.
- Research about where jobs and careers are or will be may be useful in transition planning.

SOURCES OF RESEARCH ON TRANSITION

Pennsylvania Partnerships, www.papartnerships.org (materials on Youth Development)

National Longitudinal Transition Study (funded by OSEP), www.nlts2.org.

U.S. Department of Education, OSERS, OSEP, 25th Annual Report to Congress on the Implementation of the IDEA, Table 1-16 (2003), www.ed.gov/about/offices/list/osers/osep/research.html.

The Transition Handbook, Carolyn Hughes and Erik W. Carter (2000) (research-based strategies for successful transitions for students with disabilities). For more information or to purchase this book, go to www.brookespublishing.com/store/books/hughes-4390/index.htm.

Life Beyond the Classroom: Transition Strategies for Young People with Disabilities, Paul Wehman (3d Ed. 2001).

National Transition Alliance for Youth with Disabilities, www.dssc.org/nta

National Transition Network, www.ici.coled.umn.edu/ntn

Transition Research Institute, www.ed.uiuc.edu/SPED/tri/institute.html

Center for Self-Determination, www.self-determination.org

Questions to Ask/Things to Think About at an IEP Meeting:

1. Is there any research that is relevant to my child's disability or transition needs that could help with transition planning?
2. **TIP:** Bring any relevant research to the IEP meeting with you to share with the team.

Tool C:

Understanding Vocational Assessments

Vocational assessments can provide the information needed to match the student's strengths, abilities, and preferences to appropriate training programs and identify the services required by the student to make the transition from school to work or further education as smooth and successful as possible.

What can a vocational assessment tell the team about a student?

- Interests- what does the student like to do?
- Aptitudes- What is the student capable of doing?
- Temperaments (Worker Style) – Does the student like to work with people, things, or data? How does the student make decisions?
- Learning preferences and styles – Does the student learn better visually or through hands-on experiences?
- Developmental background - What are the student's special needs related to his or her postsecondary goals?
- Worker characteristics – What are the student's traits, attitudes, values, and work habits?
- Vocational/ Occupational skills
- Personal and social skills
- Functional/ life skills

Assessments should

- Lead to recommendations about potential career directions, courses of study, appropriate postsecondary goals, appropriate training programs, and appropriate transition services
- Increase the student's self-awareness and self-confidence in his or her interests and skills
- Expand the student's career awareness and exploration
- And perhaps even motivate them to do well at school to achieve transition goals!

This is a summary of *Vocational Assessment: A Guide for Parents and Professionals* by the National Information Center for Children and Youth with Disabilities. To read the whole article, go to www.nichcy.org/pubs/outprint/ts6txt.htm

Tool D:

Types of Vocational Assessments

Assessments may be done through:

- Observation
- Interviews with the student and family
- Anecdotal information from teachers and other school staff
- On-the-job try-outs
- Classroom performance examples
- Formal Tests
 - Interest inventories
 - Learning-style inventories
 - Aptitude tests
 - Dexterity tests
 - Achievement tests
- Work samples

It is best if a continuum of assessments is available and used with students. The type of assessment used will depend on the student's individual needs, age, and stage of personal and career development.

Vocational assessment should occur over time, starting (at least) in middle school and continuing through high school as the student's interests develop and skills emerge.

For a list and explanation of vocational evaluation instruments that are currently available to assess students, go to www.seattleu.edu/ccts/func_eval/appendixH.asp.

Questions to Ask/Things to Think About at an IEP Meeting:

1. What type(s) of assessment would be best for the student at this stage?
2. Does the student do well on formal tests (are any accommodations needed)?
3. Are the assessments suggested by the school in tune with the student's interests or skills?
4. **TIP:** Think about vocational assessments broadly: For example, are there electives in middle school that the student could take that would serve as a vocational assessment?

Tool E:

Sample Student Self-Assessment

Date _____ Form completed by _____
Student's Name _____ Age _____ Grade _____

1. What are your favorite classes at school? Why?

2. What type of teachers do you get along with best? Why?

3. Are you better in math, reading, or writing? Explain.

4. What are the hardest classes for you at school? Why?

5. What types of help make those difficult areas easier for you?

6. What jobs or regular chores have you had? List all jobs, both at school and at home, for pay or without pay.

Job/Tasks:

Job/Tasks:

Job/Tasks:

7. Which jobs did you like the best? Why?

8. Which jobs did you like the least? Why?

9. What would be your dream job and why would you choose it? Be as specific as possible.

10. What are your favorite things to do on weekends or after school?

11. After high school, I would most like to:

- go to college or community college
- go to a vocational training or apprenticeship program
- go to work and learn on the job.
- military
- other: _____

12. What plans have you made, or what activities have you done to get ready for your life after high school?

13. Which of the following most describes you at this time in your life?

- I haven't really thought about life after high school and am not worried about it.
- I have as few ideas of what I might like to do and what I am good at.
- I am sure of what I want to do after I leave high school and have started making plans for it.
- I am very worried about what I will do after high school and wish someone could help me figure this out.

