



Bureau of
Special Education Support

Guidance Document
for
Compliance with Indicator 13:
Secondary Transition



New Hampshire

Department of Education

TABLE OF CONTENTS

	Page
Purpose of Indicator 13.....	2
What is Indicator 13?	2
Monitoring Procedures.....	3
Initial Monitoring Process.....	6
Data Collection and Reporting.....	7
Process for Correction of Noncompliance	7
Prong 2 Monitoring Process.....	8
Corrective Actions	9

ATTACHMENTS

A – Scoring Rubric for LEA Determinations.....	10
B – IDEA Basis for Indicator 13.....	11
C – NH Indicator 13 Compliance Checklist	12

Purpose

The purpose of this guidance document is to provide New Hampshire school district personnel with information about the New Hampshire Department of Education (NHED), Bureau of Special Education Support's (the Bureau's) process for monitoring compliance for the Special Education State Performance (SPP) Indicator 13 and to offer resources on writing transition components into an IEP.

The New Hampshire Rules for the Education of Children with Disabilities Ed 1109.01(10) indicates an Individualized Education Program (IEP) must include: *A statement of transition services that meets the requirements of 34 CFR 300.43 and 34 CFR 300.320(b), with the exception that a plan for each student with a disability beginning at 14 or younger, if determined appropriate by the IEP team, shall include a statement of the transition service needs of the student under the applicable components of the student's IEP that focuses on the student's courses of study such as participation in advanced-placement courses, vocational education, or career and technical education¹.* However, for Indicator 13, the State Performance Plan (SPP) only focuses on students aged 16 and above in accordance with IDEA 2004. Therefore, this guidance document is written specifically for Indicator 13 requirements for the aforementioned age group.

What is Indicator 13?

Indicator 13 is one of 17 Indicators (performance measures) that the federal government uses to monitor state performance relative to Federal Special Education laws. Indicator data is reported annually, (in the Annual Performance Report, or APR), to the federal government as part of the IDEA- Part B Special Education State Performance Plan (SPP). The definition for Indicator 13 is as follows:

The percent of youth with IEPs aged 16 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 services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency that is likely to be responsible for providing or paying for transition services, including, if appropriate, pre-employment transition services, as

¹ The New Hampshire Rules for the Education of Children with Disabilities Ed 1109.01(10)

invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority².

Monitoring Procedures

The Bureau will monitor secondary transition plans for randomly selected students from every LEA every year. Indicator 13 Compliance monitoring is conducted via desk audits for LEAs using the New Hampshire Special Education Information System (NHSEIS) and via a virtual meeting for LEAs not using NHSEIS.

Professional development opportunities are available by the Bureau at no cost to support the LEAs understanding of the components of secondary transition planning for Indicator 13. These components include writing measurable post-secondary goals, completing age-appropriate transition assessments, selecting transition services, course of study, linking measurable annual IEP goals to transition, inviting students to IEP meetings, and obtaining prior parent consent to invite collaborative agencies.

The New Hampshire Special Education Information System (NHSEIS) is used to generate student level information for file selection for Indicator 13 Compliance monitoring. Each LEA is provided with a predetermined number of SASIDs consisting of a representative sample considering gender, age, ethnicity, disability, case manager, high school(s), and placements (to include charter schools, out-of-district and out-of-state). The number of SASIDs monitored for each LEA is based on the total number of Indicator 13 eligible students enrolled at the time the SASID lists are generated. The chart below identifies the break-down:

# of Eligible Indicator 13 Students in the LEA	# of Files to be Reviewed during Initial Monitoring
1 - 9	1
10 - 19	2
20 - 39	4
40 - 59	6
60 - 79	8
80 - 99	10
100 - 149	12
150 - 199	17
200 - 299	22
300 - 399	32
400 - 499	40
500 - 599+	50

² 20 U.S.C. 1416(a)(3)(B)

Between two - five additional SASIDs, (for LEAs with additional Indicator 13 eligible students), will be provided in case unexpected changes occur to a selected student's status, such as transferring to another school district or exiting special education. If additional SASIDs are needed they must be used in the order listed. The *NH Indicator 13 Compliance Checklist (Checklist)* will be used to evaluate compliance for each SASID number. **All seven items on the Checklist must meet the requirements for Indicator 13 Compliance in order to meet the target of 100%.** The Bureau will use an Indicator 13 Compliance Matrix (Matrix) to document compliance for each item on the Checklist. The Matrix will identify whether a Checklist item was compliant or noncompliant and provide detailed information for any item not meeting the requirements of Indicator 13.

