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Secondary Transition Services and Graduation with a High School Diploma

Katie Allen

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>> Welcome, everyone who is joining us now. We'll get started in a few minutes. You should be muted automatically, but you're able to type your questions or comments in the chat box and I'll explain more about that when we get started.

So... for those of you joining right now, you can hover your mouse over the bottom or the top of your screen. There'll be a black bar, you'll see a little bubble with dots in it that says chat. If you click that, the chat box will open on the side of your screen. You can type any questions or comments there during the presentation. And we'll get started in just a few minutes.

We also have captions, I'll share the links with you all right now. In the chat box. So... for of those you who want to see the captions for today's event, you can see them here. And just for those of you who are joining now, so you know, we are recording this webinar today, so you'll be able to find the archive of the recording on our website, employmentfirstma.org after the live webcast, in a few days it'll be there. We'll send a link out to everyone who is registered.

All right... looks like we have 30 people here now. We'll get started in just a minute. You should be automatically muted when you join. If you want to communicate during the webinar... or ask any questions or comments, you'll have a chat box. Hover your mouse at the bottom or top of your screen. You can type all your questions there.

It is 10:00 a.m. on my end, so... we'll get started. Welcome, everyone, my name is Katie Allen from the Institute for Community Inclusion. Just going to go over a few things, like I've been saying, as you've been joining, before we get started and introduce our presenter for today. I'm going to share the caption link once more for those who just joined, if you want to see captions for today's webinar. I'll type that right here in the chat box. For those who are new to Zoom, I'll go over a few features for you. You'll see there's a black bar, either on the bottom or top of your screen, you may need to hover your mouse over that to see it there. And on that bar, you'll have an option to click the chat box. If you click on that chat icon, you should be able to type your questions or comments in the chat box during the presentation and you'll want to make sure that when you type in the box that you have the drop down menu that says all panelists and attendees, so that you're asking your questions or that your comments are going to everyone who is viewing the webinar.

This webinar is being recorded. It'll be archived and posted on our website, employmentfirstma.org. I'll share that website in the chat box with you as well.

And... just, as we go down through the webinar, you can type your questions, comments, but we'll get to all of your questions at the end. After Amanda's presentation, we will have a question‑and‑answer period at the end. We'll get to all of your questions, just... not until we finish the presentation. But if you have any technical issues or questions about Zoom, you can type them in there and I'll answer those as the presentation goes on as well.

So... I will share that website link with you and there'll also be a point in the presentation... where Amanda will, the document that Amanda is discussing and I will share that link with you as well. And I'll share that again when we begin the presentation. And... so... before I turn it over to our presenter today, I'm going to have Victor do an introduction. So... Victor, I'll let you take it away.

>> Victor: Sure, thank you, Katie. Thanks, everyone for making it this morning on this glorious New England morning. Appreciate it. First off, want to thank Katie Allen and the Institute for all the work setting this up. This'll be helpful to all of us. In April, there was an advisory release. The advisory is addressing the circumstances for the district to high school students who currently have an IEP and... that's, that is very important to all of us, something we work very closely with. I'm here with Margaret and we are both pleased to have Amanda Green, the secondary transition coordinator for the Department of Elementary and Secondary Education. To go over the advisory and review some guidelines and best practices for the planning and secondary transition.

So... Margaret and I are pleased to have Amanda join us today. Very thankful she took the time and will review this with us. And... Amanda, welcome and... please take it away.

>> Amanda: Thank you very much, Victor and Margaret. I'm pleased to be here. I appreciate the opportunity. In April, we issued an administrative advisory and I believe that Katie will be providing a link to the advisory in the chat box so you can read the original.

So... why did we issue this advisory? We received, over several years, a lot of questions from educators in the field. Questions such as "if students passed the MCAS [phonetic] and completed local graduation requirements, is it okay for students and their families to refuse a diploma?" Or "should districts graduate a student and hold a diploma on a shelf or in a vault?" Is there a standard level of services or student skills they should attain before they graduate? If they provide a fifth year of services, for students because they're refusing their diploma, should we provide a sixth year or seventh year? When does it all end?

So... it's because of questions like these that we put together this advisory which we hope will be helpful to educators in the field and to all the other people who partner with those educators. I want to clarify from the very beginning, there's been confusion about this, this advisory is not about the small number of students who have not passed the MCAS or not met local graduation requirements and have a clear entitlement under IDEA to be enrolled in schools and to receive special education services until the 22nd birthday. That's not these students.

