

# Transition Outreach Training for Adult Living (TOTAL) Project

## Module 1

### Federal and State Transition Requirements

Module 1, Federal and State Transition Requirements, has been developed to increase understanding of the Federal and State transition requirements for students ages 14 through 21 who have disabilities. It is important for all transition stakeholders to understand the IEP transition requirements and how to successfully implement them.

Developed by Deb Heckenkamp

Updated by:

Susan Walter, Training and T/A Coordinator  
Transition Outreach Training for Adult Living  
(TOTAL) Project

10 Meadow Lark Lane  
Highland, IL 62249

Phone: 618-651-9028

Fax: 618-654-7629

[smwalter@charter.net](mailto:smwalter@charter.net)



Administered by:  
Illinois State Board of Education  
100 N. First Street, M/C N253  
Springfield, IL 62777-0001  
Phone: 217-782-5589  
Fax: 217-782-0373  
TTY: 217-782-1900

TOTAL Project, 2003

# Transition Outreach Training for Adult Living Federal and State Transition Requirements

## ***Objective***

The purpose of this module is to increase understanding of the federal and state transition requirements for students' ages 14 through 21 who have disabilities.

## ***Key Learning***

At the end of this module participants should be able to:

- Identify the key federal and state IEP transition requirements.
- Understand how to implement federal and state IEP transition requirements.
- Identify the difference between federal and state IEP transition requirements.

## ***Materials***

- **Training Guide**
  - Learning Objectives
- **Trainer Note Pages with Corresponding Slides**
- **Activities/Instructions**
  - Activity 1, Instructions, Warm Up/Closing Activity and Answer Key
  - Activity 2, Instructions and Table 1: Potential Consultants to the Transition Team
- **Resources/Reading**
  - Cortiella, C. (2007). *IDEA 2004: Improving Transition Planning & Results*. Washington, DC: National Center on Learning Disabilities.
  - deFur, S. (1999). *Transition Planning: A Team Effort*. Washington, DC: National Information Center for Children and Youth with Disabilities.
  - *Individuals with Disabilities Education Improvement Act of 2004*. [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=108\\_cong\\_public\\_laws&docid=f:publ446.108](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=108_cong_public_laws&docid=f:publ446.108)
  - National Center on Secondary Education and Transition. *Key Provisions on Transition: IDEA 1997 compared to H.R. 1350 (IDEIA 2004)*. <http://www.ncset.org/publications/related/ideatransition.asp>
  - National Dissemination Center for Children with Disabilities. (2004). Briefing Paper. *Resources for Adults with Disabilities*. <http://www.nichcy.org/pubs/transum/ts10.pdf>
  - U.S. Department of Education, Office of Special Education Programs' (OSEP's) IDEA Website. <http://idea.ed.gov/explore/home>

- Handouts
  - Overhead handout pages for note-taking
  - Activity 1, 2 Sets of the Warm-up/Closing Activity
  - Activity 2, Table 1 – Potential Consultants to the Transition Team
  - Workshop Evaluation Form

### ***Trainer Preparation***

1. Review trainer note pages and overheads.
2. Duplicate handouts – Prepare two sets of activity material, one to use in training and one to take home.
3. Duplicate workshop evaluation form.

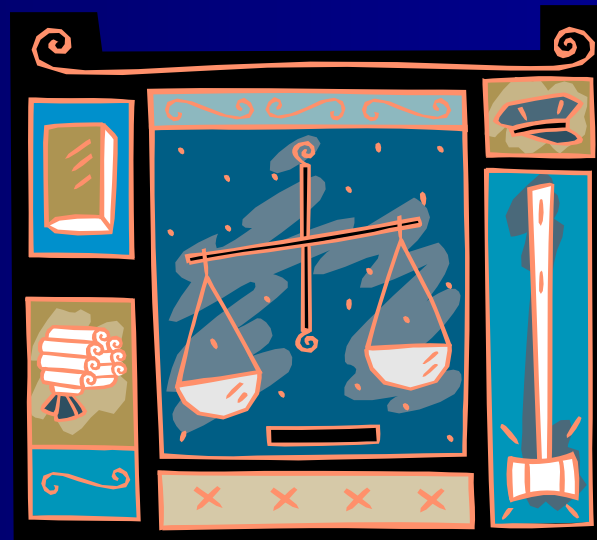
### ***Training Guide***

1. Introduce training topic and learning objectives.
2. Introduce the warm-up activity.
3. Present the training with corresponding activities by following the trainer note pages
4. Conclude by disseminating and collecting workshop evaluation forms.