14. I would like some help from the school getting ready for life after high school. I would like help with the following:

15. Name three jobs you would enjoy learning how to do.

- a) _____ b) _____
c) _____

16. Check all of the following **TYPES** of work you like on this list:

PEOPLE

- serving others writing for people
 selling public speaking

THINGS

- working with machines making things fixing machines
 putting things together drawing things driving machines
 handling and sorting things

OUTDOORS

- working with outdoor equipment working with plants
 working with animals

INFORMATION

- recording information gathering information
 working with numbers typing and filing

17. PERSONAL EVALUATION

What kind of student are you? Describe yourself as a student; include thoughts about 1) the effort you put into your classes, 2) the effort you put into homework, 3) your study habits, and 4) your attendance.

*This self-assessment is from the Center for Change in Transition Services of the Seattle University, www.seattleu.edu/ccts.

For more information on the how to include a student in his or her own transition planning, see Cynthia Warger and Jane Burnette, Planning Student-Directed Transitions to Adult Life (2000), www.ericec.org/digests/e595.html.

Questions to Ask/Things to Think About:

1. **TIP:** Have the student fill out this self-assessment to start him or her thinking about transition. You and the student may want to share it with members of the IEP team.

Tool F:

Sample Letter Requesting Transition Assessment

Your Name
Address
Phone Number

Date

Principal
Name of Student's School
School Address

Dear []

I am writing about my son/daughter _____. Under IDEA 2004 and Pennsylvania Chapter 14, the IEP team should develop appropriate measurable postsecondary goals for my child for the IEP in place when he/she turns 14, or earlier if appropriate. Those goals should be based on age-appropriate transition assessments. I am requesting that my son/daughter be given appropriate transition assessments at this time, so that those assessments can be completed, discussed by the IEP team, and used to develop appropriate transition goals.

I would like my son/daughter to be assessed in the following areas related to his/her transition from high school: _____

Please send me, as soon as possible, a permission to evaluate form to sign so that we may begin the process. Please include on the form the types of transition assessments that the school intends to use with my son/daughter and the areas that will be assessed.

Please contact me if you have any questions. Thank you.

Sincerely,
[NAME]

Questions to Ask/Things to Think About:

TIP: Keep a copy of this letter for your records.

Tool G:

Checklist for Developing a Successful Transition Plan

- **Obtain an age-appropriate transition assessment.**
- **Assemble needed members of the IEP team to discuss transition**
 - Think about who should attend the IEP meeting(s) at which the student's assessment, goals, and transition services are discussed:
 - Guidance counselors, special education teacher, vocational teachers, school psychologist?
 - Vocational evaluator, employer, representatives from postsecondary education?
 - Office of Vocational Rehabilitation?
 - Can help students with disabilities attain employment and increased independence.
 - Funded with state and federal money
 - Can provide
 - vocational guidance and counseling
 - medical, psychological, vocational, and other types of assessments
 - job development, placement and follow-up services
 - rehabilitation, technological services and adaptive devices, tools, equipment and supplies.
 - Apprenticeship programs, vocational training, and more
 - Mental Health and Mental Retardation Agencies?
 - May provide services to qualified individuals such as supported and sheltered employment, competitive employment support, case management services, etc.
 - Social Security Administration?
 - May provide benefits to students who are unable to do substantial work and have a severe mental or physical disability, such as cash benefits while working, Medicare or Medicaid, financial incentives for further education and training.
 - Other parents or students who have gone through this process?

