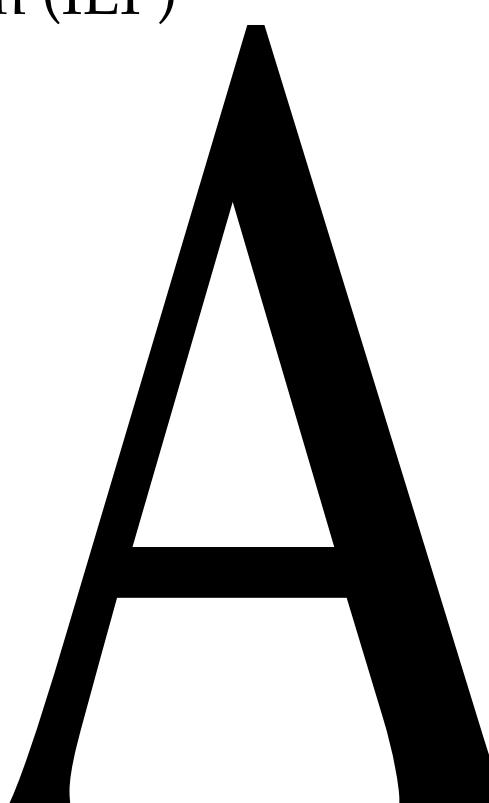


Revised Edition
September, 1998

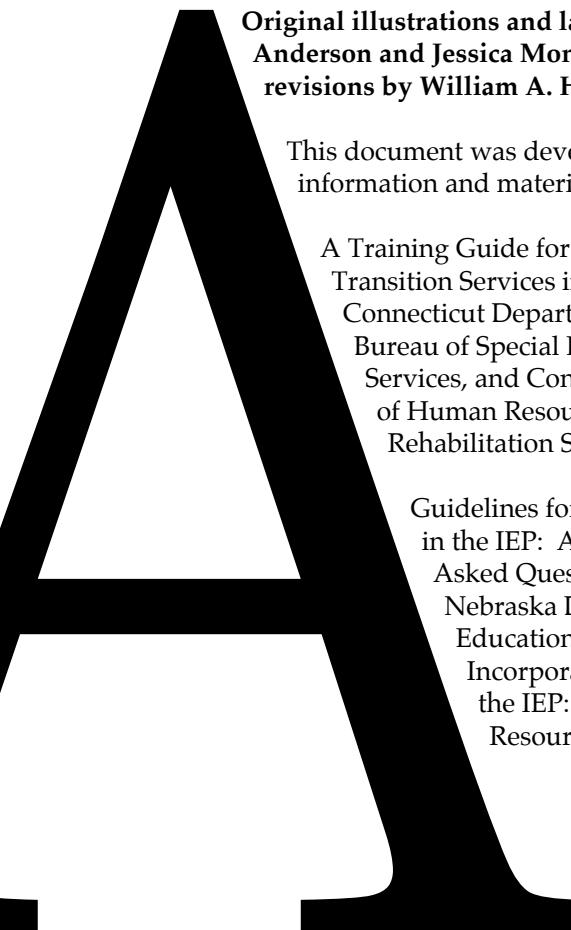
Answers to Commonly Asked Questions about Transition Services and the Individualized Education Program (IEP)



This report is supported by the Kansas Transition Systems Change Project, a collaborative effort of:

**Kansas State Board of Education,
Kansas Rehabilitation Services
The University of Kansas**

The development and dissemination of this document was supported by the Office of Special Education Programs, U.S. Department of Education Award #H158A20017



This document was prepared by Mary E. Morningstar, Ph.D., Dana L. Lattin, and Sue Sarkesian.

Original illustrations and layout by Angela Anderson and Jessica Monson; 1998 layout revisions by William A. Hopkins.

This document was developed using information and materials from:

A Training Guide for Incorporating Transition Services into the IEP (1993). Connecticut Department of Education, Bureau of Special Education and Pupil Services, and Connecticut Department of Human Resources, Bureau of Rehabilitation Services.

Guidelines for Transition Services in the IEP: Answers to Frequently Asked Questions (April, 1993). Nebraska Department of Education.