# FEDERAL AND STATE TRANSITION REQUIREMENTS

Transition Outreach for Adult Living  
(TOTAL) Project

Illinois State Board of Education



# What is Transition?

- A process of planning and service delivery that enables students who have disabilities to successfully attain their post-secondary goals.

# Why Do We Plan for Transition?

- For individuals with disabilities the rates of the following are disproportionately high:
  - Dropping Out of School
  - Incarceration
  - Under- and un-employment
  - Illiteracy
  - Dependence on means tested assistance

(Hudson River Center for Program Development, Inc.; National Center for Education Statistics, (1997); Social Security Administration, (2000); SRI International.)

# Why Do We Plan for Transition?

- For individuals with disabilities the rates of the following are disproportionately low:
  - Enrollment in & completion of post-secondary education &/or training
  - Employment
  - Independent living
  - Access to health care & health insurance

(Hudson River Center for Program Development, Inc.; National Center for Education Statistics, (1997); Social Security Administration, (2000); SRI International.)

# Planning for Post Secondary Success Embedded in IDEA

- The purpose of IDEA is to ensure that all children with disabilities have available to them a free and 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.

(34CFR §300.1(a))

# Federal Definition of Transition

- Transition services means a **coordinated set of activities** for a child with a disability that:
  1. is **designed within a results-oriented process**, that is focused on improving the **academic and functional achievement** of the child with a disability to **facilitate movement** from school to post school activities, including post-secondary education, **vocational education**, integrated employment, continuing and adult education, adult services, independent living or community participation...

# Federal Definition of Transition

2. Is based on the individual child's needs, taking into account the child's strengths, preferences and interest; and



34CFR §300.43(2)

# Federal Definition of Transition

## 3. Includes

- i. Instruction
- ii. Related Services
- iii. Community Experiences
- iv. The development of employment and other post-school adult living objectives; and
- v. If appropriate, acquisition of daily living skills and functional vocational evaluation.

34CFR §300.43(2)

# Federal Transition Requirements

- ...the public agency shall invite a child with a disability to attend his or her IEP 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...

34CFR §300.321(b)(1)

- If the child does not attend the IEP Team meeting, the public agency must take other steps to ensure that the child's preferences and interests are considered.

34CFR §300.321(b)(2)

# Federal Transition Requirements

- Beginning not later than the first IEP to be in effect when the child turns 16 ... 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...

34CFR §300.320(b)(1)

# Federal Transition Requirements

- The transition services (including course of study) needed to assist the child in reaching those goals.

34CFR §300.320(b)(2)

# Federal Transition Requirements

- **"To the extent appropriate, with the consent of the parents or a child who has reached the age of majority...the public agency must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services."**

CFR34 §300.321(b)(3)

# Federal Transition Requirements

- **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 his/her rights under Part B of the Act, if any, that will transfer to the child upon reaching the age of majority.

34CFR §300.320(c)

# Federal Transition Requirements

- Although it is best to contact an attorney, additional information about guardianship is available from:

Guardianship and Advocacy Commission

1-866-274-8023

<http://gac.state.il.us/>

# Federal Transition Requirements

- The public agency shall provide any notice required by this part to both the child and the parent; and (ii) all other rights accorded to parents under Part B of the Act transfer to the child.

34CFR §300.520

# Federal Transition Requirements

- For a child whose eligibility ends, a public agency must 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.

34CFR §300.305(e)(3)

- Graduation with a regular diploma
- Exceeding the maximum age of eligibility

# Illinois Transition Requirements

- Beginning not later than the first IEP to be in effect when the child turns 14 ½, and updated annually thereafter, the IEP shall include:
  - Appropriate, measurable post-secondary goals based upon age-appropriate assessments related to education, training, employment, and, where appropriate, independent living skills

# Illinois Transition Requirements

- Transition services that are needed to assist the child in reaching those goals, including courses of study and any other needed services to be provided by entities other than the school district.

