

# Transition Planning in Federal Regulations Individuals with Disabilities Education Improvement Act 2004)



## §300.1. Purposes.

The purposes of this part are—

- (a) To ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living;

## Sec. 300.43 Transition services.

- (c) Transition services means a coordinated set of activities for a student with a disability that--

- (1) *Is designed within an results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;*

- (2) *Is based on the individual child's needs, taking into account the child's strengths, preferences and interests; and includes--*

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

- (d) Transition services for students with disabilities may be special education, if provided as specially designed instruction, or a related service, if required to assist a child with a disability to benefit from special education.

(Authority: 20 U.S.C. 1401(34))

## §300.320 Content of the IEP

- (b) Transition services. Beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, and updated annually, thereafter the IEP must include—

- (1) Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and

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

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

## Sec. 300.321 IEP team.

- (b) Transition services participants. (1) In accordance with paragraph (a)(7) of this section, the public agency must invite a child with a disability to attend the child's IEP team meeting if a purpose of the meeting will be the consideration of the postsecondary goals for the child and the transition services needed to assist the child in reaching those goals under §300.320(b).

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

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

## Sec. 300.322 Parent participation.

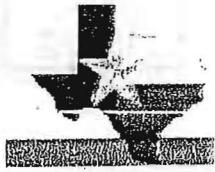
- (a) Public agency responsibility--general. Each public agency must take steps to ensure that one or both of the parents of a child with a disability are present at each IEP meeting or are afforded the opportunity to participate,

## Sec. 300.324 Development, review, and revision of the IEP.

- (c) Failure to meet transition objectives.

- (1) Participating agency failure. If a participating agency, other than the public agency, fails to provide the transition services described in the IEP in accordance with §300.320(b) the public agency must reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the child set out in the IEP





## Transition Planning in State Law and Rule

<p style="text-align: center;">Texas Education Code (TEC)</p> <p style="text-align: center;"><i>Chapter 29. Educational Programs</i></p> <p style="text-align: center;"><i>Subchapter A. Special Education Program</i></p>	<p style="text-align: center;">Texas Administrative Code (TAC)</p> <p style="text-align: center;">Chapter 89. Adaptations For Special Populations</p> <p style="text-align: center;">Subchapter AA. Commissioner's Rules Concerning Special Education Services</p>
<p>§29.011. Transition planning.</p> <p>The commissioner shall by rule adopt procedures for <i>compliance with federal requirements relating to transition services</i> for students who are enrolled in special education programs under this subchapter. The procedures must specify the manner in which a student's admission, review, and dismissal committee must <i>consider, and if appropriate, address the following issues in the student's individualized education program</i>:</p> <ol style="list-style-type: none"> <li>(1) appropriate student involvement in the student's transition to life outside the public school system;</li> <li>(2) if the student is younger than 18 years of age, appropriate parental involvement in the student's transition;</li> <li>(3) if the student is at least 18 years of age, appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or the school district in which the student is enrolled;</li> <li>(4) any postsecondary education options;</li> <li>(5) a functional vocational evaluation;</li> <li>(6) employment goals and objectives;</li> <li>(7) if the student is at least 18 years of age, the availability of age-appropriate instructional environments;</li> <li>(8) independent living goals and objectives; and</li> <li>(9) appropriate circumstances for referring a student or the student's parents to a governmental agency for services.</li> </ol>	<p>§89.1055. Content of the individualized education program (IEP).</p> <p>(g) For each student with a disability, beginning at age 16 (prior to the date on which a student turns 16 years of age) or younger, if determined appropriate by the ARD committee, the following issues must be considered in the development of the IEP, and, if appropriate, integrated into the IEP.</p> <ol style="list-style-type: none"> <li>(1) appropriate student involvement in the student's transition to life outside the public school system;</li> <li>(2) if the student is younger than 18 years of age, appropriate parental involvement in the student's transition;</li> <li>(3) if the student is at least 18 years of age, appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or the school district in which the student is enrolled;</li> <li>(4) any postsecondary education options;</li> <li>(5) a functional vocational evaluation;</li> <li>(6) employment goals and objectives;</li> <li>(7) if the student is at least 18 years of age, the availability of age-appropriate instructional environments;</li> <li>(8) independent living goals and objectives; and</li> <li>(9) appropriate circumstances for referring a student or the student's parents to a governmental agency for services.</li> </ol>

