



# Chapter 1

## An Introduction to Transition

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When students receiving special education services leave the supportive environment of high school behind, they enter a new and challenging world. These young adults with disabilities need assistance to be prepared to fully participate in the postsecondary education, employment, and social and leisure opportunities offered by their communities. The extent to which youth with disabilities succeed depends on the effectiveness of cooperative planning by the individualized education program (IEP) team which represents the school, the community, private organizations, and their families.

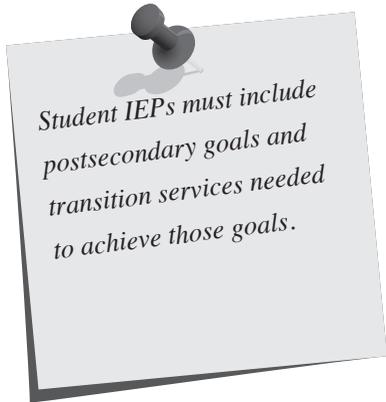
The purpose of this guide is to assist educators, parents, professionals, and others involved in the transition planning process to work with and guide students with disabilities in their efforts to achieve a smooth transition from school to adult life. This guide recognizes all of the participants in the transition process as *transition personnel*. Transition personnel can include, but is not limited to, parents or guardians, special educators, general educators, career-technology educators (formerly referred to as *vocational educators*), social service professionals, rehabilitation professionals, employers, postsecondary support service providers, residential providers, medical providers, guidance counselors, mental health providers, rehabilitation technology providers, and other family members. All of these individuals can contribute in some way to the IEP team's efforts to plan transition to postsecondary settings and adulthood. Reality tells us that even in the best of circumstances this is a complex and challenging process, yet full of rewards if approached with persistence, focus and determination.

Educators, transition personnel, agency and community representatives, families, and individuals with disabilities need to focus not only on present educational needs but also on needs and goals for the future. Focusing on the future helps IEP teams to design instructional programs that reflect the skills needed for postschool environments in the areas of employment, living arrangements,

community involvement, postsecondary education, and leisure pursuits. This guide addresses challenges in assisting students with disabilities as they plan to leave high school. It is the intent of the authors and the members of the Division on Career Development and Transition (DCDT) that this guide will help those involved in the transition process to better understand, develop, and implement transition planning. Any references to the child, the student, or individuals with disabilities within this guide refer to those who receive special education services.

## What is Transition?

The Individuals With Disabilities Education Improvement Act of 2004 (IDEA) mandates transition planning in the IEP at age 16, or earlier if the IEP team deems it appropriate. Student IEPs must include postsecondary goals and transition services needed to achieve those goals. Prior to the reauthorization of IDEA, the mandate for transition planning began at age 14, and many states continue to incorporate transition planning as a component of the IEP beginning at age 14—reflecting the belief that waiting until 16 in the educational process does not leave enough time to adequately prepare students for postsecondary goals. IDEA defines *transition services* as a coordinated set of activities for a child, designed within a results-oriented process, which promotes movement from school to postschool activities, including:



- Postsecondary education.
- Vocational training (known as *career and technical education* in other related legislation).
- Integrated employment (including supported employment).
- Continuing and adult education.
- Adult services.
- Independent living.
- Community participation.

The “coordinated set of activities” must be based upon the student’s needs, taking into account strengths, preferences, and interests, and includes instruction,

related services, community experiences, employment, and other postschool adult living objectives, as well as daily living skills and functional vocational evaluation as appropriate.

The law states that there must be a *transition statement* in the IEP beginning no later than age 16, and that it must be updated annually thereafter. IEPs should include age-appropriate, measurable postsecondary goals based upon *transition assessments* related to training, education, employment, and, where appropriate, independent living skills. Transition services must also include courses of study needed to assist the child in reaching stated goals. Beginning at least 1 year before the child reaches the age of majority under state law, the child and the parents must be informed that the child's rights will be transferred solely to the child at the age of majority. To the extent appropriate, with the consent of the parents or a child who has reached the age of majority, the local educational agency (LEA) must invite a representative of any participating agency likely to be responsible for providing or paying for transition services to the IEP meeting. It is critically important that all parties understand the impact of the student's reaching the age of majority and exiting from high school (Kochhar-Bryant, 2007).