The Bureau will calculate an LEA's compliance percentage, (based on the results from the initial monitoring review), by dividing the total number of files in 100% compliance by the total number of Indicator 13 files reviewed and multiplying that number by 100. Example: six (6) 100% compliant SASIDs out of eight (8) total SASIDs x 100 or $6/8 \times 100 = 75\%$ compliance. This percentage score is reported in the SPP/APR and used in LEA Determinations.

Each LEA will be notified of the of the findings of compliance or noncompliance in writing as soon as possible, but no later than 30 days from the date of the monitoring review. Feedback will be provided on the Matrix and accompany the written notification.

In preparation of demonstrating the compliance requirements for Indicator 13, the LEA's special education administrators, coordinators and case management staff should:

- (1) Review the *Checklist*.
- (2) Form study groups within their special education department where staff review one another's IEPs for the seven items listed on the *Checklist*.
- (3) Participate in an Indicator 13 Compliance training session offered by the Bureau.

Initial Monitoring Process

The following steps outline the process the Bureau will follow when conducting the initial monitoring review for Indicator 13 Compliance:

1. The Bureau will appoint Indicator 13 monitoring reviewers who are trained to identify compliance with Indicator 13.
2. For LEAs who use NHSEIS the initial monitoring review will be conducted via a desk audit in NHSEIS.
3. For non-NHSEIS LEAs the initial monitoring review will be conducted via a virtual meeting.
4. The Bureau will provide a list of student SASID numbers to Special Education administrative personnel four weeks prior to the initial monitoring review. The list will contain an additional two - five SASID numbers, if possible, that can be used in the event any of the student SASIDs on the list have since transferred, exited special education, graduated, or otherwise exited that LEA.
5. For desk audits conducted via NHSEIS, any evidence not reviewable in NHSEIS will need to be paperclipped/attached to the most recent NHSEIS IEP. Such items may include transition assessments, evidence that the student was invited to the IEP meeting, and if necessary, evidence that the parent or adult student gave prior consent to invite any outside agency, identified as being responsible for a transition service, to the IEP meeting. (See item number 9 below for non-NHSEIS LEAs).
6. LEA's will review their Indicator 13 selected student files for the initial compliance monitoring using the Indicator 13 Checklist. LEA's using NHSEIS will need to paperclip/attach required Indicator 13 evidence (items not reviewable in the IEP) to the current NHSEIS IEP for each student selected, including the alternate students.
7. The initial monitoring review will take place between the months of November and December.
8. For any SASID number where documents from the cumulative student file are needed as evidence for initial monitoring, the LEA will sign Bureau staff in on the Record of Access, using the date the document is paperclipped/attached.
9. To determine compliance with Indicator 13, the monitoring team will review the secondary transition plan, contained in the current IEP for each SASID number on an LEA's list using the *Checklist*.
10. For LEAs that do not use NHSEIS, the Bureau will schedule a virtual meeting within the first two weeks of November. During the virtual meeting the LEA will screen share the current IEP and all required Indicator 13 evidence for each selected SASID, including alternate SASIDs if needed.

