

Secondary Transition Plan

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The purpose of this module is to provide an overview of the requirements for secondary transition within the framework of The Individuals with Disabilities Education Improvement Act of 2004 (IDEA).

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While IDEA requires secondary transition planning to begin at age 16, in Ohio, secondary transition planning begins at age 14, or even younger if determined appropriate by the IEP team.

This means that all elements for secondary transition planning must be included within the IEP that is in effect when the child turns 14, or younger if determined appropriate by the IEP team.

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For the first IEP that will be in effect when the child turns 14, or younger if appropriate, the school district must include the following in the parent invitation (PR-02) prior to the IEP meeting:

1. The IEP meeting will include the development of a transition plan;
2. The school district will invite the child; and
3. The school district will invite any outside agency that will be paying for or providing the transition services, such as the county board of developmental disabilities.

The school district must obtain parental consent before inviting any outside agency.

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The child must be invited to any IEP meeting when secondary transition is discussed. There are no exceptions to this requirement.

The school district must document that the child was invited to the IEP meeting. For example, including the child on the PR-02 invitation form.

If the child does not attend the IEP team meeting, the school district must take other steps to ensure the child's career preferences and interests are considered.

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When the child turns 18, which is the age of majority in Ohio, all rights under IDEA Part B will transfer from the parent or guardian to the child.

However, these rights will remain with a parent or guardian and will not transfer to the child if the child is legally determined to be unable to take on this responsibility.

At least one year before the child turns 18, the IEP must include signatures indicating the child and the parent or guardian have been informed that this transfer will take place.

This statement is included in the "Signatures" section of the IEP.

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Representatives of other agencies that may pay for, or provide, the transition services in the IEP must be invited to the IEP meeting where transition is discussed.

This invitation must have the approval of the parent or the child if he or she has reached the age of majority.

If an agency fails to provide an agreed upon transition service, the IEP team must reconvene to identify alternative strategies to implement the transition services.

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Effective July 22, 2016, the federal law known as The Workforce Innovation and Opportunity Act, commonly referred to by its acronym “W-I-O-A”, reauthorized the Workforce Investment Act of 1998, which includes the Rehabilitation Act.

The purpose of the WIOA is to increase access to employment, education, training, and support services in order to assist individuals with disabilities, including those with the most significant disabilities, to succeed in the competitive labor market.

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The WIOA places significant emphasis on competitive integrated employment for all individuals with disabilities.

The WIOA provides the opportunities for youth with disabilities to be referred for vocational rehabilitation services as early as age 14.

If the youth is found eligible, these services are provided by the Opportunities for Ohioans with Disabilities (OOD).

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Ohio Revised Code 5123.022 establishes a state policy which declares every individual with a developmental disability is presumed capable of competitive employment that takes place in an integrated setting.

The IEP must include appropriate measurable postsecondary goals and transition services that promote competitive employment in an integrated setting.

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There is a focus on youth aged 24 and younger within Section 511 of the WIOA. Section 511 has required steps that must be taken prior to using special wage certificates, also known as 14(c) certificates, under the Fair Labor Standards Act (FLSA) to pay subminimum wages to individuals with disabilities.

School personnel must be aware of these three required steps, which include:

Step 1. Pre-employment Transition Services or Transition Services have been provided.

Step 2. The individual has applied for vocational rehabilitation (VR services) and has been found either ineligible or a case closed without an employment outcome.

Step 3. The individual has been provided career counseling, along with information and referrals to public programs and other locally available resources that offer employment-related services and supports designed to attain competitive integrated employment.

These steps should not serve as a “checklist” approach to subsequent placement in a subminimum wage job.

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Every attempt must be made by school district personnel to ensure that Section 511 is implemented with the spirit of Congressional intent. This intent is to ensure that individuals with disabilities, especially youth with disabilities, have a meaningful opportunity to prepare for, obtain, maintain, advance in, or regain competitive integrated employment, including supported or customized employment.” 34 CFR 397.1

The Ohio Department of Education and Workforce has developed a guidance memo and documentation templates for school districts to use when completing this requirement.

