

**SANTA CLARA COUNTY  
NORTH WEST SPECIAL EDUCATION LOCAL PLAN AREA**

**INDIVIDUALIZED EDUCATION PROGRAM**

**7.1 PURPOSE AND SCOPE**

The Individualized Education Program (IEP) is a written statement determined in a meeting of the IEP team, including the parent, and developed for each child with a disability.

The IEP will show a direct relationship between the present levels of academic achievement and functional performance, any assessments, the student's goals and benchmarks, and the educational services to be provided.

**7.2 INDIVIDUALIZED EDUCATION PROGRAM: PROCESS**

**7.2.A Development of the Individualized Education Program (IEP)**

An IEP shall be developed within a total time not to exceed 60 calendar days, not counting days between the student's regular school sessions, terms, or days of school vacation in excess of five (5) school days, from the date of receipt of the parent's written consent for assessment.

A district administrator or designee will initiate and conduct the meeting for the purpose of developing, reviewing, and revising the IEP of a child with a disability.

All efforts will be made 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. The parent will be notified of the meeting early enough to ensure that they will have an opportunity to attend. The meeting will be scheduled at a mutually agreed upon time and place.

When developing each student's IEP, the IEP Team shall consider the strengths of the child and the concerns of the parents for enhancing the education of their child. The IEP Team will consider the results of the initial or most recent evaluation of the child, and as appropriate, the results of the child's performance on any general State or district wide assessment program.

*(EC 56342)*

**7.2.B IEP Team Members**

Each meeting to develop, review, or revise the individualized education program of a child with special needs shall be conducted by an IEP Team.

The IEP Team shall include all the following:

- (1) One or both of the student's parents, a representative selected by a parent, or both.
- (2) Not less than one regular education teacher of the student, if the student is, or may be, participating in the regular education environment. If more than one regular education teacher is providing instructional services to the student, one regular education teacher may be designated by the local educational agency to represent the others. The regular education teacher of a student shall, to the extent appropriate,

participate in the development, review, and revision of the student's individualized education program, including assisting in the determination of appropriate positive behavioral interventions and supports, and other strategies for the student, and the determination of supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student.

- (3) Not less than one special education teacher of the student, or if appropriate, not less than one special education provider of the student.
- (4) A representative of the local educational agency who meets all the following:
  - a) is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of individuals with exceptional needs.
  - b) is knowledgeable about the general curriculum.
  - c) is knowledgeable about the availability of resources of the local educational agency.
- (5) An individual who can interpret the instructional implications of the assessment results. The individual may be a member of the team.
- (6) At the discretion of the parent, guardian, or the local educational agency, other individuals, who have knowledge or special expertise regarding the student, including related services personnel, as appropriate. The determination of whether the individual has knowledge or special expertise regarding the student shall be made by the party who invites the individual to be a member of the individualized education program team.
- (7) Whenever appropriate, the student. The LEA shall invite the student to attend his or her IEP team meeting if a purpose of the meeting will be the consideration of the postsecondary goals and the needed transition services for the student. If the student does not attend the IEP meeting, the LEA shall take steps to ensure that the student's preferences and interests are considered.

### 7.3 CHILDREN TRANSITIONING FROM EARLY START PROGRAMS

An invitation to the initial individualized education program team meeting shall, at the request of the parent, be sent to the infants and toddlers with disabilities coordinator or other representatives of the early education or early intervention system to assist with the smooth transition of services.

For a student suspected of having a specific learning disability, at least one member of the individualized education program team shall be qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher. At least one team member other than the student's regular teacher shall observe the student's academic performance in the regular classroom setting. In the case of a child who is less than school-age or out of school, a team member shall observe the child in an environment appropriate for a child of that age.

Refer to Chapter 2 Section 2.9 *Transition Requirements for Early Intervention* for more information on important timelines.