23 IAC 226.230(c)

# Illinois Transition Requirements

- When a student with a disability reaches the age of majority (18 years of age)...except for a student with a disability has been adjudged as a disabled person pursuant to 755 ILCS 5/11a-1:
  - The school district shall provide any notice required...to both the individual and the parents, and all other rights accorded to parents under Part B of the Individuals with Disabilities Education Act, shall transfer to the student.
  - Whenever rights are transferred to a student, the district shall notify the student and the parents of the transfer of rights.
  - All required notices shall be provided to the student and the parent after the student reaches the age of majority.

# Illinois Transition Requirements

- The IEP of a student who may, after reaching age 18, become eligible to participate in the home-based support services program... authorized by the Developmental Disability and Mental Disability Services Act [405 ILCS 80] shall set forth specific plans related to that program that conform to...Section 14-8.02 of the School Code.

# Illinois Transition Requirements

- For additional information about the Home-Based Support Program contact:
  - **DHS 24-Hour Telephone Hotline**
    - **1-800-843-6154 English or Español**
    - **1-800-447-6404 TTY for callers who are deaf or hard of hearing**
    - **TTY 312-793-2354**
  - <http://www.dhs.state.il.us/mhdd/dd/homebasedsupportservices.asp>
  - You can also find your local PAS agency online at <http://www.dd.illinois.gov/LocalAgency.cfm>

# Illinois Transition Requirements

- A student with a disability who has fulfilled the minimum state graduation requirements shall be eligible for a regular high school diploma. (See Section 27-22 of the School Code [105 ILCS 5/27-22])
  - If the student's IEP prescribes special education, transition planning, transition services or related services beyond that point, issuance of that diploma shall be deferred so that the student will continue to be eligible for those services.
  - If the student is to receive a regular high school diploma, at least one year prior to the anticipated date of its issuance, both the parent and the student shall receive written notification...that eligibility for public school special education services ends following the granting of a diploma and that the parent may request an IEP meeting to review the recommendation graduation.

# Illinois Transition Requirements

- An eligible student who requires continued public school educational experience to facilitate his/her integration into society shall be eligible for such services through age 21, inclusive (i.e., through the day before the student's 22<sup>nd</sup> birthday).

23 IAC 226.50(c)(1)

- Students who have participated in a graduation ceremony but have not been awarded regular high school diplomas continue to be eligible to receive FAPE through age 21, inclusive

23 IAC 226.50(c)(4)

# FEDERAL AND STATE TRANSITION REQUIREMENTS

- In summary:
  - Transition requirements are designed to ensure student success in and beyond high school.
  - The focus of the IEP starting no later than age 14 ½ must be the student's post-school goals.
  - Educators cannot adequately conduct transition planning & services delivery alone.

**Transition Outreach Training for Adult Life  
Federal and State Transition Requirements  
WARM UP & CLOSING ACTIVITY**

Participant Name: \_\_\_\_\_

1. According to IDEA 2004, at what age must the IEP first address transition?
  - a) 16
  - b) 12
  - c) 14
  - d) 18
  
2. According to Illinois regulations, when must the IEP include transition services and supports including course of study?
  - a) The IEP that will be in effect when the student starts middle school
  - b) At 18 years old or on the IEP in effect the year of anticipated school exit
  - c) The IEP that will be in effect when the student starts high school
  - d) The IEP that will be in effect at age 14 ½
  
3. What additional team members, if any, must be invited to the IEP meeting when transition is to be addressed?
  - a) No additional team members are required.
  - b) Additional team members are required only if requested by the parent/guardian or the student.
  - c) The school determines if other team members are required.
  - d) The student and non-education/community providers of transition services must be invited to attend the IEP meeting.
  