In addition, IDEA requires the LEA to provide students exiting high school (either by earning a regular diploma or by exceeding the age of eligibility) with a Statement of Performance (SOP; see Appendix A for samples). The SOP is "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 C.F.R. 300.305(e)(3)). These mandates—the transition planning mandate and the SOP mandate—together in the legislation are intended to focus the planning process on the student's future beyond high school, into the world or postsecondary options.

Effective transition planning and transition education requires thoughtful participation by IEP team members. The applicable federal regulation (34 C.F.R. 300.321) states that a team member is not required to attend all or part of the IEP meeting if the parents and LEA agree in writing that the member's attendance is not necessary because the curriculum area or related service will not be modified or discussed. If the related service is being modified or discussed, then the IEP team may excuse the related service provider if parents agree in writing and the LEA agrees to the excusal.

The member who is being excused must submit written input for the IEP to the parents and the team *before* the meeting. The intent of this regulation is not to make excusals routine for any members of IEP meeting participation; too many excusals would be cause for concern. If the IEP meeting is to discuss transition, the notice of the IEP meeting to parents must indicate that the purpose of the meeting is to consider postsecondary goals and transition services. (Mandlawitz, 2006, pp. 85–86)

The transition mandate in IDEA is complemented by other laws that serve a similar purpose (see Table 1.1). Knowing this, the IEP team can become more creative and access more related services.

## **What is Transition Planning?**

*Transition planning* is a partnership involving students with disabilities, their families, school educators and administrators, and postsecondary adult services and education

representatives or employers. Its purpose is to help the student decide a course for their future and to ensure that the student graduates with the necessary skills to access a variety of postsecondary options. Because young people with disabilities have different levels of impairments and capabilities, transition planning needs to be flexible to meet the individual’s needs. The earlier transition planning begins with the expectation that students will have various experiences during their school years in preparation for postschool environments, the more opportunities students, parents, and educators will have to design and redesign strategies along the way.

To be effective, transition planning should be an integral component of the student’s IEP. Progressive schools provide a curriculum that prepares students for the changes and demands of life after high school. Such innovative programs offer skill instruction in natural (rather than simulated) environments—including the home, the workplace, and public sites in the community, such as places of business, stores, offices, and restaurants—and challenging academic experiences and curriculum that prepare them for advanced studies.



**Table 1.1.1. Comparison of Legislation Relating to Postsecondary Transition of Students With Disabilities**

	IDEA	NCLB (ESEA)	Section 504	ADAAA	Perkins IV
General provisions	Governs how states and agencies provide early intervention, special education, and related services to children and youth with disabilities	Guides general education programs and requires states to be accountable for educational results via statewide standards; children with disabilities must be included in statewide assessments	Civil rights statute prohibiting discrimination on the basis of disabilities in public and private programs and activities that receive federal funds	Prohibits discrimination in all major life activity, including employment, public and private educational institutions, transportation providers, and telecommunications	Supports career-technical education; funds can be used for a broad range of programs, services, and activities designed to improve programs and ensure access to students who are members of populations with special needs; delivery of instruction is via career clusters
Definitions	Defines 13 categories of disability; only children with disabilities in need of specially designed instruction are eligible  Defines members of the IEP team as including parents and pupil services personnel	References IDEA definitions of children with disabilities  Describes pupil service personnel	Defines <i>persons with disabilities</i> as those with a physical or mental impairment that substantially impacts a major life activity, and has a record or is regarded as having such an impairment. <i>Impairment</i> is any disability that substantially reduces or lessens a student's ability to access the educational curriculum.	Recent amendments broadened the definition of <i>disability</i> to include any impairment that impacts at least one major life activity (e.g., includes episodic conditions or those in remission).	<i>Career-technical education</i> includes organized educational programs offering sequences of courses directly related to preparing individuals for paid or unpaid employment in current or emerging occupations requiring other than a baccalaureate or advanced degree.
Who is covered?	Infants and toddlers (birth – age 2) through children and youth (ages 3–21 or until education) requiring special education services	Students with disabilities ages 3–21	Students with disabilities ages 3–22	Persons with a broad range of disabilities	Students in secondary and postsecondary schools, generally in high school and community college settings
Services provided	Offers specialized instructional and related services as documented in the student's IEP; requires states to provide students with disabilities a free appropriate public education in the least restrictive environment	Eliminates barriers that would prevent a student from full participation in programs or services offered to the general school population.	Reasonable accommodations to ensure equal access to educational services as that of students without disabilities	Accommodations based on student's disability for program and facility access equal to the general population	Preparation for high-skill, high-wage, or high-demand occupations in current or emerging professions
Impact on transition	Mandates transition planning in the IEP at age 16 or earlier	Policy tool for improving outcomes for all students, including those with disabilities. Merges the two educational goals of equity (access for all) and excellence (high standards in education) that promote successful transition	Students cannot be excluded from participation in or denied benefits under any program receiving federal financial assistance; improves access to postsecondary opportunities	Ensures that discrimination does not take place in postsecondary environments	Provides for more pathways and smoothen transitions into technical education programs and/or the workforce