## 7.4 IEP TEAM MEMBER EXCUSAL

### 7.4.A IEP Team Area of Curriculum Not Being Discussed

A member of the individualized education program team shall not be required to attend an individualized education program meeting, in whole or in part, if the parent of the individual with exceptional needs and the local educational agency agree that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.

### 7.4.B IEP Team Member Area of Curriculum or Related Services Being Discussed

A member of the individualized education program team may be excused from attending an individualized education program meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if both of the following occur:

- (1) The parent and the local educational agency consent to the excusal after conferring with the member.
- (2) The member submits in writing to the parent and the individualized education program team, input into the development of the individualized education program prior to the meeting. A parent's agreement shall be in writing.

## 7.5 IF PARENTS CANNOT ATTEND IEP MEETING

If neither parent can attend, other methods will be used to ensure parent participation, including individual or conference telephone calls.

If the parent cannot be contacted or if the district is unable to convince the parents that they should attend, the IEP meeting may be conducted without a parent in attendance. The district will keep a record of its attempts to arrange a mutually agreed on time and place, such as:

1. A detailed record of phone calls made or attempted and the result of those calls;
2. Copies of correspondence sent to the parents and any responses received; or
3. Detailed records of visits made to the parent's home or place of employment and the results of those visits.

When no parent can be located or if the court has specifically limited the rights of the parent or guardian to make educational decisions for the child, a surrogate parent will be appointed.

## 7.6 INDIVIDUALIZED EDUCATION PROGRAM: CONTENT

The term "individualized education program" (IEP) means a written statement for each child with a disability that is developed, reviewed, and revised, and includes:

1. a statement of the child's present levels of academic achievement and functional performance, including:
  - (a) how the disability affects the child's involvement and progress in the general education curriculum;
  - (b) for preschool children, as appropriate, how the disability affects the child's participation in appropriate activities; and

- (c) for children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives.
- 2. a statement of measurable annual goals, including academic and functional goals designed to:
  - (a) meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and
  - (b) meet each of the child's other educational needs that result from the child's disability.
- 3. a description of how the child's progress toward meeting the annual goals will be measured, and when periodic reports on progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with issuance of report cards) will be provided;
- 4. a statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child:
  - (a) to advance appropriately toward attaining the annual goals;
  - (b) to be involved in and make progress in the general curriculum and to participate in extracurricular and other nonacademic activities; and
  - (c) to be educated and participate with other children with disabilities and typically developing peers in the activities described above.
- 5. an explanation of the extent, if any, to which the child will not participate with typically developing peers in the regular class and extracurricular and nonacademic activities;
- 6. a statement of any individual appropriate accommodations that is necessary to measure the academic achievement and functional performance of the child on State and district-wide assessments.

If the IEP Team determines that the child shall take an alternate assessment on a particular State or district-wide assessment of student achievement, a statement of why:

- (a) the child cannot participate in the regular assessment; and
- (b) the particular alternate assessment selected is appropriate for the child;
- 7. the projected date for the beginning of services and modifications, and the anticipated frequency, location and durations of those services and modifications.
- 8. Beginning not later than the first IEP to be in effect when the child is 16, and updated annually thereafter:
  - (a) appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills;
  - (b) the transition services (including course of study) needed to assist the child in reaching those goals; and
  - (c) beginning not later than 1 year before the child reaches the age majority (age 18), a statement that the child has been informed of the child's rights that will transfer to the child when reached age 18.

When appropriate, the IEP will also include other necessary services, such as extended school year, transportation, type of physical education, prevocational, vocational and career education.

All service providers, the school site and any outside agencies that will provide services will be given a copy of the IEP or be knowledgeable of its content.

## **7.7 REVIEW AND REVISION OF THE IEP**

The IEP will be reviewed periodically, but not less than annually to determine whether the annual goals for the child are being achieved. The IEP will be revised as appropriate to address any lack of expected progress toward the annual goals and in the general curriculum, where appropriate.

In addition, the IEP team will meet whenever the parent or teacher requests a meeting to develop, review or revise the IEP.

