

**Margaret Condit**  
Education Law and Policy  
Professor Kaufman  
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### **Prioritizing Transition Plans: Small Changes That Will Yield Large Benefits**

***Abstract:** The U.S. Department of Education is currently prioritizing the monitoring and enforcement of transition services required for eligible students with disabilities age sixteen or older under IDEA. Anecdotal and researched-based evidence shows that schools consistently fall short in the creation of quality transition plans. This paper seeks to highlight three small changes schools can make in developing and maintaining transition plans in order to fulfill their duties to provide a free appropriate education to all students.*

#### **Introduction**

Educators often encourage students to set goals and develop a vision before taking action in order to help students maximize their potential and achieve their dreams.

Nonetheless, in examining a typical student's Individualized Education Plan (IEP), one will often find the postsecondary goal setting formula- the transition plan- at the end of the document. Because of this placement, among other factors, the creation and review of the transition plan is given little priority and takes place, if at all, at the end of a long IEP meeting. Anecdotal and research-based evidence shows that schools are consistently falling short on meeting the requirement of creating quality transition plans based on student's post-graduate needs, and this shortfall could be playing a role in high postsecondary education drop out rates, unemployment, and even incarceration for students with disabilities.<sup>1</sup> However, by literally and figuratively moving the transition plan to the beginning of a student's IEP meeting and to the top of the priority list, schools, student advocates, and most importantly, students themselves will likely reap

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<sup>1</sup> Catherine Yim, Daniel Losen, and Damon Hewitt, *The School-to-Prison Pipeline: Structuring Legal Reform* (NYU Press 2010), 63-64.

many benefits. Student transition plans based on effective student assessments and frequently updated goals will allow schools to use resources they currently have in place in creative ways to meet students' needs. By prioritizing the creation of effective transition plans, schools and student advocates can better meet their fundamental missions and legal duties of providing an appropriate education to students with disabilities.

### **History:**

The Individuals with Disabilities Education Act (IDEA) seeks to serve the more than 6.5 million infants, toddlers, children, and youth with disabilities in the United States.<sup>2</sup> In 1970, only one in five schools educated students with disabilities, and many states had laws excluding certain students who were deaf, blind, and emotionally disturbed.<sup>3</sup> In response to the grossly disparate and inadequate education provided to many students with disabilities compared to those without, various statutes were passed and major lawsuits were brought.<sup>4</sup> These statutes established that schools had to provide accommodations and special education services for eligible students as part of their duty to provide all students with a Free Appropriate Education (FAPE). While schools are not required to maximize a student's educational potential, they are required to provide a FAPE that is "reasonably calculated to enable the student to receive educational benefits" that are meaningful, not merely "de minimis."<sup>5</sup>

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<sup>2</sup> U.S. Department of Education. [Idea.ed.gov](http://idea.ed.gov). 15 May 2014.

<sup>3</sup> U.S. Department of Education, *Twenty Five Years of Progress In Educating Children With Disabilities Through IDEA*, <http://www2.ed.gov/policy/speced/leg/idea/history.html> (25 April 2014).

<sup>4</sup> *Mills v. Bd. of Ed. of Dist. of Columbia*, 348 F. Supp. 866 (D.C. 1972) and *Bd. of Ed. of Hendrick Hudson Central Sch. Dist. v. Rowley*, 458 U.S. 176, 213 (1982).

<sup>5</sup> Kathleen Hirsman, Faculty, Loyola University School of Law, April 23, 2014.

While the United States has come a long way since 1970 in meeting the needs of students with disabilities, there is still a long way to go. According to a study by the National Dropout Prevention Center for Students with Disabilities, 22% of students age 14-21 with disabilities dropped out of school in the 2008-2009 school year.<sup>6</sup> After students drop out of school, further difficulties arise, highlighting our countries need to place more focus and resources on this underserved group. According to a study by the National Center on Secondary Education and Transition,

“Follow-up studies of former special education students conducted during the past two decades have consistently documented the unsatisfactory outcomes achieved by young adults with disabilities as they leave school and attempt to access employment, postsecondary education programs, and adult community services. Predominant themes emerging from these and other studies include lower than desired academic achievement levels; high dropout rates; substantial levels of unemployment and underemployment; economic instability, dependence, and social isolation; and low levels of participation in postsecondary education and training programs.”<sup>7</sup>

In response to these findings, the Department of Education under IDEA required that transition plans be added to secondary students’ Individualized Education Plans (IEPs), the roadmaps of interventions a school will utilize to meet the needs of eligible students with disabilities.