Note: IDEA = Individuals With Disabilities Education Improvement Act of 2004; NCLB = No Child Left Behind Act of 2001 (also known as Elementary and Secondary Education Act); ESEA = Elementary and Secondary Education Act; Section 504 = Section 504 of the Rehabilitation Act of 1973 (now subsumed under the Workforce Investment Act); ADAAA = Americans With Disabilities Act Amendments Act of 2008; Perkins IV = Carl D. Perkins Career and Technical Education Improvement Act of 2006; IEP = individualized education program. Adapted with permission from PEPNet, 2005.

The years of transition from school to adulthood are difficult for everyone, but especially for young people with disabilities. “Adolescence is a time of decision making and goal setting in areas such as health, nutrition, fitness, vocational planning, employment, transportation, postsecondary education, and independent living” (Wehman, 2006, p. 72). These young adults leave the structured environment of school and go out into the community to face its maze of public and private agencies, which often have long waiting lists for services with different eligibility criteria. The most effective transition planning involves students and parents as leaders in mapping the future after graduation. Empowering the family and student to do their own case management and to become their own advocates will ensure that they become equal partners in the IEP process. This is paramount to successful transition outcomes.

### **Who Should be Involved in Transition Planning?**

The IEP team includes relevant school professionals, the parents or guardians, and students, who each contribute to a meaningful and thoughtful planning process. Prior to convening the IEP meeting, careful thought should be given to who may be needed to develop a transition plan and project the services required to respond to student needs (Gibb & Dyches, 2007):

- Student (who is at the heart of the planning purpose and required member of the team)
- Parents, guardians, and/or family member (who can shed light on various issues from a home and community perspective).
- Special education teacher (who can work with curriculum, instruction, and the student from various perspectives).
- Career and technical education instructor (formerly known as vocational educators who teach skills needed for high-tech, high-wage, high-demand areas of employment).
- General educators (who provide access to the general education curriculum and can address IEP goals).
- LEA representative (who can verify the availability of resources necessary to achieve IEP goals).
- Related service provider (professionals, such as speech, occupational therapists, etc., who provide information for their areas of specialty).
- Test interpreter (who can interpret evaluation results to determine

appropriate IEP goals, i.e., special education teacher, psychologist, therapist, etc.).

- Other individuals with special knowledge or expertise (who have relevant knowledge of the child and/or the disability that will be helpful).
- Community service representative(s) (who contribute information related to community colleges, rehabilitation services, mental health agencies, or adult service agency).
- Other school staff (who have pertinent knowledge about the student, counselor, psychologist, etc.).

These individuals collaborate to develop a well-thought-out plan. The IEP team can then designate leadership, responsibility, goals, and timelines for proposed transition activities. The intent of such a diverse group of participants is to ensure that a holistic perspective is used to develop a meaningful transition plan for the student. (See Chapters 4 and 7 for additional discussion on IEP team composition and interagency transition teams.)