Instead, this advisory is about students who have passed the MCAS and met local graduation requirements. Students with IEPs and then, their families and students have been what's been termed refusing the diploma. I'll talk about why that's really not the term to use. Students who don't have IEPs cannot refuse a diploma, right? So... any given student, if you don't show up on graduation day and don't pick up your diploma, it doesn't mean you don't graduate. So... that's equally true for students with IEPs. I'll discuss what really we believe the questions are, that need to be answered during the course of this presentation.

So... graduation with a regular high school diploma under IDEA ends a students eligibility for special education and related services. If you graduate, it's not okay to provide you, the student, with special education services using IDEA funds after that graduation.

Now... it says regular high school diploma. I want to clarify that in Massachusetts, we have just one regular high school diploma and IDEA defines a regular diploma as a diploma that is fully aligned with the state's academic standards. So... we have just one. It doesn't refer to the HiSET or GED which are not fully aligned with state's academic standards.

Graduation is a change in placement. And that means it's subject to procedural protections under IDEA. And I'll explain more about that in subsequent slides. There are certain standard dispute resolution procedures which families have the right to, families and schools can engage in if there's a dispute about a change in the student's placement. In Massachusetts we have one regular diploma. All students must meet two standards. You have to meet the competency and standard and the local requirements that each school district sets. The key thing with this advisory, students with IEPs, students receiving special education services, these two criteria are prerequisites only. The law doesn't say the diploma must be issued if you meet those two standards. In fact... there was a 2010 U.S. district court decision in Massachusetts which clarified that if it were a requirement to graduate a student, if they had met those two standards only, then this would incentivize districts to rush students throughout without properly providing them with special education services.

So... that is not the case. Parenthetically, I want to mention, because... especially because of the audience I'm speaking to today who might not be as familiar with schools and the whole idea of diplomas, when I say there's one regular diploma, I'm not referring to the certificates the districts may issue at their own discretion. So you may hear that students are receiving certificates of achievement, attendance, completion, et cetera, those are not diplomas, those are something at the discretion of districts which are free to issue those if they like.

So... two standards for all students that they must meet. They must pass the MCAS, must meet local graduation requirements. Those are prerequisites to graduation. Students with IEPs must also have a third requirement under IDEA. That is that they have a right to Free and Appropriate Public Education. This is called FAPE. Free and Appropriate Public Education in the least restrictive environment. I'm not going to talk about least restrictive environment today, but you may hear people refer to FAPE in the LRE. It's FAPE I'm going to be speaking about and FAPE is what students must have in order to graduate. If a student passes the MCAS they cannot be properly graduated if they haven't received FAPE. We need to shift questions, the question isn't is the student ready to graduate or can the student refuse their diploma, the question is, has the student received a Free and Appropriate Public Education? Has the district provided FAPE to the student.

Now... from a school perspective, when I speak to school audiences, there's sort of an ah! The light bulb goes on. People get it. This is a straightforward answer, but it's also actually, at the same time, a very complex answer. And I imagine it may not sound so clear to non‑school audiences. Under IDEA, free and appropriate education is the bedrock of special education. It is what is considered at every IEP meeting for students receiving special education services from 3 to 22. The team has to decide what's appropriate for the student, what should we be providing for the student? Is this easy to define? No, it is not but is very familiar ground for school folks. This is the heart, the bedrock of special education.

Last March, the Supreme Court ruled on a decision that made a lot of us very excited, which is called Endrew F versus Douglas County School District. The advisory was put out on the Endrew case. You can find that case online if you'd like to do that. The U.S. Department of Education put out questions on the Endrew case, that's a link on the slide for that document.

Here on the screen, I put words from the Supreme Court's ruling. This is in part, what they said, about what constitutes FAPE. FAPE is an educational program that offers the student the chance to meet challenging objectives and, in light of the student's circumstances, is appropriately ambitious and reasonably calculated to enable a student to make progress.

Now... you see they're doing something that probably your English teacher told you not to do when you were doing vocabulary in class. They're using the word appropriate to define appropriate. Let's take that apart a bit.