School districts must also ensure that children with disabilities and their parents are aware of these requirements as applicable.

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Section 511 also prohibits the Ohio Department of Education and workforce and school districts from contracting or developing other arrangements with entities that hold a 14 (c) subminimum wage certificate, in order to pay student’s subminimum wage.

School districts should direct specific questions related to payment of subminimum wage to the school district's legal counsel and/or the Ohio Department of Labor.

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The following graphic displays the components within the secondary transition planning process. These components include:

- Future planning;
- Age-Appropriate Transition Assessments (AATA);
- Appropriate Measurable Post Secondary Goals;
- Transition Services and Activities;
- Course of Study;
- Annual IEP Goals; and
- Summary of Performance.

The transition planning components build on each other and will be included each time transition considerations are addressed during each of the student's IEP annual reviews. Transition planning does not start from scratch each year. Rather, transition planning information continues to build and refine as the student moves through school. Transition planning starts with Future Planning. The student and the student's parent or legal guardian share what the student's plans are upon graduation.

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The teacher and other involved team members collect and assemble data through Age Appropriate Transition Assessments (AATA). AATA data must be collected formally and/or informally. AATAs must be used to document the student's preferences, interests, needs and strengths, which are often referred to as (PINS).

These PINS must be considered when developing the postsecondary goals and the transition services needed to move the student towards attainment of these goals.

If the AATA identifies multiple areas of need, it is important for the IEP team to prioritize the needs. The current IEP must then address the highest priority needs and contain documentation that the remaining needs will be addressed in the future IEP.

Remember the process starts with the student's needs first. A number of free and downloadable AATA resources are provided through the Ohio's State Support Teams at www.ohioAATAlibrary.org.

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There must be evidence that the measurable postsecondary goals are based on AATA data.

Postsecondary goals must be stated in measurable terms. This means that the goals can be counted as to whether they did or did not occur. The goals must be appropriate for the student based on the available age appropriate transition assessment data. The goals must focus on what the student intends to accomplish after high school. As such, the school district is not held responsible if the student does not meet the postsecondary goals after graduation or exits from high school and IDEA eligibility.

A Postsecondary goal must be written in the areas of education and training, employment, and if assessment supports a need, independent living.

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Education and Training goals address a variety of outcomes including, but not limited to, on the job training, 2 and 4-year colleges, adult education opportunities, apprenticeships, vocational and technical training with or without certification, military, volunteering or supported employment.

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When writing an employment goal, competitive, integrated employment must be the first consideration for ALL individuals with disabilities including those with the most significant disabilities.

Competitive employment is work in the competitive labor market that is performed on a full or part-time basis in an integrated setting. The individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

An integrated setting means an employment setting typically found in the community. The employee with a disability interacts with people without disabilities to the same extent as other employees who do not have a disability in comparable positions.

These individuals without disabilities do not include supervisory personnel or individuals who are providing services to the employee.

Competitive integrated employment includes supported or customized employment.

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An Independent Living goal must be considered if:

There are areas in the AATA data, the IEP profile, the ETR, or anywhere else in the IEP that supports a need.

Independent living doesn't have to be centered around HOW or WHERE the student will be living after all education and training has been completed. It could center around : Self advocacy, management of the home and personal finance driving, using public transportation or any other life skill a student would need to be successful in life.

The only situation in which an Independent Living goal **may** not be needed is if the following two criteria are both met:

- Data-based documentation on the IEP demonstrates no need for an Independent Living Goal; and
- The IEP team agrees there is no need for an Independent Living Goal

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Postsecondary goals must be updated at least annually. This review is completed using newly collected and updated AATA data and other relevant data within the IEP. Based on this new data, the postsecondary goals might be revised or changed to reflect new student interests and/or experiences.