- **Develop measurable post-secondary goals based on the assessment.**
 - Goals should address
 - Student's "Strengths"
 - Training
 - Employment
 - Education
 - Independent Living (if needed)
 - Literacy (if needed)
 - This is important to transition, and literacy skills are not generally taught in high school.
 - Discipline and behavior (if needed)
 - The student must avoid risky behaviors that interfere with successful transition.
 - Graduation plan

- **Include transition services in the IEP to meet the goals.**
 - Should relate directly to measurable postsecondary goals.
 - Should include what activities should occur, who has primary responsibility for each activity, and what dates each activity will start and end.
 - Should include the course(s) of study, such as
 - Program in the regular school
 - AVTS
 - Program in the community
 - Alternative programs and schools

Tool H:

Sample Transition Plan: An Exercise

Marcia's Employment Path

Marcia, a 20-year-old student with mild cognitive disabilities and a mild hearing impairment, has a transition goal of full-time employment upon graduation this year. Marcia has a one-year-old child. Marcia's transition planning team includes her and her family, the vocational educator, special educator, vocational rehabilitation counselor, mental retardation case worker, hearing specialist, social worker, and occupational therapist.

Starting at age 17, Marcia had begun exploring job opportunities through job shadowing and internship experiences. Both Marcia and her parents reported that she likes working with people, that she likes working inside, and that she would prefer an office setting. Marcia's vocational education teacher observed her in a simulated work experience and reported that Marcia followed instructions when given visual cues from a co-worker. The vocational educator and vocational rehabilitation counselor identified a small business that needed office assistance. Marcia, working with the vocational rehabilitation counselor and her special education teacher, set up a job interview at the small business and was successful at obtaining a part-time job as an administrative aide.

The counselor/special educator team observed the work setting and identified the work and social demands of the job. The IEP transition team identified that Marcia would need the following supports to work: visual cues outlining the steps of the job; co-worker to assure safety (for example, in an emergency); monitoring for errors; a flashing light on the telephone; transportation training; and child care for her son. The special educator and rehabilitation counselor provided training to the employer and other employees who, in turn, agreed to provide the natural supports Marcia needed and develop the visual clues for the steps of the job.

The occupational therapist and the family developed a plan for Marcia to learn how to travel using the city buses. The social worker identified a good low-cost child care setting, and the Department of Social Services agreed to cost-share these services with Marcia (who receives SSI) until one year after graduation. The social worker also agreed to coordinate Marcia's participation in a parenting class offered by the Health Department. The IEP Team recommended a consultation with a representative from the Social Security Administration (SSA) to provide guidance on benefits and the use of any work incentives.

The local school agreed to provide a job coach initially, and the Department of Mental Retardation Services agreed to pick up this cost six months prior to

graduation. The rehabilitation counselor, who specializes in working with students with hearing impairments, agreed to act as job monitor for this placement and to follow up with Adult Education or the Literacy Council for Marcia's continued education options. The rehabilitation counselor continued to work with Marcia, and by the time she exited school Marcia had secured a full-time position at the business.

Questions to Think About

1. What types of assessments did Marcia receive? Would any other types of assessments been helpful?
2. What are Marcia's measurable post-secondary goals?
3. What types of transition services did Marcia receive?
4. Who was involved in executing the transition plan for Marcia?

Marcia's story is from Transition Planning: A Team Effort by the National Dissemination Center for Children with Disabilities. For more information on Marcia's plan and other excellent examples of transition plans, go to www.nichcy.org/pubs/transum/ts10txt.htm.

For information on how this information should be written into an IEP, see the Transition Plan Section of PDE's Annotated IEP at <http://www.pattan.net/regsforms/annotatedformsandformats.aspx>.

Tool I:

Annotated Form for Summary of Performance From PDE

Student's Name:

Date:

ANNOTATION:

The IDEA 2004 statute does not provide detailed guidance regarding the criteria to fulfill the requirement for a *Summary of Performance and Recommendations*. Additional information may be forthcoming in final federal regulations. Subsequent to the termination of the student's eligibility due to graduation with a regular diploma or aging-out, the *Summary of Performance and Recommendations* must be provided to the student. The statute does not indicate a specific timeline; however, a reasonable expectation would be within 60 days of issuance of the *NOREP* due to graduation with a regular diploma or aging-out.

Address of Student:

Dear :

Now that you have graduated or are beyond age eligibility, we are providing you with a ***Summary of Performance and Recommendations***. We are offering you this information to assist you in future planning. It is divided into two parts. The first part summarizes your academic achievement and functional performance in school. The second part provides recommendations for how you may receive assistance in meeting the goals that you have been working toward for your post high school life.

Part I: Summary of Your Academic Achievement and Functional Performance

ANNOTATION:

This section should contain a summary of the student's educational program (i.e., course of study) and related instructional performance levels and functional performance levels as they pertain to meeting the student's post-school outcomes. Additional information related to essential accommodations and instructional strategies may be included to assist the student in advocating for his/her needs.

