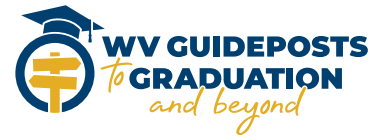


Secondary Transition Plan

Indicator 13 - Monitoring Process



Overview

This is a compliance indicator that measures the percentage of youth with IEPs aged 14 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age-appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition service needs. The target for this indicator is 100% compliance on the annual Indicator 13 data pull. There are a total of ten (10) items reviewed and **if any one item is deemed noncompliant, the entire secondary transition plan is considered noncompliant.**

The LEA is considered noncompliant when the following occurs:

The local educational agency (LEA) identified as having a secondary transition plan that does not contain all the required elements as outlined in federal and/or state regulations, including evidence related to:

- appropriate measurable post-secondary goals that are updated annually and based upon age-appropriate transition assessments,
- courses of study and transition services that will enable the student to meet their post-secondary goals,
- annual IEP goal(s) related to the student's transition services and needs,
- the student was invited to the transition meeting, and
- outside agencies responsible for paying for transition services were invited to the secondary transition IEP meeting, when appropriate and after obtaining parent consent.

Consistent with OSEP QA 23-01, the State must verify that the LEA (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance with the relevant IDEA requirements) based on a review of updated data and information, and (2) has corrected each individual case of student-specific noncompliance, unless the student is no longer within the jurisdiction of the LEA, and no outstanding corrective action exists under a State complaint or due process hearing for the student-specific compliance (OSEP QA 23-01, B-10). In addition, "the State must ensure that when it identifies noncompliance with IDEA requirements, the noncompliance is corrected as soon as possible, and in no case later than one year after the State's written notification of noncompliance" (OSEP QA23-01, B-13).

This document outlines specific steps required by the LEA so that the West Virginia Department of Education (WVDE) Office of Special Education (OSE) can ensure that the LEA has corrected all instances of noncompliance and is correctly implementing the requirements of IDEA.

Monitoring Process

To ensure LEAs meet the regulatory requirements related to secondary transition plans for students with IEPs ages 14-21, the WVDE OSE monitors for Indicator 13 compliance on a four-year cycle. LEAs chosen are typically the same ones identified for cyclical monitoring during any given school year. However, LEAs identified on the four-year rotation may be subject to realignment if credible allegations require more immediate action(s). Reviews may also be conducted for new LEAs in their second year of operation, or LEAs identified through the State's accountability system. The results from the Indicator 13 Data Pull become the LEA's score for Indicator 13 in the Annual Desk Audit (ADA) conducted in the spring for all State Performance Plan / Annual Performance Report (SPP/APR) indicators, and it is one of the required components in annual LEA Determinations. Timely correction of noncompliance is also reflected annually on the LEA Determinations.

If the LEA receives any written notification of noncompliance for secondary transition plans, they are required to participate in annual Indicator 13 Data Pulls until they achieve 100% compliance.

Technical Assistance and Professional Development Opportunities (July – January)

Approximately six (6) months prior to the annual Indicator 13 Data Pull, LEAs have multiple opportunities to engage in technical assistance and support to ensure they are meeting the regulatory requirements for Indicator 13 (i.e., 100% compliance on their annual Indicator 13 Data Pull). This includes the option for LEAs to complete as a team, or individually, the “Writing High Quality Secondary Transition Plans” Canvas course developed by the WVDE, participate in bi-monthly office hours focused on secondary transition planning processes, utilize resources on the WV Guideposts to Graduation website, and engage in targeted or intensive support provided by WVDE OSE staff.

In addition, if the LEA wishes to conduct internal monitoring of their own secondary transition plans, WVDE OSE has provided a Secondary Transition File Review Checklist - 2024 which can be used to walk LEAs through their self-review. Following completion of the internal review, the LEA should correct any identified areas of noncompliance through a full or targeted IEP meeting, or by appropriately amending the IEP if the noncompliance is the result of a clerical error. LEAs that regularly self-monitor secondary transition plans tend to have better compliance results during the annual Indicator 13 Data Pull. Secondary transition file review checklists used for internal monitoring, at this optional level, should not be sent to WVDE OSE.