For more information on legislation, see:  
[www.ncwd-youth.info](http://www.ncwd-youth.info)  
[www.wrightslaw.com](http://www.wrightslaw.com)  
[www.jan.wva.edu](http://www.jan.wva.edu)  
[www.justanswer.com](http://www.justanswer.com)  
[www.thedisabilitydigest.com](http://www.thedisabilitydigest.com)

## How is the No Child Left Behind Act Related to Transition?

The Elementary and Secondary Education Act of 1965, the federal law that guides general education, was reauthorized as the No Child Left Behind Act of 2001 (NCLB). It represented a major reform of federal involvement in education, and has had a powerful impact on all students. “It is based on the education reform principle that includes provisions requiring schools to make genuine progress in closing the persistent achievement gaps among students who are disadvantaged or disabled and their peers” (Wehman, 2006, p. 19).

According to the National Educational Association (2004), NCLB has four major principles:

- Accountability of educational results.
- Increased flexibility and local control.
- Expanded options for parents.
- An emphasis on teaching methods that have been proven to work.

As a result, “students with disabilities are required to participate in regular

assessments to determine if they are making progress. Alternate assessments are only appropriate when students with disabilities cannot be evaluated with regular state assessments, even with appropriate accommodations” (Essex, 2006, p. 77). Accommodations for students with disabilities who are involved in the statewide assessments required by NCLB must be listed in the IEP. Accommodations students with disabilities utilize in statewide assessments are usually the same they use in their general or special education classes. Test, Aspel, and Everson (2006) noted that NCLB made a

bold commitment to every child, regardless of race, family background, and disability status. In addition, the President’s Commission on Excellence in Special Education was convened to make recommendations on applying principles of NCLB to IDEA; among those recommendations was the improvement of intra-agency, as well as interagency, coordination, and a call to redefine transition services as a results-oriented process. (p. 20)

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The alignment of NCLB is currently a focus of the educational community, and the future of NCLB is under discussion at the time of this publication. The process of reauthorizing ESEA will likely begin in 2010. The reauthorization process often takes a long time to complete; when it is complete it may result in another change in the name of the legislation and some of the principles of the law, such as accountability plans for statewide assessment systems, adequate yearly progress reports, plans for teacher quality, and guidance to schools in need of improvement. Regardless of the changes in reauthorization, it will not override the transition mandate in IDEA and may even strengthen it.

## **What is the Carl D. Perkins Career and Technology Education Improvement Act?**

At the heart of transition planning is preparation for the future—whether it is postsecondary education or training for employment. The law which offers opportunities in preparation for employment is the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (Perkins IV), a federal law intended to:

Develop more fully the academic and career and technical skills of secondary education students and postsecondary education students who elect to enroll in career and technical education programs, by—

- (1) building on the efforts of States and localities to develop challenging academic and technical standards and to assist students in meeting such standards, including preparation for high skill, high wage, or high demand occupations in current or emerging professions;
- (2) promoting the development of services and activities that integrate rigorous and challenging academic and career and technical instruction, and that link secondary education and postsecondary education for participating career and technical education students;
- (3) increasing State and local flexibility in providing services and activities designed to develop, implement, and improve career and technical education, including tech prep education;
- (4) conducting and disseminating national research and disseminating information on best practices that improve career and technical education programs, services, and activities;
- (5) providing technical assistance that—
  - (A) promotes leadership, initial preparation, and professional development at the State and local levels; and
  - (B) improves the quality of career and technical education teachers, faculty, administrators, and counselors;
- (6) supporting partnerships among secondary schools, postsecondary institutions, baccalaureate degree granting institutions, area career and technical education schools, local workforce investment boards, business and industry, and intermediaries; and
- (7) providing individuals with opportunities throughout their lifetimes to develop, in conjunction with other education and training programs, the knowledge and skills needed to keep the United States competitive. (Sec. 2)

Among those individuals who are eligible to receive opportunities and support services mandated in Perkins IV are students with disabilities, as defined

by the Americans with Disabilities Act Amendments Act of 2008 (ADAAA). The training and support services which students with disabilities are eligible to receive include curriculum modification, equipment modification, classroom modification, supportive personnel, and instructional aids and devices. These assurances provide students with the support they need when they are enrolled in career and technical education programs, regardless of the chosen career cluster. *Career clusters* are the areas of career-technical education surrounding occupational opportunities.