Incorporating Transition into the IEP: Manual and Resource Guide (January,

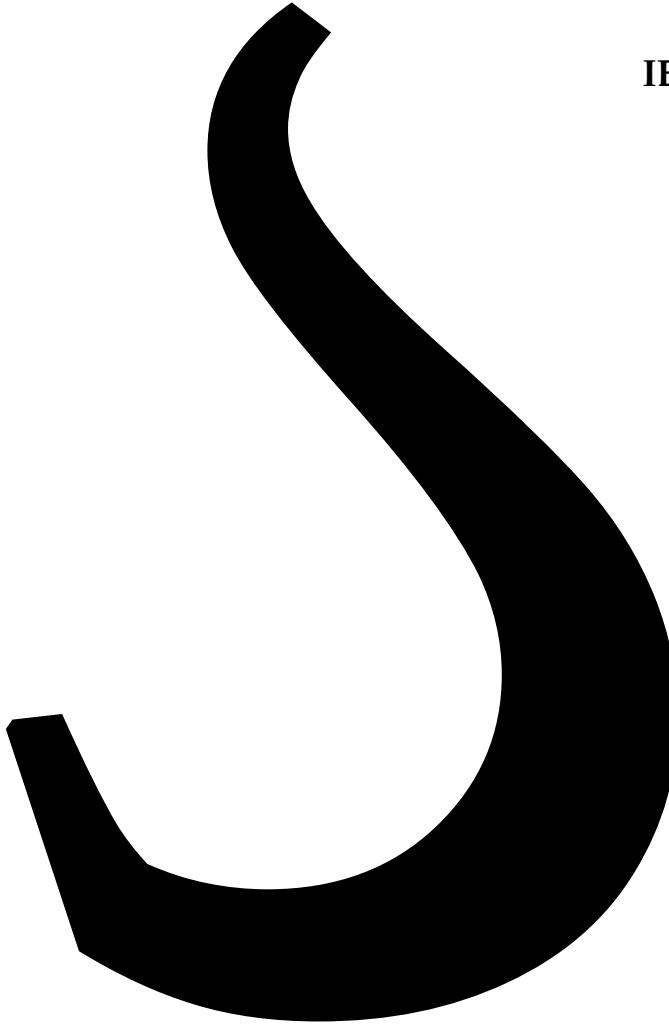
1993). By Lizanne Destefano and Deborah Winking, University of Illinois at Urbana-Champaign.

Transition Planning: Statement of Needs, Goals, and Objectives (1991-92). Missouri Linc, University of Missouri-Columbia, Columbia, MO.

Transition Services Guidelines for Implementation (1993). Kansas State Board of Education, Special Education Outcomes Team, Topeka, KS.

Technical Assistance Manual: Transition from School to Adult Life (1998). Kansas State Department of Education, Student Support Services, Topeka, KS.

For more information about this document, please contact Mary Morningstar Univ. of KS, Department of Special Education, 3001 Dole, Lawrence, KS 66045.



Questions Asked and Where the Answers can be Found

IEP Requirements for Transition

1. What are all of the requirements for the IEP related to transition? **Page 3**
2. What does “transition services” mean? **Page 4**
3. Is there ever a time when the statement of needed transition services should not be addressed in the IEP? **Page 4**
4. Are all students who receive special education services required to have transition addressed in their IEPs and at what age does transition planning begin? **Page 4**
5. What is meant by the “course of study” and how must this be documented? **Page 5**
6. What information is required to be in the “statement of needed transition services” on the IEP? **Page 5**
7. The law says that the statement of needed transition services must include “instruction, related services, community experiences, development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational assessment.” Can you explain each of these in more detail? **Page 5**
8. What if the IEP team determines that some of the transition services are needed and some are not? Should this be documented in the IEP? **Page 6**

Interagency and Community Linkages and the IEP

9. What happens after the needed transition services have been identified by the IEP team?

Page 6

10. How are IEP goals and objectives written differently for students 14 and older? **Page 6**

11. What are interagency and community linkages, and how are they different from action statements?

Page 7

12. Can all of the needed transition services be addressed as interagency and community linkages and not IEP goals and objectives? **Page 7**

13. Can all of the needed transition services be addressed by IEP goals and objectives and not by interagency and community linkages? **Page 8**

14. Who is responsible for determining which transition services are required to meet the student's needs? **Page 8**

15. Who must be included on the IEP team when transition services are to be addressed? **Page 8**

16. What are the requirements regarding consideration of the student's preferences and interests when developing the statement of needed transition services for the IEP? How are the student's preferences and interests determined?

Page 9

17. When transition services are being considered, what types of assessments are appropriate in determining the needs of the student? **Page 9**

18. If the student turns 14 after the IEP has been developed for that year, is it necessary to develop a new IEP with a statement of needed transition services written into it? **Page 9**

19. What are the procedures for changing the statement of needed transition services on the IEP? **Page 9**

20. What is "age of majority" and what are the IDEA transition regulations for these students? **Page 10**

21. What are the relevant community agencies which should be included in the IEP meeting?

Page 11

22. What is the process for referring students to Kansas Rehabilitation Services and should all students in special education be referred to them?