Part II: Recommendations to Assist You

ANNOTATION:

Listed here are recommendations to help the student reach his/her post-school outcomes. These recommendations should answer the questions, “what do I do next?” and “whom should I call?” after the student leaves the school setting. We have enclosed a copy of this document for your parents. We will also place a copy in our records. If you have questions concerning this document, please contact (Name and phone)

ANNOTATION:

Parents may be an integral part of their child’s post-school outcomes. Having a copy of the *Summary of Performance and Recommendations* will be helpful to the parents in assisting their child to meet his/her post-school outcomes. The original is issued to the student.

PDE Developed July 2005

Questions to Ask/Things to Think About at an IEP Meeting:

1. What will the summary of performance say about the student?
2. When will the school district send the summary of performance?
3. **TIP:** Depending on the student’s post-school plans, think about any information that would be helpful to be included in this summary, and ask the district to include it prior to the student’s graduation or aging out.

Tool J:

Transition to Adult Life for Children with Disabilities



From the Education Law Center

Making sure that all of Pennsylvania's children have access to quality public schools

IMPORTANT: ELC's publications are intended to give you a general idea of the law. However, each situation is different. If, after reading our publications, you have questions about how the law applies to your particular situation, contact the Disability Rights Network at 1-800-692-7443, contact ELC for a referral, or contact an attorney of your choice.

WHAT ARE TRANSITION SERVICES?

Federal law defines transition services as a “coordinated set of activities” and a “results-oriented” process that is focused on improving the child’s academic and life skills so that the child can move smoothly from school to life after school. Transition planning must be “based on the child’s needs, taking into account the child’s strengths, preferences, and interests.”

In Pennsylvania, a **coordinated set of activities** means a multi-year planning process that leads the child from age 14 through the high school years.

Appropriate **transition outcomes** can include:

- Post-high school **education** like community colleges, four-year universities, trade or technical schools;
- Vocational education and **training**, including programs funded through the Offices of Vocational Rehabilitation and Mental Health/Mental Retardation;
- **Employment**, integrated employment (including supported employment);
- Continuing and **adult education** programs, including GED courses and **adult services** provided by agencies like the Offices of Vocational Rehabilitation, Mental Health/Mental Retardation and the Social Security Administration;
- **Independent** and **community living**.

Transition services can include instruction or special instruction, related services, community experiences, and the development of employment skills and other post-school adult living objectives. Transition services could also include activities to help the child acquire daily living skills, and a functional vocational evaluation. For example, if a child with a disability will be living in a group home and participating in supportive employment, she may need to be taught how to use public transportation and handle money. If the child will be attending postsecondary education or vocational education, the child's program could include algebra (an essential course for college admission), or even advanced placement courses.

Good transition plans should include teaching children "**self-advocacy skills**" so that the children can advocate for themselves after their public school experience ends. Effective self-advocates understand their disabilities, the impact of the disabilities on their daily lives, and the supports they need to be successful in school, employment, and in the community. Parents and school staff should help children be effective self-advocates during transition planning. They should help the child explain her preferences, aptitudes, and abilities so that the resulting educational programming will be interesting to, and appropriate for, the student.

WHO IS ENTITLED TO TRANSITION SERVICES, AND WHEN DO TRANSITION SERVICES BEGIN?

Children who are **14 or older** must have a transition plan as part of their IEPs. **The transition plan** must include **appropriate and measurable goals** for when the child leaves high school; the goals should be updated each year. Transition goals must be based on **age-appropriate transition assessments** in the areas of training, education, employment, and, when appropriate, independent living skills. The IEP should also include the **transition services** (including courses of study) needed for the child to reach the transition goals. The IEP can list outside agencies that will provide services to help the child achieve her transition goals. When the child turns 17, the IEP Team must discuss whether voter registration is an appropriate community living and/or citizenship goal for the child. If it is, the IEP must explain when and how voter registration will be accomplished.

Think about transition early! If appropriate and measurable goals are to be in place when the child turns 14, planning and transition assessments should start

earlier.

WHERE MUST TRANSITION SERVICES BE PROVIDED?

Transition services, like all other special education services, must be provided in the “least restrictive environment.” This means that children with disabilities must receive transition services, to the maximum extent appropriate, with children who are not disabled in the regular education environment or in community settings. The location of the services should be clear in the IEP. Transition services and activities can take place in the school, community, an employment site, and in vocational technical schools.