Indicator 13 Data Pull from State Data System (February – April)

The Indicator 13 Data Pull from the State’s online data system (WVEIS) includes having **a minimum of five (5) and a maximum of fifteen (15)** secondary transition plans randomly pulled for the current school year and reviewed by WVDE OSE staff. This review follows the Secondary Transition File Review Checklist to determine whether the secondary transition plan is considered compliant for Indicator 13. The checklist contains the criterion for each of the compliance items reviewed and **if any one item is deemed noncompliant, the entire secondary transition plan is considered noncompliant**. If the LEA achieves 100% compliance for this data review, no further action is required until the next monitoring event. If the LEA achieves less than 100% compliance, written notification of noncompliance is issued and the process for correction of noncompliance begins.

NOTE: *The number of files reviewed is based on the previous year’s December 1 child count. The number of files chosen will be based upon the total population of transition age students for each monitoring cycle and the number of larger LEAs in each cycle. The methodology for the sample size can be provided upon request.*

Written Notification of Noncompliance (June/July)

Consistent with WVDE OSE’s procedures for issuing letters of noncompliance, written notifications identifying Indicator 13 noncompliance are issued generally within 90 days from when WVDE OSE staff confirms the noncompliance. This notification includes details specific to the areas of noncompliance identified in each student file reviewed, as well as the required corrective actions and best practices for preventing future noncompliance. The LEA must correct all noncompliance as described in this document.

Correcting Findings of Individual Noncompliance (as soon as possible)

To correct individual student-level noncompliance, each student’s transition plan will be reviewed and corrected to 100% compliance **within 60 days of written notification** unless the student is no longer in the jurisdiction of the LEA. After the 60-day timeline, WVDE OSE staff will use the statewide database (WVEIS) to verify corrections for **each** individual case of previously identified noncompliance.

If corrections of noncompliance have not been corrected within the 60-day timeline, WVDE OSE will continue to work with the LEA to ensure that **all corrections of individual noncompliance have been corrected as soon as possible**.

Corrections for individual noncompliance must be made through a targeted or full IEP meeting, or by appropriately amending the IEP if the noncompliance is the result of a clerical error (see Policy 2419 Ch. 5 §3.B). Evidence of any discussions regarding the potential need for compensatory services must be documented in the prior written notice (PWN) in WVEIS.

WVDE OSE will begin verification of correction for individual student files in WVEIS as soon as possible after the 60-day timeline to ensure students are receiving FAPE from the LEA.

Correcting Findings of Systemic Noncompliance (July – December)

All corrections of systemic noncompliance should begin as soon as possible and must be completed within 6 months of written notification. This allows WVDE OSE staff time to verify within the required one-year timeframe that the LEA's correction of noncompliance addresses the extent and root cause of the identified noncompliance, in addition to ensuring that student-specific and systemic corrections have been completed (OSEP QA 23-01, B-14). LEAs may not be considered cleared for systemic noncompliance if at any time they have individual cases of noncompliance not corrected within one year or have not completed corrective activities specified in written notification of noncompliance.

Regardless of the level of noncompliance, WVDE OSE staff will also review updated data prior to clearing corrections of noncompliance. This process will verify that the LEA is correctly implementing the regulatory requirements and has achieved 100% compliance. The number of files reviewed is based on the previous year's December 1 child count. For LEAs with >2500 students with disabilities (excluding gifted/exceptionally gifted), five (5) additional files will be reviewed; all other LEAs will have three (3) additional files reviewed. If 100% compliance is not achieved, additional WVDE/OSE data pulls will be necessary to clear noncompliance.

The WVDE OSE has established a tiered methodology for identification and correction of systemic noncompliance related to secondary transition plans reported in Indicator 13. This tiered approach is based on scores reported on the LEA Determinations and allows WVDE OSE staff to determine whether the noncompliance was an isolated incident or a longstanding issue that has been the subject of repeated corrective action plans (OSEP QA 23-01, B-14).

Universal Method

Includes LEAs who score **between 80% and 99%** compliance on their Indicator 13 Data Pull. The LEA can typically address the isolated incident of noncompliance with the correction of individual cases of noncompliance.

While not required, **LEAs are strongly encouraged** to enroll in the “*Writing High Quality Secondary Transition Plans*” Canvas course developed by the WVDE, develop their own training based on the resources provided on the WV Guideposts to Graduation website, and/or conduct internal monitoring of their own secondary transition plans. LEAs are encouraged to document their processes and practices for reviewing secondary transition plans.

