Sec. 1. DEFINITIONS

"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 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 includes:
   a. Instruction;
   b. Related services;
   c. Community experiences;
   d. The development of employment and other post-school adult living objectives; and
   e. If appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

20 U.S.C. § 1401(34); 34 C.F.R. § 300.43.

Sec. 2. INDIVIDUAL TRANSITION PLANNING

a. *Transition Services in General*

In accordance with Education Code § 29.011 and § 29.0111, not later than when a student reaches 14 years of age, the admission, review, and dismissal ("ARD") committee must consider, and if appropriate, address the following issues in the individualized education program ("IEP"):

1. Appropriate student involvement in the student's transition to life outside the public school system;
2. If the student is younger than 18 years of age, appropriate involvement in the student's transition by the student's parents and other persons, if the parent or other persons invited to participate by the student's parents or Texas Leadership Public Schools (TLPS);
3. If the student is at least 18 years of age, involvement in the student's transition and future by the student's parents and other persons, if the parent or other person is invited to participate by the student or TLPS or has the student's consent to participate pursuant to a supported decision-making agreement under Texas Estates Code, Chapter 1357;
4. Appropriate postsecondary education options, including preparation for postsecondary-level coursework;
5. An appropriate functional vocational evaluation;
6. Appropriate employment goals and objectives;
7. If the student is at least 18 years of age, the availability of age-appropriate instructional environments, including community settings or environments that prepare the student for postsecondary education or training, competitive integrated employment, or independent living, in coordination with the student's transition goals and objectives;
8. Appropriate independent living goals and objectives;

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9. Appropriate circumstances for facilitating a referral of a student or the student's parents to a governmental agency for services or public benefits; and
10. The use and availability of appropriate supplementary aids, services, curricula, and other opportunities to assist the student in developing decision-making skills and supports and services to foster the student's independence and self-determination, including a supported decision-making agreement under Texas Estates Code, Chapter 157.

b. ***IEP Requirements***

Beginning not later than the first IEP to be in effect when the student turns 16 years of age, or younger if determined appropriate by the ARD committee, and updated annually thereafter, the IEP must include the following:

1. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
2. The transition services, including courses of study, needed to assist the student in reaching the postsecondary goals developed under paragraph (1) of this subsection.

The student's ARD committee shall annually review and, if necessary, update relevant portions of the student's IEP.

20 U.S.C. §§ 1414(d)(1)(A)(i)(VIII), 1414(d)(6); 34 C.F.R. § 300.320(b); Tex. Educ. Code § 29.0111; 19 Tex. Admin. Code. § 89.1055(l).

Beginning not later than the first IEP to be in effect when the student turns 14 years of age, the ARD committee must consider and, if appropriate, address the following issues in the IEP:

1. Appropriate student involvement in the student's transition to life outside the public school system;
2. Appropriate involvement in the student's transition by the student's parents and other persons invited to participate by (i) the student's parents or (ii) the school in which the student is enrolled;
3. Appropriate postsecondary education options, including preparation for postsecondary-level coursework;
4. An appropriate functional vocational evaluation;
5. Appropriate circumstances for facilitating a referral of a student or the student's parents to a governmental agency for services or public benefits, including a referral to a governmental agency to place the student on a waiting list for public benefits available to the student such as a waiver program established under the Social Security Act (42 U.S.C. Section 1396n(c)), §1915(c); and
6. The use and availability of appropriate:
    a. Supplementary aids, services, curricula, and other opportunities to assist the student in developing decision-making skills; and
    b. Supports and services to foster the student's independence and self-determination, including a supported decision-making agreement under Texas Estates Code, Chapter 1357.

19 Tex. Admin. Code § 89.1055(k).

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c. ***Transfer of Rights***

Beginning not later than the first IEP to be in effect when the student turns 18 years of age, the ARD committee must consider and, if appropriate, address the following issues in the student's IEP:

1. Involvement in the student's transition and future by the student's parents and other persons, if the parent or other person:
   a. Is invited to participate by the student or the school in which the student is enrolled; or
   b. Has the student's consent to participate pursuant to a supported decision-making agreement under Texas Estates Code, Chapter 1357; and
2. The availability of age-appropriate instructional environments, including community settings or environments that prepare the student for postsecondary education or training, competitive integrated employment, or independent living, in coordination with the student's transition goals and objectives.

19 Tex. Admin. Code § 89.1055(n).

d. ***Annual Review***

A student's ARD committee shall review at least annually the issues described in 19 Tex. Admin. Code § 100.1055(k), (*l*), and (n) and, if necessary, update the portions of the student's IEP that address those issues. *19 Tex. Admin. Code § 89.1055(o).*

Sec. 3. TRANSITION AND EMPLOYMENT GUIDE

TLPS shall utilize the transition and employment guide developed by the Texas Education Agency for use with students enrolled in special education programs and their parents, as appropriate. Specifically, TLPS shall:

1. Post the transition and employment guide on the TLPS website;
2. Provide written information and, if necessary, assistance to a student or parent regarding how to access the electronic version of the guide at:
   a. The first ARD committee meetings at which transition is discussed; and
   b. The first ARD committee meeting at which transition is discussed that occurs after the guide is updated; and
3. On request, provide a printed copy of the guide to a student or parent.

Tex. Educ. Code § 29.0112(a)(3).

Sec. 4. GRADUATION

Graduation with a regular high school diploma under 19 Tex. Admin. Code. § 89.1070(b)(1), (b)(2)(D), (g)(1), (g)(2), or (g), or (g(4)(D) terminates a student's eligibility for special education services. For students who receive a diploma according to 19 ... Tex. Admin. Code § 89.1070(b)(2)(A), (B), or (C) or (g)(4)(A), (B), or (C), the ARD committee shall determine needed educational services upon the request of the student or parent to resume services, as long as the student meets the age requirements.

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Graduation from high school with a regular diploma constitutes a change in placement that requires written prior notice to parents.

TLPS is not required to conduct an evaluation before termination of eligibility due to graduation from secondary school with a regular high school diploma or due to exceeding the age eligibility for a free appropriate public education under state law.

TLPS shall provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

20 U.S.C. § 1414(c)(5); 34 C.F.R. §§ 300.102(a)(3), 300.305(e)(2); 19 Tex. Admin. Code § 89.1070.

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