

NSTTAC Indicator 13 Checklist Frequently Asked Questions and Responses

The following are Frequently Asked Questions regarding the NSTTAC developed Indicator 13 Checklist with Responses from NSTTAC that may help you as you consider the I-13 Checklist, available at www.nsttac.org. These responses were approved by OSEP on November 16th, 2006.

QUESTIONS	ANSWERS
General Questions	
<p>1. The terminology in statute is "appropriate measurable postsecondary goals." Why is the language in the indicator different (coordinated, measurable, annual IEP goals)? How do we interpret this to our LEAs?</p>	<p><i>“The statutory language related to secondary transition is complex and uses terms such as “coordinated set of activities,” “designed in a results-oriented process,” and “appropriate measurable postsecondary goals.” The language used in the indicator was an attempt to simplify the secondary transition terminology and incorporate other IEP requirements”</i></p> <p><i>(Part B SPP Q&A, retrieved July 7, 2006, http://www.rrfcnetwork.org)</i></p>
<p>2. Please differentiate between post secondary goals in the area of education and postsecondary goals in the area of training.</p>	<p><i>For training and education, we referred to the National Post-School Outcomes Center’s Post-School Data Collection Protocol Stage 1, and extracted the definitions for -</i></p> <p><i>Education = Community or Technical Colleges (two year programs); College/University (four year programs); Compensatory Ed/ Continuing Ed would go here, too.</i></p> <p><i>Training = A program leading to a high school completion document or certificate (e.g., Adult Basic Education, General Education Development [GED]); Short term employment training (e.g., Workforce Investment Act, Job Corps); Vocational Technical School (less than a two year program).</i></p> <p><i>To comply with the regulations and law, OSEP is recommending that students have at least one</i></p>

	<p><i>postsecondary goal that covers the areas of education or training, employment, and if appropriate, independent living.</i></p>
<p>3. For the postsecondary goals you have Education or Training, Employment, and Independent Living; what about community participation?</p>	<p><i>We took the four postsecondary goals from the law. See IDEA 2004, Part B, Section 614(d)(1(A)(VIII) (aa): “appropriate measurable postsecondary goals based upon age-appropriate transition assessment related to training, education, employment, and, where appropriate, independent living skills. (Regarding community participation, see question 4.)</i></p>
<p>4. Can states modify the 4 areas identified in item 1 of the Checklist?</p>	<p><i>No. In order to be able to demonstrate performance on the indicator and compliance with the regulatory requirements, States should use the 4 areas identified in item 1 of the checklist. For some students goals related to community participation may be relevant to the area of independent living.</i></p>
<p>5. What if a student has more than one postsecondary goal in a postsecondary goal area (e.g., a student has both residential and community participation goals, which would both be in the area of independent living skills)?</p>	<p><i>Reviewers may select one postsecondary goal per area (when there are more than one in a postsecondary goal area) and use the Checklist for that one goal.</i></p>
<p>6. Has this been field-tested and if so, what training worked best to roll this out?</p>	<p><i>In preliminary field-testing of a similar form, it took an average of 11 minutes to complete with a familiar IEP format. NSTTAC staff are developing training materials to assist states in rolling-out the Checklist, if States choose to use this tool.</i></p> <p><i>The NSTTAC Forum on September 20, 2006 in Denver, Colorado focused on using the Checklist. We will also be working with States individually and through the six Regional Resource Centers (RRCs) to provide relevant training materials. Finally, there will</i></p>

	<p><i>be a web-based version of the Checklist with links to supporting information. Please contact NSTTAC for more details about available training materials.</i></p>
<p>7. How does this checklist match up to the Transition Requirements Checklist (O’Leary)? Are they compatible?</p>	<p><i>They are compatible. The Transition Requirements Checklist (O’Leary, April 2006) has been updated in response to the reauthorization of IDEA (2004) and the Indicators for State Performance Plans (2005). Updates to that document have been made in collaboration with NSTTAC staff. The Transition Requirements Checklist is more comprehensive but includes items to meet Indicator 13.</i></p>
<p>8. Will OSEP indicate which of the 6 items in the proposed checklist are absolutely critical for meeting Indicator 13?</p>	<p><i>The proposed Checklist is intended to operationalize Indicator 13 and capture the essence of IDEA 2004 regarding transition of students from secondary to postsecondary settings. Therefore, all 6 items are critical. It is a proposed tool States may use. States should communicate directly with OSEP regarding adequate data collection for Annual Performance Reports on any of the Indicators.</i></p>
<p>9. What does NSTTAC plan to do with the data from the Checklist?</p>	<p><i>NSTTAC will summarize the national data set on Indicator 13 for OSEP. The Checklist proposed by NSTTAC is intended to operationalize the Indicator for the federal reporting requirement of the State Performance Plans and Annual Performance Reports, so that IEP teams, districts, and States can be sure that they are adequately meeting this indicator. NSTTAC proposes that State Education Agencies, Local Education Agencies (LEAs), and schools consider using the checklist as a means of working toward providing better transition services. Full completion of the Checklist (beyond the first “no” response) would allow SEAs, LEAs, & NSTTAC to determine</i></p>