WHAT INFORMATION SHOULD BE GATHERED BEFORE TRANSITION PLANNING BEGINS?

Transition services must be based on the individual child’s strengths and needs, taking into account the child’s preferences and interests and the results of age-appropriate transition assessments relating to training, education, employment, and, where appropriate, independent living skills. The individualized assessment should provide an overall picture of the child, and should help the child and family decide what they want the child to do after leaving school. Assessment information can be obtained through child and parent interviews, surveys, teacher questionnaires, observations of the child in school and at a work setting, and through more formal assessments.

WHO DECIDES WHAT THE TRANSITION OBJECTIVES AND SERVICES WILL BE?

The IEP Team determines what the transition goals and services for the child should be. In addition to the regular members of the IEP Team (including, of course, the parents), the child must be invited to take part in transition planning. If the child does not attend the IEP Team meeting, the district must take other steps to ensure that the child’s interests and preferences are considered.

With the consent of the family or an adult student, representatives from outside agencies that will be responsible for providing or funding adult disability services can be invited to participate in an IEP meeting at which a transition plan will be

developed or revised. Such agencies can include the Office of Vocational Rehabilitation (OVR), the County Offices of Mental Health/Mental Retardation (MH/MR), or an agency administering a Medicaid Home and Community Based Waiver Program.

OVR can accept student referrals from the child, a family member, or school personnel up to two years prior to graduation or earlier (each child is evaluated on an individualized basis), and can help eligible children develop an Individual Plan for Employment (IPE) before leaving the school setting. After the child leaves school, OVR can provide employment and training services to the child, provide counseling and guidance services, and can help the child address special needs and barriers to competitive employment. If you need help to access OVR services, you can call the Pennsylvania Client Assistance Program (CAP) at 1-888-745-2357 (voice/tty).

The school district cannot guarantee that an outside agency that participates in transition planning will follow through on its commitments to the child or the family, even if those commitments are written into the IEP. However, if an outside agency does not provide the transition services listed in the IEP, the school district must bring the IEP Team together again to decide what other strategies can be used to meet the child's transition goals.

HOW ARE TRANSITION GOALS AND SERVICES INCLUDED IN THE IEP?

If your child will be 14 when her IEP is in effect, the IEP Team should fill out Section III of the IEP form. Here is a link to the annotated IEP form that school districts use <http://www.pattan.k12.pa.us/files/Forms/English/IEP-ANN011309.pdf>. It contains information and suggestions that will help. The Team should fill out this section of the IEP, indicating the child's and family's post school goals, post-secondary education and training goals, and independent living (if appropriate). For each transition service the Team should note the location, frequency, expected length, the agency responsible (which can include outside agencies), and when services will begin, and whether the outcome will be achieved through a particular course of study listed in the instructional goals in the IEP. Remember, the goals should be based upon previously conducted transition assessments.

HOW CAN A TRANSITIONING CHILD BECOME MORE INVOLVED IN DEVELOPING THE TRANSITION PLAN?

The law requires that school districts invite children with disabilities to participate in transition planning for their IEPs, and children should be encouraged to attend. The child is in the best position to voice her needs, strengths, preferences and interests so that the IEP Team can develop good transition goals and services that will be interesting and appropriate for the child.

Parents, teachers and other members of the IEP Team can help the child become more involved in developing the transition plan by employing the principles of self-determination. This requires an understanding of, and commitment to, the following principles as a child selects from an array of potential transition goals and services: **Choice:** Children have the right to choose how they will live their lives, including where they will live in the community and what post-school outcomes they will pursue. **Relationships:** Those with whom children have the closest relationships are in the best position to provide the strength, assistance, and security necessary for the children to thrive in their adult lives, and those relationships must be treasured, nurtured, and protected. Children must also be permitted to develop new relationships as they attempt to expand their circles of support. **Contribution and Community:** All children, regardless of the nature and extent of their disabilities, can contribute to their community in a meaningful way and must be helped to develop a sense of community belonging and identity. **Roles and Responsibilities:** Children, as they take greater control over their lives and resources, must be permitted to assume greater responsibility for their decisions and actions. **Control:** Children must have the power to make important decisions and truly control their own lives. **Dreams:** All people have hopes and dreams, and children should be provided with opportunities that enable them to begin the journey towards their own dreams. **Dignity and Respect:** All people have an inherent right to be treated with dignity and respect, and children must be allowed to take risks and make mistakes. **Attitude:** Nothing is impossible. Children and their circles of support must replace “No, we can’t” with “How can we?”