If the IEP team determines during the annual review that the data does not support a revision or change, the goal may remain the same; however, the rationale for this decision must be clearly documented within the IEP.

The postsecondary goals should show evidence of refinement from general, generic statements to more specific career, education and training, and independent living goals as the student gets older. In most cases, postsecondary goals should be as specific as possible.

Vague or generic postsecondary goals at upper-ages or grade levels are generally inappropriate. The postsecondary goals should become increasingly detailed and focused over time.

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Based on the data collected, the team will then determine the student's Transition Services and Activities. Transition Services and Activities should be individualized to each student's needs and take into account the student's preferences, strengths and interests. It must be emphasized that the district, not the student or parent, is responsible for providing the identified transition services and activities.

Transition services means a coordinated set of activities for a student with a disability that is designed to be within a results-oriented process.

These services are focused on improving the academic and functional achievement of the student with a disability to facilitate the student's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing adult education, adult services, independent living or community participation.

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Although the school district is not responsible for the student meeting the postsecondary goals after graduating from or exiting high school, the school district is responsible for providing transition services that will reasonably enable the student to move toward attainment of postsecondary goals.

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At a minimum, the IEP must include at least one transition service relating to each postsecondary goal. Transition services may be developed in the areas of instruction, related services, community experiences, the development of employment objectives and other post-school adult living objectives.

If appropriate, transition services may also include acquisition of daily living skills and functional vocational evaluation. Note that these areas are not meant to stand alone as a service in the IEP. For example, simply writing “community experience” does not constitute a compliant transition service. A more in-depth description of the community experience is needed.

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Transition services must be worded in terms of what the *district* will do to help the student reach his or her post-school goals. Student or parent may not be the person or agency responsible for transition services. For example, “Sally will...” should be stated as “The Intervention Specialist will...”

Simply “providing an opportunity” for a service is not acceptable. School districts must be specific when describing the service they are providing the student. For example, the statement “The Intervention Specialist will provide an opportunity to do X” is too vague as it may or may not occur. “The Intervention Specialist will teach X” more clearly describes the service that will take place and may be measured and documented as being completed or not completed.

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School districts must be prepared to provide evidence that transition services are in progress or have been completed. The type of evidence that will be collected is documented in the transition services section of the IEP.

Evidence may include, but is not limited to:

- Anecdotal records
- Checklists
- Work samples
- Rubrics

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The IEP team will determine the student’s appropriate Course of Study. The student’s Course of Study should align with all the previously identified components of the student’s transition planning.

The intent of discussing the course of study and including it within the IEP transition plan is to ensure that the student has the academic background and educational experiences to reasonably enable him or her to move toward achieving their postsecondary goals.

Students in Ohio must satisfy high school curriculum requirements to earn a high school diploma. Depending on the student’s needs, the curriculum must be based upon the Ohio Learning Standards OR the Ohio Learning Standards – Extended. Thus, the course of study on the IEP must state either Ohio Learning Standards OR the Ohio Learning Standards – Extended.

Additionally, depending on the individual student’s preferences, interests, needs and strengths, the course of study could also include any of the following:

- Career-technical education program courses (related to postsecondary goals)
- High school courses for postsecondary credit
- Advanced Placement courses
- International Baccalaureate courses

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There must be an annual goal or goals in Section 6 of the IEP that are related to the transition service needs that have been identified in the areas of education and training, employment and independent living. This is documented in the Transition Plan, Section 5 of the IEP.

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Although the Summary of Performance (SoP) is not part of the IEP process, it is a federal requirement and part of the secondary transition planning for students with disabilities who are graduating or who are leaving school because they exceed the age of eligibility for a free appropriate public education (their 22ND birthday) that will assist them in meeting their post-secondary goals. The Summary of Performance is completed by the IEP Team. The summary must be reviewed with the student and parents or guardians as the student prepares to exit high school.

IDEA 2004 does not explicitly require a Summary of Performance for students who are leaving school for other reasons. However, it is the recommendation of the Ohio Department of Education and workforce that school districts provide an SoP for these students as well.