	<p><i>potential professional development needs to enhance the transition experiences of youth with disabilities. NSTTAC is also offering a Form B of the Checklist that would allow for a more fine grain analysis of the data. This form goes beyond what is required for the SPP/APR.</i></p>
<p>10. Has the NSTTAC proposed Checklist for Indicator 13 been approved by the Office of Special Education Programs (OSEP)?</p>	<p><i>The Checklist has been approved by OSEP and is available on the project's website www.nsttac.org.</i></p>
<p>11. Could the Checklist be adapted by a State, so that the items are rated (e.g., a Likert-like scale), rather than a simple Yes/No?</p>	<p><i>A state may use a different rating method, rather than a simple yes/no, as long as it can report appropriately on Indicator 13. States may want to confer with OSEP regarding specific strategies for data collection.</i></p>
<p>12. If Indicator 13 is monitored within the state monitoring system is that okay? How many files/ districts need to be reviewed for this Indicator? Do the files selected for review need to be verified as representative across various factors?</p>	<p><i>Indicator 13 is not a sampling Indicator (i.e., 7, 8, 14) and can be incorporated within a State's established monitoring plan. Specifics regarding the number of files that are actually reviewed for this and other Indicators should be clear in a state's State Performance Plan and discussed with OSEP, if necessary.</i></p>
<p>Item 1: Is there a measurable postsecondary goal or goals that covers education or training, employment, and, as needed, independent living?</p>	
<p>13. The Indicator does not ask for a measurable postsecondary goal, why does the Checklist?</p>	<p><i>The proposed Checklist is designed to reflect the transition requirements from IDEA 2004 for "appropriate measurable postsecondary goals" (§300.320 (b)(1)), so we have included this language in the Checklist.</i></p>
<p>14. Can the goal be counted? In other words, you mean is it measurable?</p> <p>If it's stated as a measurable goal that occurs after students have left the LEA, I'm concerned about liability issues when students don't meet those stated goals after school.</p>	<p><i>Yes. If a postsecondary goal (an outcome that occurs after the person has left high school, not a process that occurs after a student leaves school) is stated in a manner that can be counted as occurring or not occurring, it is a measurable postsecondary goal. Statements that indicate what a student "will" do rather than "plans" or "hopes to" do, indicate measurable postsecondary goals.</i></p>

	<p><i>NSTTAC staff are developing examples and non-examples for this item for training purposes.</i></p> <p><i>IDEA 2004 discusses the purpose of transition services as “is designed to be within a 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” (IDEA 2004, Part B, 614, [d][1][A][VIII]; §300.43[a][1]).</i></p> <p><i>The Regulations, released August 14, 2006, also clarify the purpose of transition services as being “designed to meet (students’) unique needs and prepare them for further education, employment, and independent living” (§300.1[a]).</i></p> <p><i>IDEA 2004 does not require that LEAs are held accountable for the attainment of postsecondary goals. The stated measurable postsecondary goals are required components of transition planning. There are numerous mediating factors that positively or negatively affect an adult’s acquisition of goals, for which a school could not be held accountable. The purpose of the legislation and this indicator is that a student’s education program support their goals beyond secondary school.</i></p>
<p>Item 2: Is (are) there annual IEP goal(s) that will reasonably enable the child to meet the postsecondary goal(s)?</p>	
<p>15. I am concerned about having at least one IEP goal listed in connection with each postsecondary goal. Is that necessary?</p>	<p><i>While “a statement of measurable annual goals” (IDEA 2004, Part B, 614, [d][1][A][i][II]) are a required part of a student’s IEP, there does not need to be a separate annual for goal for each postsecondary goal. Logically, when writing (or</i></p>

	<p><i>reviewing), the team should ask “what postsecondary goal(s) does this annual IEP goal support?”</i></p> <p><i>NSTTAC staff are developing examples and non-examples of annual goals that support postsecondary goals for training materials.</i></p>
<p>Item 3: Are there transition services in the IEP that focus on improving the academic and functional achievement of the child to facilitate their movement from school to post-school?</p>	
<p>16. How do you distinguish between instruction and “courses of study?”</p>	<p><i>Instruction is a component of a transition program that “the student needs to receive in specific areas to complete needed courses, succeed in the general curriculum and gain needed skills” (Storms, O’Leary, & Williams, 2000, <u>Transition Requirements: A Guide for States, Districts, Schools, Universities and Families</u>. University of Oregon, Western Regional Resource Center, p.28).</i></p> <p><i>Courses of study are “a multi-year description of coursework (necessary) to achieve the student’s desired post-school goals” (Storms, O’Leary, & Williams, 2000, <u>Transition Requirements</u>, p. 8).</i></p>
<p>Item 4: For transition services that are likely to be provided or paid for by other agencies with parent (or child once the age of majority is reached) consent, is there evidence that representatives of the agency(ies) were invited to the IEP meeting?</p>	
<p>17. How do we show evidence of having met this requirement?</p> <p>Do we need to obtain consent each year?</p> <p>Can we have a consent form in a student’s file that was signed between the agency (i.e., Vocational Rehabilitation) and the parent as evidence of consent?</p>	<p><i>The file should include documentation that the parent (or child, when of the age of majority) provided consent to invite the other agency’s representative and documentation of the invitation that was extended to the other agency’s representative.</i></p> <p>Yes, at least annually.</p> <p>The consent document must be clear about what period of time the consent</p>

is provided for, so that the parent (or child, when of the age of majority) understands the permission he or she is providing. Because needs for external agency involvement may change over time for a student, consent should not carry across multiple school years.