An IEP meeting will be held within 30 days of receipt of a written request from a parent.

The following should be included in a review:

1. The results of any reevaluation,
2. Information about the child provided to, and by, the parent as required in the evaluation process;
3. The child's anticipated needs; and
4. Other matters.
5. Any lack of expected progress toward the annual goals and in the general curriculum where appropriate.

The IEP team will review progress toward previous annual goals, benchmarks (short term objectives) if appropriate and progress in the general curriculum when developing new goals, and benchmarks if appropriate.

The regular education teacher of the child as a member of the IEP shall, to the extent appropriate, participate in reviews or revisions of the IEP.

### **7.7. A Making Changes and Amendments to the IEP**

In making changes to a child's IEP after the annual IEP Team meeting for a school year, the parent of the individual with exceptional needs and the local educational agency may agree, not to convene an IEP meeting for the purposes of making those changes, and instead may develop a written document, signed by the parent and by a representative of the local educational agency, to amend or modify the student's existing IEP.

Changes to the IEP may be made, either by the entire IEP Team or by amending the IEP rather than by redrafting the entire IEP. Upon request, a parent shall be provided with a revised copy of the IEP with the amendments incorporated.

### **7.7. B IEP Team Meetings Required**

An individualized education program team shall meet whenever any of the following occurs:

- (1) A student has received an initial formal assessment. The team may meet when a student receives any subsequent formal assessment.
- (2) The student demonstrates a lack of anticipated progress.
- (3) The parent or teacher requests a meeting to develop, review, or revise the individualized education program.
- (4) At least annually, to review the student's progress, the individualized education program, including whether the annual goals for the student are being achieved, and the appropriateness of placement, and to make any necessary revisions. The individualized education program team conducting the annual review shall consist of the required members noted on page 2. Other individuals may participate in the annual review if they possess expertise or knowledge essential for the review.

#### **7.7. C Consolidation of IEP Meetings**

To the extent possible, the LEA shall encourage consolidation of reevaluation meetings for the child and other IEP Team meetings for the child.

#### **7.7. D Alternative Means of Meeting Participation**

When conducting IEP Team meetings, the parent of the child with a disability and the LEA may agree to use alternative means of meeting participation, such as video conferences or conference calls.

### **7.8 INDIVIDUALIZED EDUCATIONAL PROGRAM: CONSIDERATION OF SPECIAL FACTORS**

The IEP team will consider the following special factors:

#### **7.8. A Positive Behavioral Interventions**

In the case of a child whose behavior impedes his or her learning or that of others, consider, if appropriate, strategies, including positive behavioral interventions, strategies, and supports to address that behavior.

#### **7.8. B Students with Limited English Proficiency**

In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP.

For individuals whose primary language is other than English, linguistically appropriate goals, objectives, programs and services.

#### **7.8. C Blind and Visually Impaired**

In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines that the use of Braille is not appropriate for the child. The IEP team will make this decision after an evaluation of the child's reading and writing skills, needs and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille) is conducted.

### 7.8. D Deaf and Hearing Impaired

Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs. The IEP team will consider opportunities for direct communication with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode.

### 7.8. E Assistive Technology

Consider whether a child requires assistive technology devices and services.

If, in considering the above special factors, the IEP team determines that a child needs a particular device or service (including an intervention, accommodation, or other program modification) in order for the child to receive a free and appropriate public education, the IEP team must include a statement to that effect in the child's IEP.

Prior to determining the actual special education and related services, the IEP Team must discuss and document all options that were considered.

## 7.9 EDUCATIONAL BENEFIT

Board of Education v. Rowley 1982 was decisive in defining the term *educational benefit*. The Supreme Court concluded that the IDEA does not require that LEAs maximize the potential of students with disabilities. The intent of the IDEA was more to open the door of public education to students with disabilities rather than guarantee any particular level of education once inside. In 2017 in its *Endrew F.* decision, the Supreme Court revisited this standard, and further directed that IEP teams must develop IEPs that include appropriately ambitious goals, and that are reasonably calculated to enable a student to make progress appropriate in light of that student's circumstances.