The SoP provides a summary of the student's academic achievements, a summary of his/her functional performance, and recommendations on how to assist students in meeting his/her post-secondary goals.

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The purpose of the SoP is:

- To provide guidance so the students know what accommodations and supports might be helpful in post-secondary settings;
- To assist students in transitioning from high school to post-high school activities; and
- To provide students with summative documentation that goes with the student when he or she leaves high school.

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ODEW does not require a specific form for the Summary of Performance; however, it does require that all essential components are included in the SoP. School districts may consider using Optional Form 8 (OP-8) located on the ODEW website

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As mentioned previously, secondary transition planning is an ongoing process. There must be evidence from the previous IEP to the current IEP that the IEP team considered any new information or student needs in relation to secondary transition planning.

These considerations are evidenced by documentation of progress or completion of specific transition services and activities.

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The Individuals with Disabilities Education Improvement Act of 2004 (IDEA) requires each state to evaluate the state's efforts to implement the requirements of IDEA. Secondary Transition requirements are monitored through Indicator 13 which measures the percentage of students who have an IEP that includes all of the elements of the secondary transition plan. School districts provide this information to ODEW through the Secondary Transition Element in the Educational Management Information System (EMIS).

The National Technical Assistance Center on Transition (NTACT) created a checklist to help school districts ensure that the IEP includes the necessary secondary transition planning components.

The Ohio Indicator 13 checklist is adapted from the center's checklist. It reflects the 8 required compliance elements in the secondary transition section of the IEP. Each question on the checklist must be answered either yes or not applicable for compliance purposes. The checklist is available on ODEW's website.

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As required by *The Ohio Operating Standards for the Education of Children with Disabilities*, transition services shall be provided by individuals who have competencies, experiences, and training to meet individual student’s transition service needs.

Individuals coordinating transition services must obtain the Transition to Work endorsement OR possess the skills and knowledge listed on the next slide.

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Individuals coordinating transition must possess the skills and knowledge for the following:

- Facilitate a planning process among multiple agencies, students and families to support a student’s secondary transition process;
- Plan for the collection, sharing and utilization of student’s transition data that is relevant to the student’s post school outcomes, environment and support needs;
- Communicate a student’s individual transition plan to students, families, educators and agencies;
- Coordinate the implementation of research-based practices that lead to effective postsecondary transition services and outcomes;
- Utilize methods to engage students and families in the secondary transition process;
- Assist in the coordination of referral processes from school to adult services systems;
- Link appropriate courses of study and instructional strategies to secondary transition related goals; and finally
- Create strategies that support the career development pathways of students with disabilities leading to career and college readiness.

Please Note: The Transition to Work Endorsement is currently required in Ohio for individuals working in the capacity of a Job Training Coordinator.

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The optional form OP-6B Transition Progress Report is available on ODEW’s website with the other Required and Optional Forms.

The report is to be completed and distributed as frequently as the IEP Progress Report.

1. Include the Reporting Period (for instance first quarter, second semester) that is covered within the report and the date that the report is completed.
2. List the transition services and activities from Section 5 of the IEP. The transition services and activities might be pre-populated into the Report in some dynamic versions of the IEP form.
3. Be sure to summarize the outcome of the transition services/activities at the time of the reporting period.

Finally, indicate the status toward the completion of the transition services and activities. Some questions to think about are: Have they started? Are they in progress? Have they been completed?

Remember. The report is to be completed and distributed as frequently as the IEP progress reports

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For more information, please visit:

Secondary Transition and Workforce Development for Students with Disabilities | Ohio Department of Education and Workforce <https://education.ohio.gov/Topics/Special-Education/Federal-and-State-Requirements/>

AATA Resources: www.ohioAATAlibrary.org

For further support, contact your State Support Team (SST). To find your SST, please visit:

<https://education.ohio.gov/Topics/District-and-School-Continuous-Improvement/State-Support-Teams>

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