The student has the chance to meet challenging objectives and... it's unique to the student so... it's in light of the student's circumstances and appropriately, it's ambitious and it's reasonable to help the student to make progress.

So... this ruling really confirmed, especially in contrast to other rulings or in, in concert with, I guess, other rulings that had happened over time as the Supreme Court has gotten us closer and closer to figuring out what FAPE is. This ruling emphasizes that students need to be held to high standards.

They need to make progress that is not trivial and not minimal. The Supreme Court rejected the idea that just making some minimal progress is okay.

They also reemphasized that these decisions are individualized and unique for each student. They said the adequacy of a given IEP turns on unique circumstances of a child for whom it was created. Unique, individualized, high standards... tailored just for that student.

But... the IEP is not a guarantee of a specific educational or functional result for a student with a disability. I'm going to talk more about the first bullet on the next slide, which is the FAPE requirement applies to secondary transition services and I'll go into that at some depth. As well as to other special education and related services.

But... I wanted to talk about the second two bullets, a little bit more.

So... sometimes you hear in this diploma refusal conversation that the reason families are refusing a diploma or the reason people think they ought to refuse a diploma is because the student hasn't achieved all of their goals. There is no right under IDEA to achieve your goals. It's not a guarantee of getting to a certain place.

However... IDEA does provide for revisiting the IEP if the student isn't making progress that the IEP team expects. This highlights an important role of assessment. I always say good assessment is the engine that drives the IEP process. Unless you have good assessment, you don't know the student.

Part of good assessment is ongoing progress monitoring, and if the student is not moving forward the way you expect, then the team needs to be looking at that and figuring out why and adjusting the services, maybe adjusting the goals, just figuring it all out together in an individualized way that's appropriate for that student. Just to say that again, it may well‑be by the time the student reaches the age of graduation that the student hasn't optimally developed all the skills he or she needs for adult life. But, whether the student achieves those skills is not the question. The question is, has the student received a Free and Appropriate Public Education? Have the services been appropriate for that student's unique needs?

I want to think about the two ideas we have in tension then, that all IEP teams need to wrestle with. On one hand, we have very high standards for students. We want to encourage real meaningful progress. At the same time, there's no guarantee to that progress. Those are two ideas to keep in mind, that IEP teams need to keep in mind.

So... secondary transition. Let's talk about that. Secondary transition services need to be provided by age 14 onward. And here's some of the language of IDEA, which describes what those services should look like. The services are supposed to be coordinated and they're supposed to be within a results‑oriented process. That's focused on improving academic and functional achievement of a child with a disability to facilitate that child's movement from school to adult life.

It's also, again, here's the individualization, based on that individual student's needs, strengths, preferences and interests. Parenthetically, we have a website devoted to secondary transition. That's the link down on the bottom.

So... transition is supposed to be a time of planful, coordinated, thoughtful, results‑oriented activities, really getting together thinking about what are we going to do for this student that's going to prepare this student in a meaningful way for adult life? For schools, this is really a shift in mindset. Under IDEA, schools are thinking about two things, in special education, from ages 3 up to age 14, they're thinking about academic progress and functional progress in the classroom, and they're thinking about the life of the school. So... how can we help the student, essentially picture a school building. Within this building, how will we help the student progress, survive, succeed? Do all kinds of good stuff? At age 14, we fling open the doors of the school and think about a whole new set of things. We're still thinking about the life of the school, but also thinking about the four secondary transition domains. If you go to that website, you'll see a visual model we have and narrative that talks about those four transition domains and how schools prepare students for adult success. So... the four domains, under IDEA are post‑secondary education and training, employment, independent living, and community participation.

So... we're going to be looking in transition at the student's needs, strengths, preferences and interests and determine those by good assessment. We'll provide services and supports so that the student can hopefully, successfully, each year, make meaningful progress so that that student, by the time they exit, can have success in those four domains. Postsecondary Education and training, employment, independent living, and community participation.

It's not ‑‑ I'm not saying every student will receive services in each of those four domains. That's not what I'm saying. Not every student will need services in the area to prepare them for employment or independent living community participation, what the team needs to do is assess the student and find out what skills the student has today, academically and functionally and what skills the student needs to develop. In order to reach the student's intended adult goals. Because every student is different and students have different strengths, needs, preferences and interests. It's not as though every student will be receiving preparation for employment. It's not as though every student will receive independent living preparation. It's dependent upon the decisions of the IEP team which determine what's appropriate, for that student.