One area of Perkins IV that has a transition emphasis is the tech prep program, described as a program of study that combines 2 years of secondary education with 2 years of postsecondary education in a nonduplicative, sequential course



of study, or an apprentice program not less than 2 years following secondary education. Tech prep programs are designed to instruct students in technical skills; they integrate academic skills into career and education instruction and utilize work-based and worksite learning experiences. Tech prep provides another option for postsecondary education following high school. In transition planning, the IEP team needs to determine what

articulation agreements exist and would be appropriate for the student. Educators should consider tech prep programs as another postsecondary opportunity in the transition planning process.

### **What is the Workforce Investment Act and Section 504?**

“The Workforce Investment Act of 1998 (WIA) authorizes funds and guidelines for helping the nation’s job seekers with barriers to employment become trained and ready to enter the workforce” (Luecking, Fabian, & Tilson, 2004, p. 11). During the last reauthorization of WIA, the Rehabilitation Act of 1973 (of which Section 504 provides protections for individuals with disabilities in the workplace and educational institutions) was embedded in the law—although funds for vocational rehabilitation remain separate from those for other services in WIA. The law offers the promise of inclusion for individuals with disabilities in obtaining employment and independent living assistance (Wehman, 2006).

Section 504 is designed to prevent discrimination based on disabilities. It applies to employers and organizations that receive financial assistance from any Federal agency. It forbids organizations and employers from denying individuals with disabilities an equal opportunity to receive program benefits and services. It is important to transition planning because it affects students with disabilities in postsecondary and college settings; IDEA does not.

Colleges and universities that receive federal funding must not discriminate in the recruitment, admission, or treatment of students. Students with documented disabilities may request accommodations, including auxiliary aids that enable them to participate in and benefit from postsecondary educational programs and activities. Postsecondary institutions must make such adjustments to ensure that the academic program is accessible to the greatest extent possible by all students with disabilities.

Appropriate accommodations and/or modifications for students with disabilities include:

- Permitting exams to be individually proctored, read orally, or dictated.
- Permitting students to use a computer for exams.
- Changing the test format.
- Using alternative means to demonstrate course mastery.
- Permitting use of assistive technology.
- Removing architectural barriers.
- Providing services such as readers for blind students or students with learning disabilities, qualified interpreters, or note takers for students who are deaf or hearing impaired.
- Modifying, substituting or waiving courses or degree requirements on a case-by-case basis.
- However, such adjustments need not be made if the institution can demonstrate that the academic requirements are essential to the instruction being pursued or directly related to licensing requirements.

## **What is the ADAAA?**

The Americans With Disabilities Act of 1990 (ADA), hailed as the enactment of civil rights law for all people with disabilities (Wehman, 2006), was the comprehensive disability legislation that sent a message to society to accept and include individuals

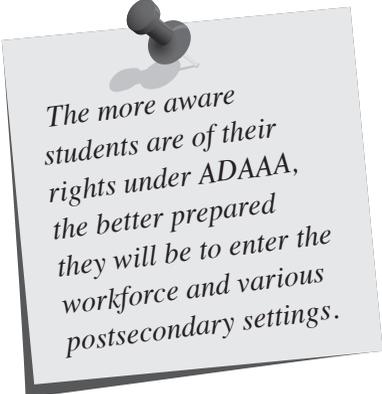
with disabilities in public and private sectors alike. The Americans With Disabilities Act Amendments Act of 2008 (ADAAA) clarified and expanded some definitions of disability, in effect restoring protections to certain groups that courts had denied under the original legislative wording (Cornell University, 2009). ADAAA reaffirms freedom from discrimination in:

- Employment.
- Public services (state and local government including public school districts and public transportation).
- Public accommodations and services operated by private entities.
- Telecommunications.