### **What is a Transition Plan?**

Transition Plans set postsecondary goals to help a student transition into life outside of high school. For students who are sixteen or older, IDEA requires that the IEP plan must include,

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<sup>6</sup> Julia Wilkins and Sloane Huckabee, *A Literature Map of Dropout Prevention Interventions for Students With Disabilities*, April 2014, <http://www.ndpc-sd.org/documents/wilkins-huckabee-lit-review.pdf> (15 May 2014).

<sup>7</sup> Johnson, David, *Current Challenges Facing the Future of Secondary Education and Transition Services for Youth with Disabilities in the United States*, <http://www.ncset.org/publications/discussionpaper/default.asp> (13 May 2014).

“appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting whether transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.” [20 U.S.C. 1416(a)(3)(B)].

Transition services should include a coordinated set of activities provided by parents, school personnel, and outside agencies, taking into account everything from the student’s acquisition of daily living skills to their ability to participate in community experiences. Transition plans are seen as the necessary bridge between the highly structured school environment and much less-structured environment in postsecondary education or employment.

### **Transition Plans Today:**

Although schools have a duty under IDEA to create transition plans that help students develop the necessary skills for the transition to post school activities, many schools are failing to take this duty seriously, as evidenced by research-based and anecdotal studies. According to the Catherine Kim, Daniel Losen, and Damon Hewitt, authors of The School-to-Prison Pipeline: Structuring Legal Reform, “districts frequently violate these requirements” and “among the violations, schools fail to develop transition plans in a timely manner, fail to adhere to transition plans, or develop plans that do not reflect the aspirations of the student.”<sup>8</sup>

These findings have been corroborated by Julie Pautsch, a staff attorney in Equip For Equality’s Special Education clinic, in her experiences in advocating for special education students in Illinois schools. According to Pautsch, “schools are not

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<sup>8</sup> Yim, Losen, and Hewitt, *Supra* (pg. 64).

understanding that these transition services aren't merely suggestions, they are more than that."<sup>9</sup> Likewise, Miranda Johnson, a faculty member in Loyola University Chicago's ChildLaw Center, has found that the creation of transition plans is "typically at the end of the long IEP meeting and only includes a sentence or two without clearly outlining the measurable steps to be taken by both the school and the student."<sup>10</sup> The creation of transition plans is a largely unexplored area, but more focus is currently being placed on the monitoring and enforcement of this requirement by the U.S. Department of Education.<sup>11</sup> As transition plans are prioritized, schools will find that small changes will help them comply with federal regulations while also helping them reap large benefits, not only for special education students, but for schools as a whole.

### **Challenges:**

Transition plans are daunting in more ways than one, so it is no wonder that schools are unsure of how to implement them. First, many limited-resource schools struggle to meet the needs of special education students while they are in school, so it is hard to imagine how schools would be able to help these students meet their goals for after graduation from the school. Second, it is unclear how schools, after putting the necessary time and resources into transition plans and services, would be able to measure the success and progress of their programs. Would schools have to keep track of their graduates and their employment records? Or track how their students were doing with living independently after graduation? Or get copies of their report cards or diplomas from their post secondary educational institutions? Schools are undoubtedly intimidated

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<sup>9</sup> Interview with Julie Pautsch, April 2014.

<sup>10</sup> Interview with Miranda Johnson, April 2014.

<sup>11</sup> Yim, Losen, and Hewitt, *Supra* (pg. 64).

by the costs and burdens that such measures would incur. However, by keeping focus on the larger purpose of our education system- to prepare students to live and work in society- schools can make small changes in transition planning that help them use their current resources in more creative ways.

### **Recommendations for the Future:**

Three simple changes with little to no costs can help schools meet the transition services requirements of IDEA while also making a large impact on the lives' of special education students. First, schools can utilize free or affordable assessments to measure students' interests and skills to inform their transition plans. Second, schools can more frequently review and update transition plan interventions and goals to best prepare students for life after high school graduation. Last, but certainly not least, schools can simply prioritize transition planning by tackling this portion of the IEP at the beginning of the meetings instead of at the end, so that the end goals of the students inform the rest of the services provided to the student, thereby increasing student and service provider motivation.