What the advisory says, at the annual IEP meeting, starting no later than age 14 and every year afterwards, the IEP team should explicitly discuss the student and document, the student's current progress toward meeting annual skill‑based goals in the IEP. The goals and objectives aligned with their goals for life. And services the student needs to move them one year forward and the specific anticipated date of graduation. I get phone calls from parents in which parents tell me their school hasn't provided any secondary transition services. I say, tell me what your school has provided. And they start to list services that their child is receiving. I say to them, that sounds, to me, like secondary transition services. A lot of the time what's happening is the schools are providing services and they're not using the language. So... they're not saying at the IEP meeting, to the family and the student "okay, here are the secondary transition services that we think that we were proposing to deliver this year."

And because those conversations are not happening explicitly, families and students don't know they're happening. You know... so much depends on the words we use. And this is, this is a good example of that.

And also... we're hoping that disputes will be decreased because the graduation conversation about the date of graduation will be happening at age 14, 15, 16. By the time you get to the end, it won't be a surprise, that's what we were hoping. Parenthetically, there was a requirement under IDEA, that requires prior written notice if there's a change of placement. Graduation is considered a change of placement. The student will be in a new place after they graduate. The team is required to provide prior written notice to families and guidance from Department of Ed serves as prior written notice. Although, school districts are welcome to provide additional notice if they would like to do that.

So... hopefully, explicitly, every single year, the student receives FAPE and then eventually the student will pass the MCAS, complete local requirements, graduation happens. That's what we assume and know is the, happens for the great majority of students with IEPs. They graduate at the date that everybody expected, the student received FAPE, everything's good, no surprises.

In rare circumstances, I certainly hear this happen, the IEP team may look at each other and determine that the student needs more. The way this conversation, we anticipate would happen, is that the school district and the family would agree that the student hasn't quite fully‑received FAPE yet. Even though the student has earned the CD, the competency determination, more lingo. They pass the MCAS and complete the graduation requirements. The school folks and family folks talk to each other and say "yeah, we agree." Instead of providing services afterwards, they change the graduation date. They say this student isn't graduating in June 2018, the student will be graduating in June 2019. They changed that date and then they provide, they write an IEP that provides the necessary services that everyone agrees to. That's how it should work.

In some cases, for a few students, there's going to be a dispute. We know that. The family and student can't unilaterally refuse a diploma. In all of special education, any time you have a dispute about anything in special education, you follow certain procedures. Those procedures are namely that the student has stay put rights. They get to stay in their current placement. The student stays in that placement during the pendency of the dispute, unless the school district or parent mutually agree on another placement. The family and district will have opportunities to settle the dispute through resolution session or remediation, defined in IDEA. If they still can't resolve the dispute, the Bureau of Special Education Appeals can hear it. If the family and/or student with decision‑making powers decides to reject the final IEP on the basis the student hasn't received a Free and Appropriate Public Education, that third, necessary thing that students with IEPs need in order to graduate.

If a student hasn't graduating because of a pending FAPE dispute or agreement by the team to extend the graduation date, Department of Elementary and Secondary Education urges and encourages districts to allow the student to walk graduation.

I hope this happens, I know that I just got a call last week that didn't look like it was going to happen and they were having a FAPE dispute. I was a little disappointed in that. Our hope is that the district will allow students to walk in this circumstance. There is no law which says they must.

There is a small subset of students and little section of the law, general law, chapter 71B, section 16, that says districts must allow these students to walk and I'll let you go to the link, this is a motivation for you, incentive to go to the website, the link that Katie provided to the advisory and read the footnote. It explains the, that very small subset and what the reason is, what the criteria are for them to be allowed to walk graduation.

And that's the end of my presentation, I'd be very happy to talk with you some more, questions and answers. I want to encourage you at any time you want to, to give me a call. That's my contact information on the slide, I'm very happy to talk transition any time day or night practically. Thank you.

>> Katie: Thank you, Amanda, we did have one question so far from Jennifer. Let me just say first, any questions you have, you can type that in the chat box if you haven't accessed the chat box, quite yet, you can click on the icon on the bottom of your screen, it'll appear right away. I shared the link there again.