### 7.9.A Components of Educational Benefit Analysis

Based on procedural requirements, including:

- (1) The assessment is complete and the child is assessed in all areas related to the child's suspected disability.
- (2) The IEP team identifies needs related to:
  - The child's disability
  - Involvement and progress in the general curriculum
- (3) Goals are established in each need area
  - Objectives are developed for students taking CAA
- (4) Services are planned to support:
  - Progress towards all goals
  - Progress in the general curriculum
  - Participation in the general education environment
  - Education with other students with disabilities and typically developing peers

- (5) The IEP team reviews the student's progress and adjusts the IEP if progress was not made or to address other needs.

### **7.9.B Definition of FAPE**

Free Appropriate Public Education (FAPE) means special education and related services that:

- (1) Are provided at public expense;
- (2) Meet the standards of the State;
- (3) Include pre-school, elementary or secondary school and education through the 22<sup>nd</sup> birthday if appropriate; and
- (4) Are provided in conformity with the IEP.

## **7.10 RESOURCE SPECIALIST PROGRAM/NON-INTENSIVE SERVICES**

### **Program Description**

The resource specialist program/non-intensive services shall provide, but not be limited to all of the following:

1. Provision for a resource specialist or specialists who shall support instruction and services for those students whose needs have been identified in an IEP, developed by the IEP Team, and who are assigned to regular classroom teachers for a majority of a school day;
2. Provision of information and assistance to students with disabilities and their parent;
3. Provision of consultation, resource information, and material regarding students with disabilities to their parents and to regular staff members;
4. Coordination of special education services with the regular school programs for each student enrolled in the resource specialist program;
5. Monitoring of student progress on a regular basis, participation in the review and revision of individualized education programs, as appropriate, and referral of students who do not demonstrate appropriate progress to the IEP Team; and
6. Emphasis at the secondary school level on academic achievement, career and vocational development, and preparation for adult life.

### **Program Staffing**

The resource specialist program/non-intensive program shall be under the direction of a resource specialist/mild to moderate specialist, who is a credentialed special education specialist, or who has a clinical services credential, with a special class authorization, who has had three or more years of teaching experience, including both regular and special education teaching experience, and who has demonstrated the competencies for a resource specialist, as established by the Commission on Teacher Credentialing.

At least 80 percent of the *resource specialists* within a local plan shall be provided with an instructional aide.



## 7.11 INDIVIDUALIZED EDUCATION PROGRAM: TRANSITIONS

### 7.11.A Transition from Preschool to Elementary School

Prior to transitioning a child with disabilities from a preschool program to kindergarten, or first grade as the case may be, an appropriate reassessment of the child shall be conducted to determine if the child is still in need of special education and services.

As part of the transition process, a means of monitoring the continued success of the child who is determined to be eligible for less intensive special education programs.

As part of the exit process from special education, the present performance levels and learning style shall be noted by the IEP Team. This information shall be made available to the assigned regular education teacher upon the child's enrollment in kindergarten or first grade as the case may be.

### 7.11.B Transition from Special Class or Center or from Non-Public, Nonsectarian School to the General Education Classroom in the Public School

When students transfer into the general education classroom from special classes or centers, or from nonpublic, nonsectarian schools to general education in the public school the IEP will include the following:

- (1) A description of activities provided to integrate the child into the regular education program indicating the nature of each activity and the time spent on the activity each day or week; and
- (2) A description of the activities provided to support the transition of students from the special education program into the regular education program.