WHAT IS A “SUMMARY OF PERFORMANCE”?

When a child with an IEP exits from the school system through graduation or

completion of the school year in which she turns 21, the school district must provide the child with a summary of her academic achievement and functional performance. The summary must also include recommendations on how to assist the child in meeting her post-school transition goals. See ELC's fact sheet, Graduation Requirements for Children with Disabilities at www.elc-pa.org.

If the school district, the family, and the student have successfully identified annual transition goals and services, conducted appropriate assessments, monitored the child's progress toward the transition goals, and collected progress data, the school district will be able to provide the child with the information needed to move forward towards her post-school goals. The Department of Education's Summary of Academic Achievement and Functional Performance annotated form is at

<http://www.pattan.k12.pa.us/files/Forms/English/SoP-ANN070108.pdf>.

WHAT CAN YOU DO IF YOU DISAGREE WITH THE TRANSITION PLAN THE SCHOOL DISTRICT IS PROPOSING FOR YOUR CHILD?

As a child gets older, her interests may change, and new transition goals and activities may need to be determined. That is why the transition component of the IEP must be updated annually. Transition goals should be realistic, but they should also be based on high expectations for the child.

If you believe that the transition outcomes and services the school district is proposing for your child's IEP are not appropriate (too low, too high, not enough, or the wrong kind of services) for your child, you can ask the school district to "mediate" the dispute or you can request a special education hearing. For more information on dispute resolution options, see ELC's Fact Sheet How to Resolve Special Education Disputes. This fact sheet and other ELC publications are available from our website or phone numbers listed below. **FOR MORE INFORMATION YOU MAY WANT TO TRY:**

Pennsylvania Training and Technical Assistance Network (PaTTAN)
<http://www.pattan.k12.pa.us/teachlead/SecondaryTransition.aspx>

National Secondary Transition Technical Assistance Center
<http://www.nsttac.org>

Funding for this brochure was provided by:

Disability Rights Network of Pennsylvania (DRN), pursuant to the Developmentally Disabled Assistance and Bill of Rights Act, P.L. 101-496, and the P&A for Mentally Ill Individuals Act, P.L. 99-319. DRN is located at 1414 N. Cameron Street, Suite C, Harrisburg, PA 17103. Telephone: 800-692-7443 or 717-236-8110. Website: www.drnpa.org.

Pennsylvania Interest on Lawyers Trust Account Board (PA IOLTA)

*Prepared by: Education Law Center (Rev 4/09)
(215) 238-6970 (Philadelphia)
(412) 258-2120 (Pittsburgh)
www.elc-pa.org*

Tool K:

Suggestions for Further Reading

From the Pennsylvania Department of Education:

Secondary Transition Roadmap

http://www.uniontown.k12.pa.us/Special_Ed/Road%20Map.pdf

Transition: Summary of Academic Achievement and Functional Performance

http://www.uniontown.k12.pa.us/Special_Ed/Summary%20of%20Performance.pdf

From PATTAN:

Secondary Transition: FAQ

<http://www.pattan.net/files/Transtn/FAQ0309.pdf>

Secondary Transition: What Families Need to Know

<http://www.pattan.net/files/Transtn/WhatFam.pdf>

Secondary Transition: What Educators Need to Know

<http://www.pattan.net/files/Transtn/WENK0309.pdf>

Secondary Transition: What Administrators Need to Know:

<http://www.pattan.net/files/Transtn/WhatAdmin.pdf>

The Education Law Center also publishes on a wide range of topics, including special education. A complete listing of their publications can be found at:

<http://www.elc-pa.org/pubs/pubs.html>

Contact Information

If you need more information or need help, please contact the intake unit of the Disability Rights Network of Pennsylvania (DRN) at 800-692-7443 (voice) or 877-375-7139 (TDD). Our email address is: intake@drnpa.org.

The mission of the Disability Rights Network of Pennsylvania (DRN) is to advance, protect, and advocate for the human, civil, and legal rights of Pennsylvanians with disabilities. Due to our limited resources, DRN cannot provide individual services to every person with advocacy and legal issues. DRN prioritizes cases that have the potential to result in widespread, systemic changes to benefit persons with disabilities. While we cannot provide assistance to everyone, we do seek to provide every individual with information and referral options.