Page 11

23. How does a school district know what services an agency has to offer a student with a disability?

Page 11

24. Does the IEP need to specify the services provided by other agencies, or may it just list those services? **Page 12**

25. What procedures should a school district follow for disclosing information about a student with a disability to other agencies? **Page 12**

26. What happens if an agency is unable or unwilling to participate or fulfill its responsibilities in meeting the needed transition services? **Page 12**

27. If an agency fails to provide the services agreed upon in the IEP, must the school district provide an alternate to the agreed upon service? **Page 12**

Graduation

28. What should the final IEP for a student with a disability include? **Page 13**

29. What is the school district's responsibility for a student with a disability if an agency fails to fulfill its responsibilities after the student's special education program is terminated? **Page 13**

30. Can students continue to receive transition services after they have completed graduation requirements? **Page 13**

31. Can students with disabilities who receive special education services also receive services through an Adult Basic Education (ABE) program? **Page 14**

32. Can students with disabilities who are receiving special education services through an ABE program get their GED? **Page 14**



IEP Requirements for Transition Services

1. What are all of the requirements for the IEP related to transition?

IDEA establishes that planning for students' with disabilities transition from school to adult life is a primary focus of secondary education. In order to ensure that students receive planning and services to help them achieve success beyond high school, IDEA requires that certain elements be included in each student's IEP. The following list provides a quick overview of the transition components required for the IEP:

- Beginning at age 14, and updated annually, a statement of transition service needs must be included in the IEP. This statement *must* focus on the student's course of study (e.g., participation in vocational education programs or advanced-placement course).
- Beginning at age 16 (or younger if determined appropriate by the IEP team) a statement of needed transition services including: (1) instruction, (2) related

services, (3) community experiences, (4) employment, (5) other post-school adult living objectives, and if appropriate, (6) daily living skills, and (7) functional vocational evaluation.

- If the IEP team determines that any one of the transition services is not needed (e.g., instruction, related service, etc.), justification *must be provided* for each area not addressed in the IEP. This justification must fully explain why the student is not in need of services in each of these areas.
- If appropriate, any interagency linkages or responsibilities to provide or pay for transition services must be included in the IEP.
- Beginning at least one year before the student reaches the legal age of majority, a

statement indicating that he or she has been informed of his or her rights under IDEA that will transfer upon reaching the age of majority must be included in the IEP.

The questions and answers contained in this booklet explain each of the transition elements listed above. For more specific information about these issues and about best practices in transition planning, please see the *Technical Assistance Manual: Transition From School To Adult Life*. To obtain a copy of this document, please contact Kansas State Department of Education, Student Support Services, 120 SE 10th St., Topeka, KS, 66612 or you may call them at 785/296-3869.

2. What does "transition services" mean?

The Individuals with Disabilities Education Act (P.L. 105-17, IDEA) defines "transition services" as: *...a coordinated set of activities for a student, designed within an outcome-oriented process, which promotes movement from school to post-school activities, including, post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation...and shall include instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation.*

This legislation makes it clear that transition planning is a "coordinated set of activities" which implies both planning and the coordination of services within a school and with other agencies outside of school. The emphasis on an "outcome-oriented process" requires the IEP team to look beyond annual goals and objectives and to identify *long-range* goals, or outcomes for that student's future life.

The educational activities of "instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of

daily living skills and functional vocational evaluation" can all be used to ensure that each student receives the preparation needed to achieve the long-range goals and outcomes.

IDEA has identified post-school outcomes as: "post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation." These are just suggested outcomes for students with disabilities and should not be considered the only ones to be identified. Transition planning and services are highly individualized and it depends upon the strengths, needs, and preferences of the student and his or her family.

3. Is there ever a time when the statement of needed transition services is not included in the IEP?

If the IEP team determines that none of the transition services are needed or that they are not applicable for a student, *the IEP must include a statement explaining why transition planning is not needed and the basis upon which that determination was made*. Reasons that are *not justifiable* are: 1) the needed transition services are not available; 2) the student's disability is too severe; or 3) the student's disability is too mild. There are few reasons why transition planning is not needed for a student who is 14 or older.

4. Are all students who receive special education services required to have transition addressed in their IEPs and at what age does transition planning begin?

IDEA mandates that transition be addressed for *all students* with disabilities regardless of how mild or severe the disability. Changes in the 1997 reauthorization of IDEA require that IEPs for students age 14 and younger, if appropriate, include "a statement of transition service needs under the applicable components of the student's IEP which focuses on the student's courses of study (such as participation in advanced-placement courses or a vocational education program)." For students who are 16, or younger if deemed

appropriate by the IEP team, the IEP must include a statement of needed transition services.

In Kansas, a statement of needed transition services and documentation of the course of study are required for students beginning at age 14, or younger if appropriate.

5. What is meant by the “course of study” and how must this be documented?

The purpose of including the student’s course of study in the IEP is to address two primary issues. First, reviewing the courses the student may need in order to work toward his long-term goals provides an opportunity for school staff to consider how the needs may be addressed through the regular curriculum. One reason for documenting the course of study is to promote inclusion in the regular curriculum prior to developing a new class or service in order to meet the need. Second, the course of study requirement helps avoid duplication of programs and services. Students may enroll in existing courses and receive appropriate accommodations and services. For example, if a student needs employment experiences, the student could receive these services through a School-to-Careers program rather than a separate special education vocational program.