### 7.11.C Transition from Secondary to Post-secondary Education

"*Transition services*" means a coordinated set of activities for a child with a disability that:

- (1) 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, 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
- (3) Includes 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. (Section 602)
- (4) Transition services for students with special needs may be special education, if provided as specially designed instruction, or a designated instruction and service, if required to assist a pupil to benefit from special education. Is based upon the individual needs of the pupil, taking into account the strengths, preferences, and interests of the pupil.
- (5) Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate,

acquisition of daily living skills and provision of a functional vocational evaluation.  
(56345.1. (a))

If a participating agency (other than the district) fails to provide the transition services described in the IEP, the IEP team will reconvene to identify alternative strategies to meet the transition objectives for the student; and

If an invited agency representative cannot attend the IEP meeting to develop transition services, the district will obtain agency participation in planning for these services.

NOTE: IDEA Regulations added a requirement for consent prior to inviting a representative of any participating agency likely to be responsible for providing or paying for transition services to attend a child's IEP Team meeting.

#### **7.11.D Timeline for Developing Individual Transition Plan**

Beginning not later than the first IEP to be in effect when the child is 16, and updated annually thereafter:

- (a) appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills;
- (b) the transition services (including course of study) needed to assist the child in reaching those goals; and
- (c) beginning not later than 1 year before the child reaches the age majority (age 18), a statement that the child has been informed of the child's rights that will transfer to the child when reached age 18.

#### **7.11.E Summary of Performance**

The Summary of Performance is a requirement under IDEA 2004. This summary is prepared by school personnel and is provided to the student when he/she leaves school under one of the two following conditions:

- (a) by graduating with a diploma, or
- (b) or reaching age 22 and receiving a Certificate of Achievement or Completion

This summary is a document for the student that summarizes his or her academic and functional performance with recommendations about what accommodations and supports the student may need to enter post-school activities, such as training, higher education, employment, and independent living. *(See Form [NC 12]- Notice of Exit Summary of Performance by logging in to SIRAS → Tools → Document Library → Blank/Emergency use forms.)* NOTE: This is not part of the IEP process.

[↓ \[NC 12\] Notice of Exit Summary of Performance](#)

## **7.12 INTERIM PLACEMENTS**

### **7.12.A Transfers from District to District within the State**

If the child has an IEP and transfers into a district from district not operating programs under the same local plan in which he or she was last enrolled in a special education program within the same academic year, the LEA shall provide the pupil with a free appropriate public education, including services comparable to those described in the

previously approved IEP, in consultation with the parents, for a period not to exceed 30 days, by which time the LEA shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law.

#### **7.12.B Transfers from District to District within the Same SELPA**

If the child has an IEP and transfers into a district from a district operating under the same special education local plan area of the district in which he or she was last enrolled in a special education program within the same academic year, the new district shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent and the LEA agree to develop, adopt and implement a new IEP that is consistent with federal and state law. It is recommended that an IEP Amendment be done to reflect the change in location and provider.

#### **7.12.C Transfers from District to District from Outside of State**

If the child has an IEP and transfers from an educational agency outside the state to a district within the state within the same academic year, the LEA shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parents, until the LEA conducts an assessment.

In order to facilitate the transition of an individual with exceptional needs, the new school in which the pupil enrolls shall take reasonable steps to promptly obtain the pupil's records.

Upon receipt of a request from an educational agency where an individual with exceptional needs has enrolled, a former educational agency shall send the pupil's special education records, or a copy thereof, to the new educational agency with five working days. (EC 56325)

As required by sub clause (II) of clause (i) of subparagraph (C) of paragraph (2) of subsection (d) of Section 1414 of Title 20 of the United States Code, the following shall apply to special education programs for individuals with exceptional needs who transfer from an educational agency located outside the State of California to a district within California. In the case of an individual with exceptional needs who transfers from district to district within the same academic year, the local educational agency shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved individualized education program, in consultation with the parents, until the local educational agency conducts an assessment pursuant paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code, if determined to be necessary by the local education agency, and develops a new individualized education program, if appropriate, that is consistent with federal and state law.