Targeted Method

Includes LEAs who score **between 70% and 79%** compliance on their Indicator 13 Data Pull. While the correction of individual noncompliant IEPs is still a requirement, **LEAs must also have all staff** who write, or review transition plans **successfully complete the “Writing High Quality Secondary Transition Plans”** Canvas course developed by the WVDE prior to the next Indicator 13 Data Pull. Meeting this requirement involves the following:

- Successful completion occurs when 80% of staff enrolled in the course achieve a minimum score of 80% on the final quiz.
- Staff have three (3) attempts to take and pass the final quiz (they must wait 7 days between each attempt). The highest score is automatically recorded and considered the final grade for the quiz.
- Staff will receive a certificate of completion for all scores 80% or above. LEAs are encouraged to collect these certificates as WVDE OSE staff could request them as part of other monitoring activities.

While not required, **LEAs are strongly encouraged** to develop additional internal trainings based on the resources provided on the WV Guideposts to Graduation website, and/or conduct internal monitoring of their own secondary transition plans. LEAs are also encouraged to conduct a root cause analysis as the basis for improving their processes and practices in writing or reviewing secondary transition plans.

Intensive Method

Includes LEAs who score **between 0% and 69%** compliance on their Indicator 13 Data Pull. While the correction of individual noncompliant IEPs is still a requirement, **the LEA must also engage in** the following activities:

- have all staff who write or review transition plans, successfully complete the “*Writing High Quality Secondary Transition Plans*” Canvas course developed by the WVDE prior to the Indicator 13 data pull (see targeted method above); and
- **conduct internal monitoring for five (5) secondary transition plans.** WVDE OSE has provided a Secondary Transition File Review Checklist - 2024 which can be used to assist with this review. LEAs are required to submit the results of this review through the *LEA Self-Review Form* (an excel sheet is provided to the LEA when notified which student files are to be examined). WVDE OSE will then conduct a review of these same files to identify where the LEA needs additional training and support. This self-review is used for consensus building and training to build capacity for LEAs to meet the 100% compliance target and upon WVDE OSE verification of the self-review, this process will also verify that the LEA is correctly implementing the regulatory requirements and has achieved 100% compliance. If 100% compliance is not achieved, additional WVDE/OSE data pulls will be necessary to clear noncompliance.

Longstanding Noncompliance

If the LEA does not meet the 100% target for longer than one year, although corrections have been resolved each year, **the LEA must**

- conduct a root cause analysis as the basis for improving their processes and practices in writing or reviewing secondary transition plans, and
- complete the “*Indicator 13: LEA Processes and Procedures*” protocol, to revise policies, practices, and procedures as needed to ensure that timely correction of noncompliance is achieved no later than one year from written notification, and that specific actions are being taken to address deficiencies that reoccur for multiple years.

When the LEA receives written notification of longstanding noncompliance it will include the level of sanctions as described in the “*Sustaining Compliance and Improvement*” section of WVDE OSE’s “*Results Driven Accountability: General Supervision System*” document.

Resources

West Virginia Guideposts to Graduation

Resources can be found at <https://wvde.us/academics/special-education/wv-guideposts-graduation>

Related IDEA Requirements

- Transition services: The IEP, beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team and updated annually thereafter, must include appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment and where appropriate, independent living skills; the transition services (including courses of study) needed to assist the child in reaching those goals. [34 C.F.R. § 300.320\(b\) and \(c\)](#).
- The term ‘transition services’ is defined in [20 U.S.C. 1401\(34\)\(A\) through \(C\)](#); [20 U.S.C. 1401\(34\)](#); [34 C.F.R. § 300.43](#).
- Free appropriate public education (FAPE). [20 U.S.C. 1412\(a\)\(1\)\(A\)](#); [34 C.F.R. § 300.101\(a\)](#).
- Consideration of special factors (behavior, limited English proficiency, blind or visually impaired, communication needs). [20 U.S.C. 1414\(d\)\(3\)](#); [34 C.F.R. § 300.324\(a\)\(2\)](#).
- Development, review, and revision of IEP. [20 U.S.C. 1414\(d\)\(3\)](#); [34 C.F.R. § 300.324](#).
- Access to instructional materials. [20 U.S.C. 1412\(a\)\(23\)](#); [34 C.F.R. § 300.172\(a\)](#).