6. What information is required to be in the “statement of needed transition services” on the IEP?

The statement of needed transition services should include a long-term goal statement that targets one or more of the seven post-school outcomes (post-secondary education, vocational training, integrated employment, continuing and adult education, adult services, independent living, or community participation). This is sometimes referred to as a vision statement - what the student and her family envision for the student’s future in the post-school outcome areas.

This long-term goal statement would be supported with IEP goals and objectives which more specifically address how the identified transition outcomes will be met. These goals and objectives must relate to meeting the post-school outcomes

(the student’s vision for the future) and be addressed through:

- Instruction;
- Related Services;
- Community Experiences;
- Employment;
- Other Post-school Adult Living Objectives; and
- If appropriate, Acquisition of Daily Living Skills; and
- Functional Vocational Evaluation.

All of these transition services must be considered for every student every year. Although all of the transition services may not be appropriate every year, the IEP team must document that each of these services were considered. If one or more of the transition services were not used to meet the IEP goals and objectives, justification for not using each one must be documented in the IEP.

7. The law says that the statement of needed transition services must include “instruction, related services, community experiences, development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational assessment.” Can you explain each of these in more detail?

?

- **Instruction** - is the use of formal techniques to impart knowledge. It is typically provided in schools through academic instruction, general education classes, tutoring, etc. Other instructional activities that could be provided by other entities or in other locations include: adult basic education, vocational/technical education programs, community colleges, and universities.
- **Related Services** - is supportive services that a student needs in order to benefit from special education and, in this case, to meet transition outcomes. One related service is rehabilitation counseling. This allows schools to either provide or contract with outside agencies to provide rehabilitation counseling to meet transition outcomes. Other related services include: assistive technology; orientation and mobility training; travel training; speech and language

pathology; audiology; psychological services; physical and occupational therapy; recreation, including therapeutic recreation; counseling services, including rehabilitation counseling; and medical services for diagnostic or evaluation purposes.

- **Community Experiences** - are those activities provided outside of the school building, in community settings. These experiences can be provided by families, schools, as well as other agencies such as JTPA, independent living centers, vocational rehabilitation, community developmental disabilities organizations, and mental health centers. These experiences may include activities such as school sponsored field trips, participation in community organizations and clubs (e.g., Girl Scouts or 4-H), community work experiences, and counseling services.
- **Employment** - includes experiences and activities that lead to a job or career plan. These experiences and activities could be provided by the school or other entities that provide community activities and/or class instruction in career and job awareness, exploration and training.
- **Other Post-school Adult Living Objectives** - are those activities that address important adult living skills which are needed occasionally such as registering to vote, completing tax returns, renting a home, accessing medical services, obtaining SSI, and filing for insurance. This would also include accessing community services (e.g., government services, transportation, specialized services) and community activities (e.g., church, volunteer activities, etc.).
- **Acquisition of Daily Living Skills** - are those activities which adults do every day or on a regular basis (e.g., preparing meals, budgeting, maintaining a home, paying bills, caring for clothes, and grooming). Instruction in daily living skills could be provided by schools or other entities (e.g., families, outside agencies).
- **Functional Vocational Evaluation** - is an assessment process that provides information in the areas of job or career interests, aptitudes, and skills as well as work habits and work attitudes. These areas could be assessed through employer evaluations, interest inventories, situational assessments, observations, standardized

measures, and interviews. It may be compiled by a variety of people including school personnel, employers, and family members.

8. What if the IEP team determines that some of the transition services are needed and some are not? Should this be documented in the IEP?

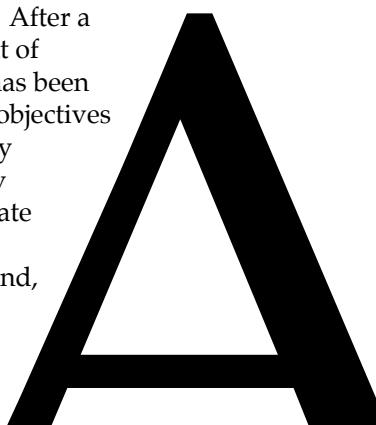
Some students may not need every transition service every year. However, each of the transition services must be considered for each student every year. If the IEP team identifies that the student needs some of the required transition services (e.g., instruction, community experiences, and employment), but does not need other required transition services (e.g., post-secondary education and training, and related services), then this must be documented in the IEP. For each transition service that is not addressed in the IEP, *there must be a statement in the IEP justifying why that service is not needed by the student at that time.*

9. What happens after the needed transition services have been identified by the IEP Team?

Once the needed transition services have been identified, they must be addressed either as goals and objectives or benchmarks, or as specific interagency & community linkages, and they must be included in the IEP. Questions 10 - 13 address developing goals and objectives and interagency and community linkages more specifically.