### **7.13 SECONDARY TRANSITION**

Transition services (designed with a results-oriented process focused on improving academic functional achievement of the student) must be addressed in the IEP of the student not later than in the year in which he/she turns 16 years of age. The goal of **transition services** is planned movement from secondary education to adult life that provides opportunities which maximize economic and social independence in the least restrictive environment for individuals with

exceptional needs. Planning for transition from school to postsecondary environments should begin in the school system well before the student leaves the system. (30 EC 56460)

Transition is planning for a student's future and how academic courses, functional curriculum, and vocational activities help move a student towards the future goal. Discussion about transition or future planning should be addressed at the beginning of the IEP team meeting so that the IEP team is focused throughout the meeting on helping the student work towards his or her future goals. The goal of transition is to provide the student with all the skills, knowledge and support necessary to make their post school goals a reality.

### **7.13.A IEP Team Participants For Secondary Transition**

#### **Student**

Role: Participates, communicates preferences and interests, communicates strengths, and takes part in the IEP development.

300.321 (b)(1) The student must be invited to the IEP meeting if a purpose of the meeting is consideration of the child's postsecondary goals and the transition services needed to achieve those goals.

2006 IDEA Regulations Comments indicated that if the student is a minor, the parents (unless educational rights have been limited or extinguished) have the authority to determine whether the student should attend the IEP Team meeting (pg.46671).

300.321 (b)(2) it is the public agency's obligation to take other steps to ensure that the student's preferences and interests are considered if the child is unable to attend the meeting.

#### **Parent/Family**

Role: Supports the student, reinforces the value of an individual program, and provides information about student's strengths and areas where assistance is needed.

#### **Special Education Specialist**

Role: Provides information, provides teaching strategies including accommodations and or modifications, suggests course of study related to student's post school goals; identifies related services, provides input into transition service needs, links student and parents with appropriate post-school services, coordinates all people, agencies, services or programs involved in the transition planning process

#### **General Education Teacher**

Role: Assists in planning course of study, assists in identifying and providing modifications, adaptations, support and positive behavioral strategies or interventions.

34 CFR 300.321 (a)(2) – Not less than one regular education teacher of the child (if the child is, or may be, participating in regular education environment).

#### **LEA Representative**

Role: Support staff and allocate LEA resources

- Qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities

- Is knowledgeable about the general curriculum and the availability of resources of the LEA
- Has the authority to commit the LEA to implement the IEP
- LEA may designate another staff member of the IEP team if these criteria are met

#### **Other Specialists**

- Who can interpret the instructional implications of evaluation results
- Who may be one of the team members already listed

#### **Other Appropriate Agency Personnel**

Role: Provide information about services, eligibility criteria, explain difference between entitlement of school programs and eligibility of adult services, assist in identifying community or adult services.

If a participating agency (other than the district) fails to provide the transition services described in the IEP, the IEP team will reconvene to identify alternative strategies to meet the transition objectives for the student.

If an invited agency representative cannot attend the IEP meeting to develop transition services, the district will obtain agency participation in planning for these services by some other means.

### **7.14 POST-SECONDARY GOALS**

The IEP must document development of measurable postsecondary goals based on age-appropriate transition assessments. The IEP for students 16 years old or younger, if appropriate, must contain: measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where applicable, independent living skills; (bb) the transition services (including courses of study) needed to assist the child in reaching those goals. [Section 614(d) (1) (A) (i) (VIII)].

### **7.15 AREAS TO BE ADDRESSED**

#### **7.15.A Instruction**

The IEP is an individualized instructional and support plan for students with disabilities. The transition planning, activities and services detailed in the IEP align instruction with student's post-secondary goals.

#### **7.15.B Related Services**

The IEP must describe any related services the student may need, such as transportation to a work experience or career counseling to help the student prepare for his or her future goals.

#### **7.15.C Community Experiences**

Instructional activities may take place in the community such as community-based instruction to help students generalize the skills learned in the classroom to the real world.