Let me get to Jennifer's question. Jennifer, it's a two‑part question. She said: I have a caseload of individuals on the autism spectrum who are passing MCAS, meeting graduation requirements and graduating with their class, but have extremely limited adaptive functioning. How do we reconcile a college‑bound student's academically tracked IEP with their need for goals and services related to the four post‑secondary domains? That's the first question. The second part is, how can this be done within the typical timeline, four‑year high school timeline?   
 >> Amanda: This is a terrific question raised by school district folks all the time. What I hear you saying, the IEP, as it's been developed by the IEP team with participation, hopefully from the student, but also, with the family, that IEP that has been signed and agreed to by families is academically focused and doesn't include services and supports that you, Jennifer, believe might have been appropriate to prepare the student for college life. I hear what you're saying. That IEP has been agreed to and signed every single year by the family. It does put the family in a difficult position, if they get to the end and say "wait a minute... I can see that Jonathan is not going to succeed in college, how come we didn't provide him with an IEP, swerves through the IEP all these years, it'll give him the functional skills he needs in college." That's a difficult conversation. I hear what you're saying, that's exactly why this advisory was issued to encourage IEP teams to start that conversation at age 14 and to say, look... Jonathan is going to be going to college, Jonathan has very poor social skills. Really doesn't know how to reach out to people, you know... via telephone or e‑mail or social media, has trouble with in‑person conversations. We need to work on that because they're going to have to be able to do that in college. Jonathan has no self‑advocacy skills, quiet as a mouse, never speaks up, relies entirely on his parents to advocate for him. Gosh, when John's on a college campus, he needs to know how to utilize a disability support office and speak to his professors and ensure he gets the support he needs and so on down the list. Absolutely, those are conversations that ought to happen. I hear that that's a problem.

The second part of your question is how the heck are school districts going to find time to do this? That is a $64 question. You put your finger on it. Schools ask the same question. "How are we supposed to do this in a very‑tight schedule?" When, you know... we are trying to help students pass the MCAS because that's so important. All I can say is, that's a systemic question for ‑‑ I'd say that's a systemic question for school administrations and it'd be an interesting conversation for agencies to have with school administrations, I think. You know... the more awareness we can raise around these issues, the better. The Department of Ed raises that issue systemically. I talked about reimagining school. This is part of that reimagination. Schools are built to, for ‑‑ they're imagined, right now, for services inside the four walls of the school. They get you to graduation, they, you know, help you achieve academically inside those four walls and then you leave and that's it.

When we say "gosh, you have to prepare students for success in those domains," that's a whole, that's a big thing. Not all schools are there yet. Globally, we're getting farther. This may be more of an answer than you want, but I think it's a great time to be doing this work. Students without IEPs, I, I've seen emerging consensus around the state, certainly the Department of Ed, many districts are thinking about how to prepare all students for careers. Increasingly internships and other work and learning experiences are being provided for all students. It's a great trend. Districts need to figure out how to parse up the school days so there's time for everything, but yeah, it's tough.

>> Katie: Thanks, Amanda. We've got a few more questions so far. Donna asked, "can you tell us the role of the TPF in this process? In my observation, districts are not using the TPF correctly." You can say what TPF ‑‑  
 >> I'd love to say what TPF is. The transition planning form. It's a very strange animal of a form. It's unique, as far as I know. IEP teams doing transition planning are required to use the transition planning form as a document that will record their brainstorming discussion. So... the no holds barred, everybody... just imagines and plans the best possible plan they can for the student this year, it's a great discussion tool. That form must be used at IEP meetings. It should be discussed before the IEP is created.

But... and this is why it's a weird document, nothing that is written on the transition planning form, the TPF is required to occur. The TPF is simply a discussion guide. And a discussion documentation tool.

Just because it's written on the TPF doesn't mean it's a required service. The IEP, by contrast, is a legal contract spelling out what the school is required to do. If the IEP team decides that something they've discussed on the transition planning form is something that must happen, that should be, then, be written on the IEP as the IEP is discussed second at the transition of the planning meeting. Okay?

Let me talk a second more about the power of the transition planning form? Why do we write down things that aren't required? Transition, by its nature, should be creative and should involve as many people as possible, in planning. That makes it more powerful. If you have a person‑centered process, where you can really think big... and you can involve, certainly, the school, the teacher, the guidance counselor, the work and learning coordinator, you can also include families and students and employers and neighbors and coaches and friends and anybody that you can think of can be recorded on the transition planning form. That's not true with the IEP. The IEP is a contract spelling out what the school will do. You can’t put everybody's voices on the IEP.