According to the law, a qualified individual with disabilities must be able to perform essential functions of the job, and an employer may not discriminate against qualified individuals. The employer is required to make reasonable accommodations for employees with disabilities. *Reasonable accommodation* is defined as an accommodation that does not place undue hardship on employers and might include such actions as making the worksite accessible, modifying existing equipment, providing assistive technology devices, modifying work schedules, restructuring jobs, and providing interpreters. All state and local government facilities, services, communications, and transportation (buses, trains, subways, and other forms of transportation) must be accessible to individuals with disabilities. In addition, all places of public accommodation (e.g., restaurants, theaters, schools, museums, and hotels) must be readily accessible or the removal of barriers must be readily achievable. *Telecommunications* refers to public telephone services, which must make accommodations for students with hearing and/or speech impairments to improve communication with employers and public services for individuals with disabilities.

Educators who are preparing students with disabilities for the future workforce must ensure that these students are aware of their rights and responsibilities under ADAAA. Students moving from secondary schools where they receive special education services under IDEA to postsecondary educational settings and/or the workplace need to know their protections under ADAAA. Educators who train students in transition skills often teach self-determination skills (see Chapter 2)—and a significant part of this preparation includes a thorough understanding of ADAAA.

Students who are preparing to go on to postsecondary education (see Chapters 4 and 5) should be knowledgeable of their rights under ADAAA and Section 504, both of which offer protections and equal access to postsecondary curriculum. However, students also need to be aware of eligibility and documentation requirements in order to access accommodations, modifications, and education supports.



*The more aware students are of their rights under ADAAA, the better prepared they will be to enter the workforce and various postsecondary settings.*

### **The Big Picture: What do Transition Personnel Need to Know?**

This chapter has highlighted current legislation that supports the importance of transition and planning for students with disabilities about to exit secondary education. Together these laws strengthen the transition planning process. Familiarity with existing legislation empowers educators, families, advocates, and students with the knowledge necessary when planning to navigate the postsecondary world. Students who know their rights and responsibilities as outlined in the laws can better articulate for themselves, and can self-advocate for accommodations and support services. Emphasis on self-knowledge is a significant part of the transition planning process in order to protect individual rights in postsecondary settings, the workplace, and the community.

Assessment, mandated in IDEA, plays a vital role in evaluating a student's strengths, needs, and interests (see Chapter 3). The data and information collected from the assessment process assist IEP teams in planning measurable postschool transition goals and the content of curriculum essential to preparing students for transition (see Chapter 5). It is also necessary to identify support services (see Chapter 6) essential to successful transition and the agencies responsible for providing support services; this in turn requires interagency cooperation (see Chapter 7) and collaboration in the best interest of the student.

Individual planning for transition (see Chapter 4) is a complex process and requires team collaboration. Together, the team identifies support services and agencies beyond the school who can assist the student and their family in planning for the future. There are many resources available for students in the transition process. The better informed the student, the family, and the team are about

available support services, interagency agreements, and postsecondary options, the more likely there will be a successful transition outcome.

Program evaluation and follow-up (see Chapter 8) are essential to LEAs in providing successful transition for students. School districts are often overwhelmed with legal requirements, reports, and other data they need to collect to meet accountability requirements. Austin (in Test et al., 2007) stressed that the “provision of high-quality transition services and supports should be a priority.” Information gathered from such annual assessment is needed “to help all students with disabilities prepare for and move into adulthood with a planned direction leading to successful lives in the community” (pp. 370–371).

This guide addresses each of these components in transition planning and the IEP process. Each chapter offers food for thought for those working with students in this important endeavor. Kochhar-Bryant (2007) states

There is a heightened national effort to identify promising and best practices in education that promote successful transition. The concept of transition as a comprehensive unified planning framework for youths undergirds these promising practices. National investment in transition demonstrates to the nation and the world a national commitment to the welfare, self-determination and full participation of all youths in their communities. (p. 84)

Transition underlies the principles of inclusion, least restrictive environment, and education; every student’s success is grounded in transition. It is the promise that our work as educators is intended to prepare all students, including those with disabilities, for the future. Students with disabilities need access to general education curriculum, life skills curriculum, and social skills and self-advocacy training in order to give them every chance at being successful in the world after they exit the educational system. Students deserve every opportunity to develop their skills and to have the experiences necessary to be ready for whatever the world gives them.