Data Collection and Reporting

The results of the initial monitoring review will serve as compliance data for LEA Determinations.³ LEAs will be notified, in writing, of findings of compliance or noncompliance as soon as possible, but no later than 30 days from the date of the initial monitoring review. The notification letter, along with the Matrixes for each SASID, will be provided to the Special Education Administration and the District Superintendent of Schools. Data collected from each LEA is compiled into the Indicator 13 Compliance database. Information recorded includes:

- i. LEA Name
- ii. School Name
- iii. SASID Number
- iv. Type of Placement/School (public school, charter school, public academy/JMA (joint maintenance agreement), Out of District (including NH approved private special education programs), and Out of State)
- v. Indicator 13 monitoring team reviewer name
- vi. Date of finding(s)
- vii. Items in compliance
- viii. Items in noncompliance (detailed information outlining specific areas of noncompliance is noted on the Indicator 13 Matrix for each student file reviewed)
- ix. LEA percentage of compliance
- x. Date of written notification to district of their findings of compliance or noncompliance

Process for Correction of Noncompliance

Indicator 13 is a compliance Indicator, comprised of two stages, Prong 1 and Prong 2. Prong 1 includes the initial monitoring review of randomly selected SASIDs for all Indicator 13 regulations as well as any required child specific corrections and Corrective Action.

An LEA found in 100% compliance after the initial monitoring review has no follow-up requirements and will receive written notification of compliance within 30 days of the monitoring review.

³ See Attachment A

An LEA not in 100% compliance after the initial monitoring review will receive written notification of findings within 30 days of the monitoring review and enter into Prong 2. Correction of child-specific findings of noncompliance, identified during the initial monitoring review and outlined in the written notification, must be corrected within 60 days from the written notification. LEA's should review their Initial Indicator 13 Compliance Findings Letter and Indicator 13 Matrix for each SASID for accuracy. Please contact the Bureau by February 14th to have any discrepancy reviewed. The Bureau will conduct a desk-audit via NHSEIS to verify child-specific corrections or a virtual meeting for LEAs not using NHSEIS. If a student with child specific corrections has exited special education and/or the LEA, the LEA will need to contact the Bureau as corrections cannot be made since the student is no longer their responsibility. To satisfy Prong 1 Corrective Action, LEAs will need to submit documentation that the Matrixes for SASIDs with noncompliance were reviewed with appropriate staff and/or training was provided for areas of noncompliance. Documentation of when such training occurred and a list of staff participating must be submitted to the Bureau within 60 days from the notification of findings.

Prong 2 Monitoring Process

Prong 2 mandates the correct implementation of Indicator 13 regulations, which is evidenced by a second monitoring review (using new SASIDs) for **only the areas** of noncompliance identified during the initial monitoring. The number of SASIDs selected for Prong 2 will be based on the LEAs level of compliance from the initial monitoring review. Below is a chart outlining the break-down:

Percentage of Compliance per District after the Initial Monitoring	# of Files to be Reviewed per District Based on the Percentage of Initial Compliance*
100%	0
67% - 99%	1
34% - 66%	2
0% - 33%	3
* A district will never be asked to review more files than what was reviewed during the initial monitoring	

The Bureau will notify LEAs of the number of SASIDs required for Prong 2 and the monitoring timeline by mid-March. Once notified, LEAs will inform the Bureau of the Indicator 13 eligible students selected for the Prong 2 review and, if needed, have any required evidence paperclipped/attached to the NHSEIS IEP. For each LEA, NHSEIS or non-NHSEIS users, Prong 2 monitoring will be conducted in the same manner as the initial monitoring process.

Findings identified during Prong 2 must be corrected within one year from the initial written notification of findings (Prong 1). The LEA must demonstrate implementation of Indicator 13 regulations with complete fidelity by achieving 100% compliance during the Prong 2 monitoring review.

Once 100% compliance is confirmed, the Bureau will send written notification to the Special Education Administration and the District Superintendent of Schools that the Indicator 13 areas of noncompliance have been corrected and no further action is required.

Corrective Action Plan

An LEA not meeting 100% compliance within one year from the initial written notification of findings (Prong 1) will require additional Corrective Action Plan, whereby the LEA will develop a corrective action plan to identify the root causes(s), such as practices, procedures, and policies, leading to the findings of noncompliance.

If an LEA does not correct identified noncompliance in a timely manner (within one year from identification), the state will take enforcement actions (such as the redirection of federal IDEA funds).