10. How are IEP goals and objectives written differently for students 14 and older?

In general, IDEA states that annual goals, for students 14 and older, should target skills an individual needs in order to be successful in the community as an adult. After a student is 14 and a statement of needed transition services has been developed, all of the goals, objectives and/or benchmarks and any interagency and community linkages in the IEP must relate directly to the statement of needed transition services and, ultimately, the student's



post-school outcomes or vision for the future. This makes the whole IEP a "transition IEP" which focuses on the student's whole life and long-term plans. Although the IEP is a one-year document, this one year planning must be based upon future projections - what the student's vision for the future is and what he needs this year to work toward achieving that future.

Goals and objectives written for a transition-focused IEP are more long-range and outcome-oriented than typical goals and objectives written for elementary school students. The goals are developed as a result of an individualized transition planning process that reflects the student's preferences and needs. Goals must be reviewed annually and can be adjusted or changed as students begin to more clearly define their personal vision for the future.

11. What are interagency and community linkages, and how are they different from action statements?

According to IDEA, the statement of needed transition services must include, when appropriate, a statement of interagency responsibilities or any needed linkages. In Kansas, the phrase "interagency and community linkages" is recommended because it more accurately reflects the complexity of coordinating transition services with agencies and other persons or entities outside of school. "Action statements" has been used in the past to describe the same type of linkages, but this term is no longer recommended because it does not reflect the importance placed on the role that agencies and others must play in transition planning. "Interagency and community linkages" more accurately reflects IDEA requirements for interagency responsibilities and linkages.

Interagency and community linkages are single steps or activities that can be checked-off as having been accomplished. Interagency and community linkages should address what the service or activity is; who will complete it; and when it will be completed. These statements cannot be addressed within the goals and objectives of the IEP, but are complementary to the goals and

objectives or benchmarks. If interagency and community linkages are developed, they must be included in the IEP document and not attached as planning notes. The linkages are intended to be a written record of planning only and are not designed to hold the school, any individual, or an outside agency legally accountable.

Different actions of agencies, teachers, students or parent may be necessary to achieve the desired outcomes and these responsibilities should not be listed in the goals and objectives section of the IEP. These activities may be critical to the achievement of student goals, but they are NOT measurable student performance objectives that meet the state's criteria for IEP goals or objectives.

The school district remains responsible for ensuring that the student receives the needed transition services. While IDEA establishes that the delivery of transition services is not the sole responsibility of the schools, they are charged with ensuring that the IEP includes statements of interagency responsibilities or services. However, the schools have no authority to compel a non-school agency to participate or provide a service. Questions 26 and 27 more specifically address this issue.

12. Can all of the needed transition services be addressed as interagency and community linkages and not IEP goals and objectives?

No. IDEA requires that the student's IEP document reflect needed transition services. The majority of these services must be provided by the school district through IEP goals and objectives which focus on the student's future and are based on instruction, related services, community experiences, development of employment and other post-secondary adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation. Some of these needed transition services may be met through interagency and community linkages, but certainly not all of them.

The primary purpose of interagency and community linkages is to establish relationships between students and other agencies as well as to

take some preliminary steps so that when the student leaves the school setting, the adult agencies are prepared to provide the needed services. A secondary purpose of interagency and community linkages is to develop individualized services for a student if the school does not provide those services. An example of this would be if a student needs a specific type of psychological counseling that the school is not equipped to provide. In this situation, it would be appropriate for an interagency or community linkage be established with a mental health agency or private psychologist. Finally, interagency and community linkages can be used to provide a student transition services in the most natural and appropriate setting. For example, a student may not have time in her school schedule to take a food sciences course, so she is given more grocery shopping and meal preparation responsibilities at home.

13. Can all of the needed transition services be addressed by IEP goals and objectives and not by interagency and community linkages?

This would be very unlikely. Since transition planning requires the involvement and commitment of many people other than school personnel (a coordinated set of activities), the inclusion of interagency and community linkages would be necessary. Transition planning is a complex process that requires more than just school-related activities. For the planning process to be truly successful, it will need clearly identified activities from a variety of community members, including rehabilitation counselors, social workers, parents, employers, adult service providers, and independent living centers.

14. Who is responsible for determining which transition services are required to meet the student's needs?

The school district where the student attends school is responsible for facilitating the transition planning process. The IEP team (which now must also include the student and any outside agencies) is responsible for determining which transition services are required. The IEP team must review the student's strengths, needs, interests and

preferences to determine the needed transition services and include them in the IEP. All identified and/or benchmarks should address the desired post-school outcomes.

15. Who must be included on the IEP team when transition services are to be addressed?

IDEA transition regulations require that the student must be invited to the IEP meetings. When a student does not participate in the planning or in the IEP meetings, schools must document in the IEP how the student's need and preferences have been considered during the development of the IEP.