### **Recommendations for the Future- Objective Assessments:**

It is the responsibility, under IDEA, for the IEP team to base their transition services on age-appropriate transition assessments.<sup>12</sup> The challenge from IDEA is to assist students in finding postsecondary training, education, employment and independent living based on their interests, strengths, and preferences, and transition assessments are meant to provide this information. However, according to Rachel Shapiro at Equip for Equality, "schools are creating transition plans that say that the student's post-secondary

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<sup>12</sup> 20 U.S.C. 1416(a)(3)(B)

goal is to be an NFL football player or a doctor when the student cannot even read at a fourth grade reading level.”<sup>13</sup> In her experience, schools have failed to base transition plans on concrete objective assessments that truly take into account the student’s strengths, weaknesses, and reasonable areas of interest for the future.

According to National Secondary Transition Technical Assistance Center, schools should utilize a mix of formal and informal assessments to shape their transition plans.<sup>14</sup> There are a variety of holistic assessments that schools can buy and use to meet this requirement, such as the Casey Life Skills Assessment or the Transition Planning Inventory-2.<sup>15</sup> The Transition Planning Inventory-2 is a thorough research-based assessment that was developed for IEP teams nationwide and creates a systematic way for school personnel to create transition plans across 9 areas, from Employment to Leisure.<sup>16</sup> It can be self-administered, guided self-administered, and orally administered in print or computer form.<sup>17</sup> This allows for students at varying cognitive and physical skill levels to take the assessment, since it is often an issue that students cannot read and write when they are given simple questionnaire assessments.

However, there are many free assessments schools can use as well. Schools can conduct in-depth interviews with students by asking them whether they would like to go to college, whether they know how to create a resume, whether they know how to interview for a job, or whether they knows how to use the bus system. Information on areas of interest for employment or further study assist school personnel in understanding

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<sup>13</sup> Interview with Rachel Shapiro, April 2013.

<sup>14</sup> National Secondary Transition Technical Assistance Center. *Age Appropriate Transition Assessments Toolkit 3<sup>rd</sup> Edition*, <http://www.nsttac.org/> (14 April 2014).

<sup>15</sup> <http://www.proedinc.com/customer/ProductView.aspx?ID=6063&sSearchWord=>

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

and meeting the concrete areas of need for the student in their transition plans.

Julie Pautsch, a staff attorney at Equip for Equality, noticed a huge improvement in the educational experience of her client once his transition plan went from “skeletal” to more detailed after the student took some informal assessments to determine his post-graduate goals.<sup>18</sup> The student responded in an informal survey that he was hoping to get a job after graduation. However, according to Pautsch, “the student was not part of the high school’s occupational class where students are taught interviewing, resume writing, and job finding skills,” and he was not taking classes “relevant to higher education,” showing the school was failing to meet the “courses of study” requirement of transition plans.<sup>19</sup> Once the IEP team and Equip for Equality uncovered from the student’s transition plan assessment that he wanted to get a job, they were able to tailor his coursework and place him in this class.<sup>20</sup> According to Ms. Pautsch, if advocates did not step in for this student to get him the transition services he is required to have, “he would have graduated without ever being in this class and getting these skills.”<sup>21</sup>

### **Recommendations for the Future- Frequently Updated Transition Goals:**

Secondly, as students move closer to graduation, the goals outlined in their transition plans should change based on their changing needs. In the experience of Julie Pautsch, it is common to see a student’s transition plan, created at age fourteen, to look the same throughout their entire high school career. For one of her clients who wanted to go to college after graduation, her first transition goal stated “student will look into post-

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<sup>18</sup> Interview with Julie Pautsch, *Supra*, April 2014.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*



secondary education options.”<sup>22</sup> However, that goal remained the same as the student approached graduation, even though it was no longer appropriate. That same student’s goals should have been adapted to cover preparing for the SAT, writing a personal statement, and gathering materials for college applications. Since the high school already had career counselors, updating this student’s transition plan to help her gain the necessary skills to pursue postsecondary education did not overburden the school.<sup>23</sup> More frequent review and adaptation of transition plan goals as students progress through high school will require few additional resources, but will yield great benefits to special education students.

Furthermore, the transition plans must include opportunities for special education students to get more involved in self-advocacy as they prepare to graduate from high school. IDEA requires that “there must also be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed.”<sup>24</sup> For many special education students, their parents and teachers are their advocates in the IEP meetings throughout their lives to help them receive necessary services. However, as students get older, they need to be invited to their IEP meetings in order to gain comfort in advocating for themselves in postsecondary education, employment, or independent living.