**7.15.D Employment**

All students should have employment related language in their IEP. For some students this may be a goal to go to college; for others it may mean job training or supported employment. Other students may go right to work after leaving school. LEAs are responsible for helping students identify their goals and develop plans that prepare students to achieve.

**7.15.E Daily Living Skills and Functional Evaluation**


Some students may need specific instruction and activities in order to learn to take care of themselves and live as independently as possible. Some students may need a functional evaluation to determine which skills they will need to develop so that they are able to enter employment or live independently.

**7.16 TRANSFER OF RIGHTS AT AGE OF MAJORITY**

The IDEA 2004 continues the requirement of notifying the student and family that educational rights convert to the student upon reaching the age of majority, which is 18 years old in California, beginning not later than 1 year before the student reaches the age of majority under State law, a statement that the student has been informed of his/her rights if any, that will transfer to the child on reaching the age of majority. (Section 614(d) (1) (A) (i) (VIII))

**7.17 POST-SECONDARY FOLLOW UP**

The State requires districts to seek information from students who have graduated from high school to collect data on post school outcomes. (See [RPT 17]- *Report of Postsecondary Outcomes by logging in to SIRAS → Tools → Document Library → Non-Meeting forms.*)

 [\[RPT 17\] Postsecondary Follow-up](#)

**7.18 STUDENTS BETWEEN NINETEEN AND TWENTY-TWO YEARS**

Between the ages of nineteen and twenty-one, inclusive; enrolled in or eligible for a program under this part or other special education program prior to his or her nineteenth birthday; and has not yet completed his or her prescribed course of study or who has not met proficiency standards.

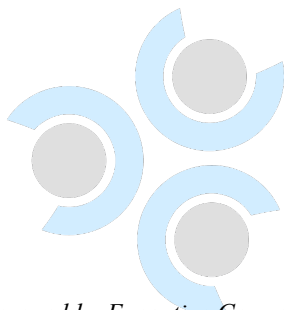
- 1) Any person who becomes 22 years of age during the months of January to June, inclusive, while participating in a program under this part may continue his or her participation in the program for the remainder of the current fiscal year, including any extended school year program for individuals with exceptional needs.
- 2) Any person otherwise eligible to participate in a program under this part shall not be allowed to begin a new fiscal year in a program if he or she becomes 22 years of age in July, August or September or that new fiscal year. However, if a person is in a year-round school program and is completing his or her individualized education program in a term that extends into the new fiscal year, then the person may complete that term.
- 3) Any person who becomes 22 years of age during the months of October, November, or December while participating in a program under this act shall be terminated from the program on December 31 of the current fiscal year, unless the person would otherwise complete his or her individualized education program at the end of the current fiscal year or unless the person

has not had an individual transition plan incorporated into his or her individualized education program and implemented from the age of 20 years, in which case the person shall be terminated from the program at the end of the fiscal year.

(E.C., Sec. 56026: (c) (4))

## 7.19 SUGGESTED TRANSITION AND EXIT GUIDELINES

Special education and related services may be short term or long term in duration. It is an intervention designed to remediate deficits and address disabling conditions that prevent success in regular education curriculum. The overall goal of special education is to develop the skills necessary to successfully access the regular education curriculum. This skill development, in conjunction with appropriate supports and accommodations in the regular education program should establish a transition of decreased special education services to increased regular education services. In some cases, there may be a complete dismissal from special education. This transition and dismissal addresses the least restrictive environment principle and practice, as required of the IEP Team, which includes regular education staff when the child is currently in regular education or is being considered for regular education.



# SELPA

*Approved by Executive Council:*

<i>SELPA I</i>	<i>1/25/24</i>
<i>SELPA II</i>	<i>1/26/24</i>
<i>SELPA III</i>	<i>1/25/24</i>
<i>SELPA IV</i>	<i>1/26/24</i>
<i>SELPA VII</i>	<i>1/24/24</i>

Santa Clara County  Office of Education