Other members who must be on the IEP team include: the parent or lawful guardian, a school representative responsible for providing or supervising transition services, a general education teacher, and, when appropriate, a representative of each participating agency responsible for providing or paying for needed transition services. Prior to including an agency in an interagency and community linkage in the IEP, it is imperative that the agency be involved at the IEP meeting. If the agency cannot be represented at the IEP meeting, schools need to document in the IEP how the agency was involved and that the agency is in agreement with the linkage described.

In many school districts, the transition representative is also the student's special education teacher, resource room teacher or collaborative/consulting teacher. Increasingly, more districts assign a transition specialist or coordinator who is responsible for overall case management and coordination of all transition services. If the school district has a transition specialist, she should be invited to the IEP meeting to support the teacher during transition planning.



16. What are the requirements regarding consideration of the student's preferences and interests when developing the statement of needed transition services for the IEP? How are the student's preferences and interests determined?

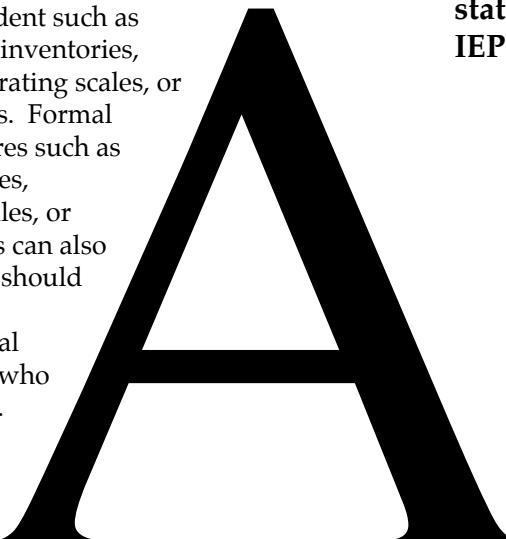
The legislation makes it clear that transition services needed by a student must be based upon individual preferences, interests and needs, not upon currently available programs or services. Student preferences and interests might be determined through formal and informal assessments, observations, or interviews with both the student and parents or significant others.

When transition services are being considered, the student must be given the opportunity to indicate her interests during the IEP meeting. If the student is not present during the IEP meeting, the team must document why the student is not there and how her preferences and interests were taken into account in the development of the IEP.

Training and preparation for student decision-making should be part of the student's school program. This would involve training which prepares the student to be an active participant in all planning meetings, including IEP meetings.

17. When transition services are being considered, what types of assessments are appropriate in determining the needs of the student?

Assessments should include informal assessments of the student such as structured interviews, inventories, observational reports, rating scales, or situational assessments. Formal standardized procedures such as adaptive behavior scales, transition behavior scales, or vocational assessments can also be used. Assessments should include input from the student, parents or legal guardians, and others who know the student well.



18. If the student turns 14 after the IEP has been developed for that year, is it necessary to develop a new IEP with a statement of needed transition services written into it?

IEPs must include a statement of needed transition services beginning when the student is age 14 and annually thereafter. While IDEA mandates that transition planning begin at age 14, it also is clear that planning can begin earlier for some students. This implies that educators do not need to wait until students are 14 to begin transition planning and incorporate the statement of needed transition services in students' IEPs.

The IEP team should anticipate the student's birthday when planning for the IEP meeting, and if the student will be turning 14 that IEP year. The statement of needed transition services and corresponding goals, objectives, and / or benchmarks could be included in the IEP even though the student is not 14 at the time. If the student turns 14 and the statement of needed transition services was not included, the IEP Team would need to reconvene to revise the IEP.

Best practices suggest that evidence of transition-related goals and skills should be present from the onset of school activities. In fact, the most innovative school programs are those which consider the entire school experience when preparing students with disabilities for the transition to adult life. These schools incorporate basic transition skills throughout the curriculum.

19. What are the procedures for changing the statement of needed transition services on the IEP?

The procedures for changing the statement of needed transition services is the same as that used for changing any part of the IEP. In order to make changes to the IEP, the school would need to reconvene the IEP team to develop the statement of needed transition services, and identify goals, objectives, and / or benchmarks as well as any interagency and community linkages to address the needs. Question 15 identifies who should be invited and attend meetings when reconvening the

IEP team to change the statement of needed transition services.

20. What is “age of majority” and what are the IDEA transition regulations for these students?

The term “age of majority” refers to the age at which young adults become legally responsible for themselves. In Kansas, this age is 18.

According to IDEA, at least one year prior to the student reaching the legal age of majority, the student and her parents are to be notified that parental rights afforded under IDEA will shift from the parent(s) to the student. The notification must be given to the students and parents at the IEP meeting at least one year before the student becomes 18. This notification must be documented in the IEP document. Rights that will transfer from the parent to the student include:

- Notification of meetings
- Notification of consent and evaluation
- Approval of the content of the IEP and regarding change of placement

If parents do not think that their child will be able to make decisions regarding various aspects of her life (e.g., education, money management, health care, etc.), then the family should pursue legal guardianship. If legal guardianship is obtained, the rights will not shift to the student, but remain with the guardian.