4. What are the areas of adult life that must be addressed during transition planning?
  - a) Post-secondary education or training, employment, and if needed, independent living
  - b) Post-secondary education and employment and if needed, independent living
  - c) Post-secondary employment and independent living
  - d) Post-secondary education and independent living
  
5. Schools are not required to obtain student or community provider input on the IEP if they do not attend the IEP meeting.
  - a) True
  - b) False

6. At what age do the education rights of parents/guardians transfer to the student in Illinois?
- a) In Illinois parent/guardian education rights never transfer to the student.
  - b) At age 18
  - c) At age 21
  - d) At age 18, but only if the student is determined fit to be his or her own guardian
7. What is the name of the program offered by the Department of Human Services, Office of Developmental Disabilities that must be included on the IEP of students who reach adulthood?
- a) Respite Care
  - b) Home-Based Support Services Program for Mentally Disabled Adults
  - b) Day Training Vocational Program
  - c) Community Integrated Living Arrangement
8. When must the student and family be informed of the student's anticipated graduation?
- a) At age 16
  - b) At the beginning of the school year in which the student is expected to be graduated
  - c) At least one year prior to the anticipated graduation
  - d) This is not a requirement.
9. Students who have IEPs who have met the requirements for a standard high school diploma but who have not met all of their transition goals are eligible to continue to receive special education and FAPE through age 21, inclusive.
- a) True
  - b) False
10. In IDEA 2004, SOP is an acronym for:
- a) Summary of Occupational Performance
  - b) Summary of Performance
  - c) Screening of Performance
11. For a child whose eligibility terminates because of graduation with a regular diploma or because of exceeding the maximum eligible age for special education services (through 21 inclusive), a local educational agency shall provide the child with a summary of the child's academic achievement and functional performance which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.
- a) True
  - b) False

Bonus: In IDEA 2004, what is the PLAAFP?

# Transition Outreach Training for Adult Life Federal and State Transition Requirements

## WARM UP & CLOSING ACTIVITY

### ANSWER KEY

1. a)
2. d)
3. d)
4. a)
5. b)
6. b)
7. b)
8. c)
9. a)
10. b)
11. a)

Bonus: Present Level of Academic Achievement and Functional Performance

**TRANSITION OUTREACH TRAINING FOR ADULT LIVING  
FEDERAL AND STATE TRANSITION REQUIREMENTS  
Table I: Potential Consultants to the Transition Team**

**ACTIVITY INSTRUCTIONS**

1. Distribute Table I to participants
2. Ask participants to review the services listed in the right hand column of the table.
3. Ask participants to work with their teams to identify and list possible providers/ consultants of these services in their own communities.
4. Allow about 10 minutes for this activity. Recommend that the team complete the activity when they return home, possibly having the table typed and copies for use by others.
5. Answer any questions or discuss any concerns that arise as a result of this activity.

NOTE: Provide extra copies of the Table so participants may type them upon returning to their communities.

**TRANSITION OUTREACH TRAINING FOR ADULT LIVING  
FEDERAL AND STATE TRANSITION REQUIREMENTS  
Table I: Potential Consultants to the Transition Team**

<b>Potential Consultant</b>	<b>Relationship to Transition Services</b>
	Provides information about lifelong education options
	May offer self-advocacy training or support groups for young adults
	Provides expertise on devices that can open doors to opportunities
	Offers counseling and support on teen pregnancy, alcohol, and drugs
	Provides links between schools and local businesses and industry
	May link team to resources for traditionally underrepresented groups
	Provides incarcerated youth with continued learning opportunities
	Provides youth with alternatives to dropping out of school
	Offers insight into expectations; promotes hiring of people with disabilities
	Provides job development, placement, coaching
	Offers programs in parenting, homemaking, independent living
	Provides information on curriculum, assessment, graduation requirements, college
	Provides guidance on community health services and health care advice

	Provides information on postsecondary services to student with disabilities
	Assists in developing housing options
	Knows available program options within the community
	Coordinate volunteers to teach basic reading and writing skills
	Funds many local services; can provide information on local services
	Provides information and training (often serves all disabilities, not just one)
	Provides training on transition planning and advocacy services to families
	Can provide social support to young adults and their families
	Can help access specialized housing
	Provides guidance and arranges for case management, support, respite care
	Provides sports training, competition, and recreational opportunities for youth
	Provides behavioral, physical, occupational, & speech services in the community
	Offers expertise about transportation options and training
	Funds many community programs that may offer options for young adults
	Provides information on art programs and opportunities for youth

	Provides job training; teaches work-related skills
	Offers recreation and leisure programs