

## Secondary Transition Transition Services for 18 -21 Year Old's

### What are Transition Services? The Law:

IDEA 2004: (§300.43) **Transition Services** – The term ‘transition services’ means a coordinated set of activities for a child with a disability that (A) is designed to be 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.

B) is **based on the individual child’s needs**, taking into account the child’s strengths, preferences, and interests; (C) 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**.

### Additional Tips

- Start communication about post-school options, linkages, and the end of FAPE with the introduction and development of the transition IEP, or sooner, is appropriate.
- Plan ahead with younger students and their parents for eligibility requirements to access long-term supports (i.e., Social Security, Guardianship, and Community Centered Board (CCB)).

### Who is Eligible for 18 -21 Services?

- Any student receiving special education services who have an IEP (Individualized Education Program) can access 18-21 services through their school districts.
- They may have met the minimum requirements for graduation in their districts, but it is not required.
- The student may have ongoing transition needs identified in their IEPs, by the IEP team, and based on assessment data.
- Students who have met the minimum graduation requirements may participate in a “social graduation” but cannot accept high school diplomas to receive 18-21 services (refer to local district policies for social graduation information). FAPE (free and appropriate education) ends once a diploma has been received by the student.
  - HB 19-1066 allows these students to be counted as graduates for graduation rate purposes, which is different from issuing a student a diploma. Please see the Additional Resources section on the [Student End of Year webpage](#) for more information.

### General Educational Development (GEDs)

- Students who have IEPs but leave traditional school settings to attain their GEDs (General Educational Development) retain their right to receive a Free and Appropriate Public Education (FAPE) until age 21 or receive a regular high school diploma.
- A regular high school diploma does not include a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential [34 C.F.R. § 300.102(a)(3)(iii)]. Students who earn their GEDs may re-enroll in their school district and access 18-21 transition services.

## What is Social Graduation?

Social graduation allows students who will continue to receive services the opportunity to participate in the traditional graduation ceremony with peers. However, an official diploma will not be granted to these students until they exit K-12 education. Transcripts will remain open as students continue to earn credit toward diplomas.

## Student Count Requirements for Community Based 18-21 Transition Services (aligned with requirements for ALL students with IEPs):

- Must be instructional, standards-driven and identify requirements for attendance/performance
- Must be part of the individualized transition continuum
- Must not have an arbitrary purpose or point of entry/exit
- Must identify transition needs/goals, outcomes, and agency linkages through the Individualized Education Program (IEP) Process
- Must focus on transition needs aligned with postsecondary goals (i.e., college, employment, and independent living supports)
- Must provide at least 360 hours of documented contact time/instruction or purchase services per semester to receive 100% PPR and a minimum of 90 hours of documented services to receive half-time funding
- Must create and maintain a schedule of direct services corresponding to hours of service identified on the IEP
- Must award some credit – credit must transfer to school transcripts
- Exit determination prior to reaching a maximum age is determined by issuance of a diploma (if earned) or through an IEP Eligibility Review (§ 300.305)

## Best Practices to Consider for 18-21 Services:

- Should be community-based with a focus on connections to adult resources and/or services, as well as postsecondary education and/or employment opportunities.
- Should clearly identify course and activity objectives aligned with individual transition needs and goals
- Should provide flexibility for school and community experiences based on individual preferences, interests, strengths, and needs aligned with postsecondary goals
- Should include clearly outlined processes for phasing out services and supports as well as facilitating linkages to adult services and/or post-school environments.

*This CDE guidance document is meant for clarification, is not legally binding, and is not to be confused with legal advice. This guidance reflects CDE's recommendations, but Administrative Units (AUs) may have developed their own policies or procedures that differ from those described herein. Be sure to refer to your local AU's policies and procedures through the Director of Special Education. If you are seeking legal advice, please contact your legal counsel.*

## Where can I learn more?

- See [Resources \(Secondary Transition\)](#)
- *October Count*
- *Transition Planning*
- *Transfers for Students Receiving 18-21 Services*