Interagency and Community Linkages and the IEP

21. What are the relevant community agencies that should be included in the IEP meeting?

Relevant agencies would include any other agency determined appropriate in the provision of transition services for a student with a disability. These might include: Kansas Rehabilitation Services (KRS), Social Security Administration, Job Training Partnership Act, colleges and universities, supported employment agencies, independent living centers, and agencies providing living opportunities.

22. What is the process for referring students to Kansas Rehabilitation Services and should all students in special education be referred to them?

Some transition planning and services for a student can be provided by Kansas Rehabilitation Services (KRS) starting at age 16, or the year prior to graduation, within available resources. If the IEP team, including the student and family, determines that the student may be able to benefit from KRS transition services, the school must send a notification form to KRS and document this action in the IEP. The notification begins the process for a KRS Rehabilitation Counselor to be assigned to eligible students. Although KRS provides services to people with all disabilities, not every student with a disability may be eligible to receive KRS services.

Not all students receiving special education should be referred to KRS. Notification should be given

to KRS only if the IEP team, including the student and family, determines that the student could benefit from and is appropriate for KRS services. If the IEP team determines that the student would not benefit from KRS transition services, the team must document this decision in the IEP. For more information about KRS transition services, and the KRS notification forms, please contact your local KRS office through Social and Rehabilitative Services (SRS).

23. How does a school district know what services an agency has to offer a student with a disability?

While the school is not exclusively responsible for providing all services, it is clearly responsible for ensuring that the needed services are addressed during the transition planning process. Decisions about which agencies will provide services for students should be based on the student's future desires and needs. This would suggest that school districts must be aware of all agencies that would be able to address individual student needs. A list of appropriate agencies along with a rationale for their selection might be included in the student's IEP file.

Many school programs have established interagency and community collaboration in the form of interagency agreements. Local interagency transition councils have been formed in over 30 communities in Kansas. These councils are recommended as both a resource and a means of

establishing and maintaining linkage for stakeholders involved with transition. To find out more about transition councils and whether there is one in your community, call your local KRS office and ask for a Transition Counselor.

24. Does the IEP need to specify the services provided by other agencies, or may it just list those services?

With transition planning, services from non-educational agencies are required to be specified in the IEP. The IEP must show the nature of the transition services, the schedule and /or duration of the services provision, and the agency that will be providing the service. This information would be specified in the interagency and community linkages section of the IEP document.

The Kansas State Department of Education, however, recommends that the IEP team *not* commit the services of another agency in the IEP unless that agency has agreed to provide this service in writing. If there is an agreement from an agency to provide a service, this information can be included in the interagency and community linkages section of the IEP, along with a signature from the agency agreeing to provide these services.

25. What procedures should a school district follow for disclosing information about a student with a disability to other agencies?

The school district responsible for a student's education will provide information about the student and relevant records to outside agencies *only with the consent of the parent or legal guardian*. Any student who is 18 years of age or older is legally responsible and can provide consent for release of information.

Prior to sending out notification of the student's IEP meeting to relevant agencies, the school district should request the consent for sharing information from the parent or legal guardian, or the student when appropriate. Once a school has obtained permission to release information to other agencies, they can then notify the relevant agencies about the IEP meeting.

26. What happens if an agency is unable or unwilling to participate or fulfill its responsibilities in meeting the needed transition services?

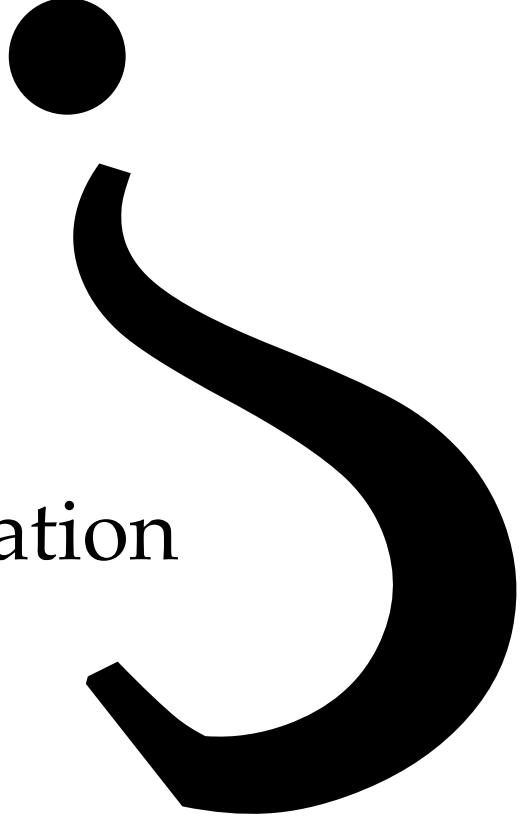
The school district remains responsible for ensuring that the student receives a free and appropriate education. While IDEA establishes that the delivery of transition services is not the sole responsibility of the school district, it is charged with ensuring that the IEP includes a statement of interagency responsibilities or linkages before the student leaves the school. However, schools have no authority to compel non-school agencies to participate in the IEP/transition planning process.

