**Indicator 13 Directions Document**

**Underlined statements in *bold italic* are clarifications of the record review directions specifically related to remedies for noncompliances identified in any of the sections, a-i. As noted, in some cases there is no remedy for the non compliance. When an ARC is convened to address those noncompliance issues which can be remedied, it is important that it be a meaningful ARC that truly addresses the issues and is not just convened to obtain technical compliance. These clarifications are based on information from the conference call conducted on March 15, 2010.**

**Transition Services 707 KAR 1:320 Section 6**

49. By the child’s 16th birthday, **all** the following (a-i) requirements are met:

**Directions:**

* Mark “YES” if all the requirements listed below in (a) – (i) are marked “Yes”
* Mark “NO” if one or more of the requirements listed below is “No”
* Mark “NA” if the child is not yet 16 as of the date of this record review. Skip to #50.
  1. The IEP includes appropriate measurable postsecondary goals related to (a) training or education, (b) employment, and (c) when appropriate, independent living skills.

**Look for**: IEP, Measurable Postsecondary Goals.

**Directions:**

* Mark “YES” if documentation includes postsecondary goals to cover two (2) areas, education/training and employment, and a third goal as needed for independent living.

**Note**: Postsecondary goals must be measurable and intended to occur after the student graduates from high school.

***Phrases included in the postsecondary goal such as “plans to”, “wants to”, “hopes to”, “would like to” are not in compliance because they are not measurable. Since this involves wording and is thus a non-programmatic change, it is not necessary to convene an ARC to correct it. REMEDY: Within 10 days of the decision to make the change to a phrase such as “goal is to” or “will”, all members of the ARC shall be given a copy of the change, and an explanation as to why the change was made.***

***If the goal does not contain both education/training AND employment, the goal is not in compliance. There is no exception to the need for the goal to address both areas.***

***REMEDY: Convene an ARC to discuss, and document, the student’s education/training or employment goal. The Conference Summary should reflect meaningful discussion around the issue.***

* 1. The IEP includes transition services that will reasonably enable the child to reach the postsecondary goals.

**Look for**: IEP, Transition Services and Agency Responsible.

**Directions:**

* Mark “YES” if transition services include services that the district/school provides for the child and, if appropriate, any other interagency responsibilities or needed linkages.

**Note**: Types of transition services may include: instruction; related services; community experience; 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. One transition service that may be listed for every child is providing the course of study as outlined in their ILP/IGP.

***There must be Transition Services listed to support the student’s postsecondary goals. If there are none, that is a noncompliance.***

***REMEDY: An ARC must be convened to address the provision of Transition Services***.

* 1. For transition services likely to be provided or paid for by another agency, the other agency is invited to send a representative, if appropriate.

**Look for**: Notice of Invitation.

**Directions:**

* Mark “YES” if the Notice of Invitation indicates an outside agency that is likely to be responsible for providing or paying for transition services that are needed to assist the child in reaching postsecondary goals was invited to the meeting.
* Mark “YES” if the ARC documented that the need for an outside agency was not appropriate or the child’s IEP did not include transition services that required another agency.

**Note**: Outside agencies may include Office of Vocational Rehabilitation; Commission for Children with Special Health Care Needs; Department of Mental Health.

***If an outside agency is listed as responsible for providing services, that agency must have been invited to the meeting. (If the intent of the ARC was simply to investigate services from the agency, the agency should not have been listed as a provider.)***

***REMEDY: An ARC must be convened. The agency shall be invited to the ARC to address the service.***

* 1. If an agency was invited to send a representative, signed Consent for Invitation is included.

**Look for**: Consent for Invitation.

**Directions**:

* Mark “YES” if documentation includes a signed, dated parent(s) (or emancipated youth) Consent for Invitation obtained prior to the invitation to the ARC meeting, if a
  1. If an agency was invited to send a representative, signed Consent for Invitation is included.

**Look for**: Consent for Invitation.

**Directions**:

* Mark “YES” if documentation includes a signed, dated parent(s) (or emancipated youth) Consent for Invitation obtained prior to the invitation to the ARC meeting, if a
* representative of an outside agency that is likely to be responsible for providing or paying for transition services is invited to the ARC meeting.
* Mark “YES” if Item 49c indicates that the ARC documented need for other agency was not appropriate or child’s IEP did not include transition services that required another agency.