So... that's the purpose of the transition planning form, to really think as big as you possibly can and dream and imagine. The student's vision, which is recorded at the top of the transition planning form is cut and pasted into the IEP.

At that point, on the IEP, after it's cut and pasted into the IEP, other people on the IEP team, if they wish, can put down the ideas and thoughts they have about the students vision for the next one to five years as the form says.

Okay... that's a long answer, but I hope that's helpful.

>> Katie: Thanks, Amanda. We have quite a few more questions and comments, I'll go in order of how I receive them for now. Deb asked, in a case where a student was unavailable to work on goals or objectives due to repeated hospitalizations, would they be able to delay accepting a diploma and remain in school to meet the objectives or must they leave on the proposed graduation date?   
 >> Amanda: Okay, conversation they need to have. Have they received a Free and Appropriate Public Education? That's it. If the student is missing a lot of school, I'd think the conversation would likely be, gosh, the student has missed so much school, they weren't able to receive the supports that they need in order to move forward, so... gosh, we better delay graduation and, in fact, provide those supports. But that's an individualized decision that has to happen at the individual student/team level.

>> Katie: Thank you. So from Rachael. I work with students 18 to 22, so sometimes a student is transferred to me and I find out they're graduating that school year and have areas I think the school should have been working on since age 14. What is an appropriate way to work with the IEP team as a new member in those meetings?

>> Amanda: Well, this is where you become a diplomat. Because... any given person could have many ideas about what should have happened. All we can deal with is the present. Every year the family signs off on the IEP. You're seeing the student for the first time at age 18, 19, whatever, that family has been signing the IEP. The parents have been signing the IEP, age 13, 14, 15 ‑‑ they've been signing it all along. They've agreed with the services the school is providing.

So... it's a hard case to make, and I wouldn't make it, in your position, assuming you're representing an agency. That sort of should have, could have, would have. What I would say that might be a productive conversation is according to the assessments we've done, I suggest that the student would benefit from working on Y, Y, Z skills. It may be that you're running out of time because graduation is happening. That's what we're talking about with this advisory. It's going to be up to the family and student to say we're going to ‑‑ and the district, talking about is it appropriate to delay graduation, because of what we can see in the assessments. As we think back on the history and whether we fully provided FAPE or not. That's a conversation that needs to happen with the school folks and family folks. About whether FAPE has been delivered. If a family decides FAPE hasn't been delivered, they have the right to reject the final IEP and dispute resolution procedures apply. Hopefully... and I see this all over the state. Hopefully the school and the family can come to agreement and the school may very well say, absolutely, if you see that the student needs to have a Free and Appropriate Public Education, hasn't fully had that, we're happy to provide these services. Remember, the question is not "is the student ready?" Does the student have a certain level of skills? That's not the question. You could go on forever like that. There's always stuff that students could learn and need. One could argue that they need ‑‑ there's always going to be something. So... that's not the right question. The question is, has the student received a Free and Appropriate Public Education?

>> So Donna has a comment: Many state agencies do not determine adult eligibility until 18 years old. This is often past the date of graduation for some students. This makes transition services with an agency unavailable to those students while they're still in school. And that may actually be a response to ‑‑ so Kathy had a question. If a school district hasn't included the ‑‑ ‑‑ [captioner missed the rest of the question].

>> Amanda: Families are welcome to invite anybody they like to an IEP team meeting at any time. They could do that themselves. Let me talk about the school's responsibility to invite and involve. Under IDEA, the school district is required, if it's appropriate, there's that appropriate word again. To invite an adult agency, a participating agency, is what it says. If appropriate, to invite a participating agency with the prior consent of the family, sorry... the parent or student who is the age of majority.

So... to unpack that, is it appropriate to invite an agency? That's a question that has to be answered by the school and if the student is very young, for example, that's a case where it might not be appropriate. Depends. I mean, there's a lot of ‑‑ somebody could come back and say, I can think of ‑‑ anyway... is it appropriate? The other question is, do you have prior consent from the family? Sometimes the school hasn't been able to obtain consent from the parent and agency. It's perfectly valid for them not to invite them.