“It is not permissible ...for a public agency to obtain the consent of the parents or eligible child only one time before the transition planning process is initiated for the child until the child leaves school” (informal guidance letter from OSEP to Nan Gray, Utah State Office of Education, March 17, 2008; available from www.ed.gov). Based on section 607(e) of IDEA, this response was provided as informal guidance and is not legally binding, but represents an interpretation by the U.S. Department of Education in the context of a specific question or situation.

In addition. “A separate consent must be obtained from the parents or a child who has reached the age of majority for each IEP Team meeting, conducted in accordance with 34 CFR §300.320(b), before a public agency can invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services to attend the meeting” (informal guidance letter from OSEP to Nan Gray, Utah State Office of Education, March 17, 2008; available from www.ed.gov). Based on section 607(e) of IDEA, this response was provided as informal guidance and is not legally binding, but represents an interpretation by the U.S. Department of Education in the context of a specific question or situation.

	<p><i>It would be permissible to use a consent form obtained by another agency if that consent met the requirements in 34 CFR §§300.9 and 99.30. These include that the consent is signed and dated, is obtained before the disclosure, specifies the records that are to be disclosed, states the purpose of the disclosure (such as that the purpose of the disclosure is to invite the other agency’s representative to participate in the child’s IEP meeting for the purpose of providing or paying for transition services), identifies the person or class of persons to whom the disclosure may be made, and makes clear that the granting of the consent is voluntary on the part of the parent (or child, when of the age of majority) and may be revoked at any time.</i></p>
<p>18. What if a transition services from other agencies are not required? For example, the postsecondary independent living goal is to “share an apartment with a friend” and the family is willing to set this up with the student OR a postsecondary goal to work on the family farm will be supported and coordinated by the family?</p>	<p><i>These examples would be scored as NA for this item.</i></p>
<p>19. What if transition service providers from other agencies are not available in the area (e.g., rural areas)?</p>	<p><i>This should be scored as No for this item, if the IEP calls for transition services to be provided or paid for by other agencies. NA would not be appropriate here because this example represents a lack of interagency collaboration to support the student’s identified postsecondary goal(s).</i></p>
<p>Item 5: Is there evidence that the measurable postsecondary goal(s) were based on age-appropriate transition assessment(s)?</p>	
<p>20. There is really not a space in my state’s transition component of the IEP that lists transition assessment information. I guess we would just</p>	<p><i>Yes, as far as the transition assessment information goes, evidence would likely be gathered from other components of a student’s file for each</i></p>

<p>look at wherever we would have this information, right?</p>	<p><i>postsecondary goal stated in an IEP.</i></p> <p><i>NSTTAC staff are developing training materials in this area.</i></p>
<p>21. Teachers may interpret this to mean they need to formally assess students annually to adequately answer this question as a “yes”.</p>	<p><i>We are using the Division on Career Development and Transition (DCDT) definition of transition assessment: “Transition assessment is the ongoing process of collecting data on the individual’s needs, preferences, and interests as they relate to the demands of current and future working, educational, living, and personal and social environments. Assessment data serve as the common thread in the transition process and form the basis for defining goals and services to be included in the Individualized Education Program”, (From: Sitlington, Neubert, & Leconte, <u>Career Development for Exceptional Individuals</u>, 1997, p. 70-71).</i></p>
<p>22. What do you mean by “age appropriate” transition assessment?</p>	<p><i>IDEA 2004 states that “appropriate measurable postsecondary goals based upon age appropriate transition assessments” must be included in the IEPs of students who will turn 16 during that year (p.118, 2709, viii, aa). “Age appropriate” measures reflect a student’s chronological, rather than developmental age (Wehmeyer, 2002, <u>Teaching Students with Mental Retardation</u>).</i></p> <p><i>NSTTAC is developing transition assessment resources that will be available at www.nsttac.org soon.</i></p>
<p>Item 6: Do the transition services include courses of study that focus on improving the academic and functional achievement of the child to facilitate their movement from school to post-school?</p>	
<p>23. In our state we have 4 clearly</p>	<p><i>Yes, in some states identification of a</i></p>

<p>defined courses of study, but I'm not sure all states have this. So this may need to be a listing of courses, not just "course of study", right?</p>	<p><i>program will indicate that the student's courses of study align with their postsecondary goals. In other states a listing of courses may be necessary.</i></p>
<p>24. What do you mean by "courses of study"?</p>	<p><i>Courses of study are "a multi-year description of coursework (necessary) to achieve the student's desired post-school goals" (Storms, O'Leary, & Williams, 2000, <u>Transition Requirements</u>, p. 8).</i></p>