If an identified non-school agency fails to provide services that had been agreed upon, then the IEP team *must reconvene* to examine alternative ways to meet the student's needs. Should a participating agency withdraw or change the nature of its commitment, the IEP team *must also reconvene* and pursue one of the following courses of action:

- Identify alternative means for providing the service and modify the IEP accordingly.
- If similar services are not provided by another agency in the community, then the school is responsible for providing for the services needed.

27. If an agency fails to provide the services agreed upon in the IEP, must the school district provide an alternate to the agreed upon service?

If an agency fails to provide agreed upon services or changes the nature of its commitment, then the IEP team must reconvene and either: 1) identify an alternative means for providing the service and modify the IEP accordingly; or 2) determine and document that the services do not significantly impact the student's ability to make a successful transition and remove the identified service need from the IEP. Lack of available services is not justification for deleting goals or objectives or identified service needs.



Graduation

28. What should the final IEP for a student with a disability include?

Education agencies must ensure that IEPs for all identified secondary school students with disabilities must address graduation planning as well as future needs and preferences related to knowledge and skills of adult living. The final IEP should address any and all agencies responsible for services or funding after the student graduates. Once a student leaves school, the district must document a change of placement and have the family and/or student sign. This will then release the school of any further responsibility.

29. What is the school district's responsibility for a student with a disability if an agency fails to fulfill its responsibilities after the student's special education program is terminated?

If an agency fails to fulfill its responsibilities after the special education placement has been terminated, the school district has no responsibility for initiating a new IEP or developing alternative strategies. The school district has no responsibility

to continue serving the student after the school year in which the student turns 21 years of age.

30. Can students continue to receive transition services after they have completed graduation requirements?

If an IEP team determines that a student has educational and/or transition needs that continue beyond the time the student has met the minimum requirements for graduation, the team can construct an IEP that addresses those needs. Included in this IEP must be: (1) the specific transition goals and objectives and interagency linkages; and (2) the anticipated date for awarding a diploma. At this point the student cannot receive a signed diploma. However, the student may still participate in a social graduation (i.e., commencement exercises with his/her age-appropriate peers). The student will then continue receiving services as specified in the IEP until the IEP team determines that needs have been met or the student reaches age 21. During the time the IEP is in effect, the LEA will continue to receive state reimbursement.

Once a student has completed state and local

graduation requirements, has received a signed high school diploma, and a formal change of placement document has been signed, the LEA is not longer required to provide educational services and will no longer receive state reimbursement for the student. The LEA may, however, provide services at its discretion.

Many school districts in Kansas and across the nation are providing 18-21 commencement programs. These programs have been developed for students who are 18 or older and who have completed their graduation requirements, but who have not completed identified transition IEP goals and objectives. The students participate in the graduation ceremony of their class, but do not receive their diploma. Instead, these students "commence" to a program sponsored by the school that takes place completely in the community. That is, the students work toward meeting their long-range goals outside of the school building. This type of program provides a stepping-stone between school and community.

31. Can students with disabilities who receive special education services also receive services through an Adult Basic Education (ABE) program?

The typical high school program may not fit the needs of some students, including students with disabilities. Students with disabilities may enroll in Adult Basic Education (ABE) programs if the following conditions are met:

- the IEP team must determine and document in the IEP that an ABE program is the best placement for the student;
- the student must be at least 16 years old;
- the student must not have graduated from high school or not been recognized as having achieved an equivalent level of education;
- the school district has contracted with the ABE program to provide services.

If the ABE program is operated by the local district, then the ABE program could be listed as the setting for appropriate adult education services as listed in the student's IEP. Funds could be transferred to the adult education center to cover

the cost of the student's instruction. If the ABE program is part of another entity, such as a community college, the school district would need to contract with that entity to provide appropriate adult education in that setting.

In either situation, the school district would provide the special education and/or related services needed to assist the student. Therefore, the LEA would continue to count the student as a student with disabilities for state equalization aid and federal IDEA Part B funding. Because the student would still be enrolled in high school, he or she could not be included in any state or federal adult education reports as an adult education student nor could state and federal adult education funds be spent on the services.

32. Can students with disabilities who are receiving special education services through an ABE program get their GED?

Yes and no. While students with IEPs can receive services from ABE programs, they can't actually get a GED if they are enrolled with the school district. Therefore, if a student with disabilities with an active IEP chooses to obtain a GED rather than a diploma, the student would need to withdraw from high school in order to take the GED Test. The GED Testing Service requires that people who take the exam *must not be enrolled in school*.

However, a student who chooses this course of action may receive special education services from the LEA up to the point that the student is ready to take the GED Test. At this point the student would withdraw from school. In addition, these students must receive the testing accommodations they would need when taking the GED.