I also hear, fairly frequently, still, to my surprise that school districts will invite agency participation and agencies say no, we can't come.

So... that happens too. Let's talk about documentation on the IEP. The IEP is being improved and changed. That'll be happening over the next couple years. The current IEP form and IEP8 has a place where you can include additional information and that would be the place to record agency ‑‑ sorry, agency participation if the school district is making the decision to do so. Let me talk about the implications of this. The IEP is a legal contract saying what the school will do. Guidance from Department of Ed, we leave it to the direction of the school district to decide whether agency services are documented on the IEP or not. The reason we do that, is that IDEA also says that if an agency or provider, an outside entity doesn't provide the services written on the IEP, then it is the responsibility of the school district to provide those services.

So... you can see how that is a sobering thought for school districts. Thus, you see variation, school district to school district across state. Some school districts readily record agency services on the IEPs and some do not. I hope that answers Kathy's question. I can't remember the previous question, except that I think at the time, it sounded a question for Victor and Margaret. What was the question?   
 >> That was a comment from Donna, so... Donna said many state agencies do not determine adult eligibility until 18 years old. This is often past the date of graduation for some students, this makes transition services with an agency unavailable to their students while they're NCIL school. So, it was just commenting on that ‑‑  
 >> That sounds like Victor and Margaret to me.

>> Katie: Victor or Margaret, if you want to step in, if you have any comments about that?   
 >> Victor: That's something we face a lot along with other state agencies. We currently have discussions in terms of how to address that. Particularly with those who, with the expanded eligibility, you know... those with autism A to B and what that means for those who, you know... will not be in school until 22 and leaving earlier along with looking at regulations and eligibility requirements. That's definitely on the table here. Hopefully DDS, ourselves, having guidance on that, hopefully as soon as possible. Thank you.

>> Katie: Thanks, Victor. We have about four more questions and 15 minutes association... we'll try to get through these, if you have anymore questions that we don't get to, I'll share, Amanda's contact is on the screen, and I'll share Victor's contact as well. The next question is from Lisa.

Can you elaborate on how school districts should contact DD is about graduation date changes. If someone originally planned to graduate at 22, is now, with minimal notice, will be graduating earlier. Decreasing transition planning time.

>> Amanda: Huh! I have to admit, that's a new question for me, I'm writing it down. In some cases, it may be that there's an existing relationship with a representative from an agency. I'd imagine it'd be up to that relationship, but... as far as I know, there's no official mechanism right now to do that. That's very interesting question. I don't know if Victor or Margaret have thoughts on that.

>> Victor: What I tell our service coordinators and also families, when I do workshops, many times we rely on the families to keep us updated. That... you know, we may think somebody's graduating at a certain time, but things could happen that they need to pass MCAS or graduation requirements. So... we tell families a lot at workshops, it's important to keep the DDS transition services coordinator updated with any changes. We rely on them to make sure that we know what's going on or, if there's something that happens with the student. If they're in crisis or something like that. We need know that as well. That's why we rely on the families a lot for that information.

>> Amanda: Thank you.

>> Katie: Thanks, Victor. I was just sharing your contact in the chat for those who have additional questions also. And we have a few more questions and we have a little more time. Let me get back to the list. Hako asks for students attending vocational, technical schools, how can an IEP be implemented in the student has met graduation requirements, but the team agrees the student needs another year?

>> Amanda: Can you repeat that?   
 >> Katie: For students attending a voc tech school, how can an IEP be implemented if the student met the requirements but the team agrees the student needs another year.

>> Amanda: When you say met graduation requirements, there are three. MCAS, local requirements and FAPE. So, I'm going to assume you met they passed the MCAS and met local requirements, but haven't fully received FAPE. In which case, it's up to the IEP team at the voc tech school to decide what supports and services the student needs. Same as any other student, no matter where they are. In order to move them closer toward achieving their goals and it's up to the IEP team to decide what's appropriate. I couldn't make the blanket statement about what you know... voc tech schools should do that's different from any other school.

>> Katie: The next question from Gwen. I have an ASD caseload, a caseload of clients with Autism Spectrum Disorder, how do you reconcile working with the school team around graduation when the individual is presumed competent and guardian of self and the individual wants to graduate, but parents feel they're not ready and the school "sides" with the student because they're competent.