***If an agency representative was invited but prior, informed consent was not obtained, there is a noncompliance. (This must also be considered a noncompliance if the Consent to Invite and the Consent for Release of Records forms are not separate entities.)***

***Cannot be Remedied: In this event, the district must take a noncompliance on 49d. It is still necessary to obtain parental consent and convene an ARC to show that the issue has been addressed for the student. In addition this will have to be addressed the following year under Indicator 15 (Timely Correction of Noncompliance)***

* 1. As a transition service, the child has a multi-year course of study as outlined in the Individual Learning (Graduation) Plan.

**Look for**: Individual Learning (Graduation) Plan, multi-year course of study.

**Directions:**

* Mark “YES” if documentation includes at least one of the following: a) ARC Conference Summary notes of the discussion of the ILP (IGP) with each course in course of study listed; b) a copy of the ILP (IGP); or c) a copy of child’s multi-year course of study.
* Mark “NA” if child is not yet in 8th grade or age 14, whichever comes first.

**Note**: Multi-year means from the current year to the child’s expected year of exiting high school.

***If the Course of Study is not present, or if it does not extend through the student’s exit year, this is a noncompliance.***

***REMEDY: Convene an ARC to complete the Course of Study and address how it informs transition planning.***

* 1. Annual goal(s) included in the IEP are related to the transition service needs.

**Look for**: IEP, Annual Goals or Transition Page, or Conference Summary/Action Notice form.

**Directions:**

* Mark “YES” if, for at least one annual goal, the ARC documents which postsecondary goal the annual goal supports OR the annual goals that support postsecondary goals are listed as transition services on the transition page of the IEP.

***If at least one annual goal does not connect to all sections of the postsecondary goal, this is a noncompliance. (Not every goal has to connect to every part of the postsecondary goal.)***

***REMEDY: Convene an ARC to address the linkage and how the annual goal will impact the student’s postsecondary goals.***

* 1. Measurable postsecondary goals are based on age appropriate transition assessment.

**Look for**: IEP, Transition Assessments, or Conference Summary/Action Notice form, Description of each Evaluation Procedure, Test, Record, or Report used as a Basis for the ARC Decision.

**Note**: Actual copies of the transition assessments administered may be maintained as other components of the child’s education record (e.g., ILP career assessments, learning style inventories).

**Directions:**

* Mark “YES” if, documentation includes evidence that postsecondary goals are based on formal and/or informal transition assessment.

**Note**: Assessments may include: behavioral assessment information, aptitude tests, interest and work values inventories, intelligence tests and achievement tests, personality or preference tests, career maturity or readiness tests, self-determination assessments, work-related temperament scales, and transition planning inventories.

**Note**: Age-appropriate means the measure reflects the child’s chronological age rather than developmental age.

***Transition assessment must be addressed in either the check boxes, in the Present Levels, or in the Conference Summary. If it is not documented in at least one of these places, it is a noncompliance.***

***REMEDY: Convene an ARC to address transition assessment and how it is informing postsecondary goals and services.***

* 1. The child is invited to the ARC meeting where transition services were discussed.

**Directions:**

* Mark “YES” if the child is listed as invited to attend the meeting on the parent’s Notice of Admissions and Release Committee Meeting.

***If the child is not invited on the Notice of Invitation, this will be a noncompliance, even if the child is present at the meeting and signs the Conference Summary. (Issue involves prior notice and ability to prepare for the meeting.)***

***REMEDY: Convene an ARC, being sure to include the child on the Notice of Invitation. Review the previous ARC information and provide an opportunity for the child to provide input.***

i. The measurable postsecondary goals are updated annually.

**Directions**:

* Mark “YES” if the IEP has been reviewed annually and includes postsecondary goals.

***If the IEP is not within timelines, this is a noncompliance.***

***Cannot Be Remedied: A timeline cannot be fixed. The district must take the noncompliance. An ARC must be convened to address the issue for the individual. In addition, this must be addressed the following year under Indicator 15 (Timely Correction of Non Compliance).***