According to Miranda Johnson, many higher functioning special education students go off to college and are not aware of the accommodations made available to them through the colleges’ Offices for Students with Disabilities.<sup>25</sup> Students are often reticent to verbalize their special needs to school personnel or ask for additional services

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<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> 20 U.S.C. 1416(a)(3)(B)

<sup>25</sup> Interview with Miranda Johnson, *Supra.*

such as increased test taking minutes, leading to struggles in academics and increased drop out potential.<sup>26</sup> If schools focus on increasing student attendance at IEP meetings as students moved closer to graduation, students will likely become more comfortable with self-advocacy in order to exercise that self-advocacy in various contexts after graduation.

By frequently updating transition plan goals and by extending invitations for students to participate in IEP meetings as students progress through high school, schools will help students gain necessary skills and meet their changing needs as they provide them with a free appropriate education under IDEA.

### **Allow Transition Plans to Inform All Other Interventions**

Finally, by simply moving the creation and review of student transition plans to the beginning of the IEP meeting, students' postsecondary goals can provide context and vision for the entire IEP meeting. Motivation and buy-in for the student and school personnel will increase when the student's end goal is kept in mind for all interventions provided to the student, not just the transition services.

First, schools can become more creative with resources and classes currently offered when they know what a student hopes to achieve after graduation. For Rachel Shapiro's client, whose transition assessment uncovered that she wanted to be a chef after graduation, academic intervention minutes were adapted to focus on building mathematics skills into her curriculum to help her become more comfortable with metrics and fractions.<sup>27</sup> With each IEP meeting, her transition plan goals changed from learning how to plan a meal to building a grocery list to counting money and to going to the

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<sup>26</sup> *Id.*

<sup>27</sup> Interview with Rachel Shapiro, *Supra.*

grocery store to purchase those food items- all necessary steps to help her achieve her goal of being a chef. As the student's transition goals were met and adapted to build her skills, the school then saw increased attendance and decreased behavior problems by the student.<sup>28</sup> According to Ms. Shapiro, "she enjoyed doing the assessments because she wanted to know what she would be good at, and when we wrote goals about cooking, creating a budget, and going to the store, those were things she wanted to do and she was excited about, so she felt invested."<sup>29</sup> The student, her classmates, and her teachers all benefitted from the prioritization of the student's transition plan and its shaping of her other interventions outlined in her IEP.

Special education students will also typically already have social work minutes built into their IEP. By prioritizing transition planning, the social worker can spend those minutes developing goals with the student, giving them a sense of motivation and self-worth with this larger vision for their life in mind. Likewise, if a student has a behavior intervention plan in their IEP, the quality transition assessments can shape the types of behavior incentives provided to the student based on the student's interests and goals. When developing and updating the student's IEP, parents, school personnel, and other outside agency advocates can use their variety of resources in more creative ways when the student's postsecondary transition goals are at the forefront of their minds. With this simple change of addressing transition services at the beginning of the IEP meeting, instead of at the end, student and service provider motivation will likely increase, while schools also comply with IDEA transition service requirements.

## **Conclusion**

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<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

Increasingly, schools districts are realizing the multitude of benefits that can come from quality transition plans- from decreased dropout rates to increased motivation. Chicago Public Schools recently created a Transition Services Department with trained transition specialists for these reasons. Although transition plans are daunting for under-resourced schools, small changes can be made that will reap large benefits for students, schools, and society at large. By frequently updating transition goals, utilizing objective transition assessment, and addressing transition services at the start of IEP meetings, schools will prioritize not only the creation of transition plans themselves, but also their fundamental duty to provide an appropriate education to students with disabilities.

**Further Transition Planning Resources:**

Illinois School Code, Section 14-8.03. Transition Services (105 ILCS 5/14-8.03).

Questions and Answers on Secondary Transition, Office of Special Education and Rehabilitative Services, September 1, 2011. 57 IDELR 231.

Transition of Students With Disabilities to Postsecondary Education: A Guide for High School Educators, U.S. Dept. of Ed., Office of Civil Rights, March 2011:  
<http://www2.ed.gov/about/offices/list/ocr/transitionguide.html>

ISBE Special Education Services, Secondary Transition webpage:  
<http://www.isbe.state.il.us/spec-ed/html/total.htm>

IDEA Partnership (coordinated by OSEP and NASDSE): <http://www.ideapartnership.org/>