>> Amanda: If the school is siding with the student, I'm happy to hear that. The student, if they're their own legal guardian, has the legal, I'd say, human right as an adult to make their own decisions, that is a whole sort of Pandora's box of questions. Should students be their own guardian? Those are decisions and conversation that's should have happened well before the student reaches age 18, which is the age of majority.

So... it happens all the time, that students ‑‑ I mean, think of the average teenager you know. Think of yourself as age 18. Maybe you were eager to get out of there. Many students are eager to leave. It makes sense that happens an awful lot of time. It's the school's legal responsibility to ensure they respect the student's wishes, if that student has full guardianship. As I say, it's really important to have those conversations early, a full‑year before the student turns 18, the family and student should have been notified that the student will reach the age of majority one year hence. And... so... the family, hopefully, has been, has walked, been walked through the different scenarios, possibilities for guardianship. You know... shared decision‑making, all the way to full guardianship.

>> All right... thank you. Eight minutes left, two more questions and comments for now. Brendon says thanks for taking the time to speak with us, Amanda. What language should DDS or other providers be using when working with families as they ask about entitlements and extending their date of graduation. Families are very confused by the FAPE guidelines and it feels unfair for outside providers that districts are not forthcoming with families about what options are available.

>> Amanda: What language should we use when talking about entitlement and graduation? When you say it's the school districts are not clear... I assume you're talking historically they're not clear. I think that's always true, you know... education is a world of jargon. That's always a big challenge for us at state level and districts to speak in clear language.

As far as this advisory goes, students have an entitlement to special education until they have had all three things. Until they pass the MCAS and met local graduation requirements and receive FAPE. You know... what FAPE is, Free and Appropriate Public Education, as I've explained, is very difficult to explain and so... I'm afraid if you introduce complexity at the same time when we were trying to make things clearer but... I mean, that's what families need to know. And they need to know that their kids are entitled to FAPE and the LRE, all the way through special education. Parents education is an important thing. I'm not sure what else to say about that. So... I hope that was helpful.

>> Katie: Thank you, the last comment we have right now in the chat is from Mark. A common theme in this overall topic is the IEP, IEP goals and IEP being signed. I believe a huge problem with this is how the families and the student do not understand that they're essentially signing a contract.

>> Yep.

>> Katie: Frequently, the families do not even understand the goals. Is there way to draw more attention to the signing of the IEP and implications of the IEP being signed?

>> Amanda: I'm very open to your ideas. We have an IEP project that's been going on for a few years and will be going on for another year or two. We're creating an online IEP. Is intended to be, designed to be a best practice process that will walk IEP teams through the development of the IEP and giving them prompts and tips and all along the way. Hopefully that will help improve the understanding, family's understanding. There are 57,000 students annually who are of transition age in Massachusetts. Ages 14 to 22, students with IEPs, 57,000 every year.

Working together, the agencies and schools and providers, support centers, family support centers, we can figure this out. The more we can all produce materials and resources that are accessible to families, the better.

>> Katie: Thank you, Amanda, Victor as well. Thank you everyone for attending today and asking all the questions. This was great. That's all the questions that we have in the chat, but... again, I left Amanda's e‑mail in the chat box, as well as Victor from the department ‑‑ oh, looks like one more question, we have a few more minutes, let's take this question by Pamela. What about training by the school statistic and parents with IEP rules and procedures?   
 >> Amanda: So, there's a requirement under state law that every school district have a special education parent Advisory Council. And... one training per year, at least one training annually is required that school districts provide for that special education, Parent Advisory Council on their basic rights in special education that. Should be happening.

That said, not every school district has a Parent Advisory Council simply because these things are run by parents and volunteer organizations. You can understand that despite the best efforts of the school destrict to encourage parents to form their own organization, sometimes that might not happen. That mechanism does exist. The large urban districts sometimes have family centers where they do provide these plans. So... it's going on, but it's a continuing challenge, as I said, because of the numbers we're dealing with.

>> Katie: Thank you. I think that's all the time we have. Again, this'll be recorded, archived and posted on the employmentfirstma.org, probably in the next week, you'll be able to find it there. We'll also send a link out to everyone who is registered. So... as a reminder.

>> Amanda: Terrific, thank you very much.

>> Katie: Thanks, everyone. Have a great day.

>> Amanda: You too.

[Call concluded at 10:58 a.m. ET].

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