ATTACHMENT A – Scoring Rubric for Indicator 13 LEA Determinations

Upon completion of each LEA’s Indicator 13 Initial Monitoring visit, districts will receive written notification of their Indicator 13 compliance percentage. (The compliance percentage is calculated by dividing the total number of files in 100% compliance by the total number of Indicator 13 files reviewed for that district and multiplying that number by 100). Each district’s compliance percentage will be used in determining their Indicator 13 score for the LEA Determinations Rubric as illustrated in the table below.

F. Indicator 13: Secondary Transition				
Percent of youth ages 16 and above with annually updated measurable postsecondary goals based upon a transition assessment, including courses of study, transition services, and annual goals related to transition needs. Also evidence the student was invited to the IEP meeting, and if appropriate, permission to invite and involve outside agencies who may be responsible for transition service(s).				
Rubric	State Target	State Data	LEA Data	LEA Score
Met Target -----	0 Points			
Met State Data, but not Target -----	1 Point	>=		
Did not meet State or Target -----	2 Points	100.00%		
Not Applicable -----	NA			
Target:	Greater than or equal to [>=]	100.00%	in school year:	
	The percent of youth aged 16 and above with an IEP that includes all required areas			
Data Source:	State review of District files.			

IDEA Basis for Indicator 13

CFR 34 §300.43 Transition Services

- (a) 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 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;
 - (2) is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests; and includes—
 - (i) instruction;
 - (ii) Related services;
 - (iii) Community experiences;
 - (iv) The development of employment and other post-school adult living objectives;
 - (v) If appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.
- (b) Transition services for children with disabilities may be special education, if provided as specifically designed instruction, or a related service, if required to assist a child with a disability to benefit from special education.

CFR 34 §300.320(b) Transition Services – 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, the IEP must include -

- (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 child in reaching those goals.

CFR 34 §300.321 (b) Transition Service Participants

- 1) In Accordance with paragraph (a)(7) of this section, the public agency must invite the child with a disability to attend the child’s IEP Team meeting if a purpose of the meeting will be the consideration of the postsecondary goals for the child and the transition services needed to assist the child in reaching those goals under §300.320(b).
- 2) If the child does not attend the IEP Team meeting, the agency must take steps to ensure that the child’s preference and interests are considered.
- 3) To the extent appropriate, with the consent of the parents or a child who has reached the age of majority, in implementing the requirements of paragraph (b)(1) of this section, the public agency must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.

CFR 34 §300.322 Parent participation

- (b) *Information provided to parents.*
- (2) For a child with a disability beginning no later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, the notice also must --
 - (i) Indicate –
 - (A). that the purpose of the meeting will be the consideration of the postsecondary goals and transition services for the child, in accordance with §300.320(b); and
 - (B). that the agency will invite the student; and
 - (ii) Identify any other agency that will be invited to send a representative.

New Hampshire Indicator 13 Compliance Checklist Form

SAU No: _____ School Name: _____ SASID # _____ IEP Date: _____

Indicator 13 Checklist Questions	YES	NO	If No, Explain/Detail Areas of Noncompliance
1. Is there an appropriate measurable postsecondary goal (MPSG) or goals that covers education or training, employment and, as needed, independent living? IDEA and NH Rules Citation: Ed 1109.01(a)(1);34 CFR 300.320 (b)(1)	Y	N	Education or Training: Y N Employment: Y N Independent Living Y N NA Goal must project that it will happen after high school (post-school). Measurable – can the activity be measured/counted; can it be observed, done or accomplished?
2. Is there evidence that the measurable post-secondary goals are annually updated and based upon an age-appropriate transition assessment? IDEA and NH Rules Citation: Ed 1109.01(a)(1);34 CFR 300.320(b)(1)	Y	N	Date of Transition Assessment: _____ Date of IEP Meeting: _____ Area of interest: _____
3. Are there transition services in the IEP that will reasonably enable the student to meet his or her measurable post-secondary goal(s)? IDEA and NH Rules Citation: Ed 1109.01(a)(1); 34 CFR 300.320(b)(2); Ed 1109.01(a)(10); 34 CFR 300.43(a)(1); 34 CFR 300.43(a)(2); 34 CFR 300.43 (b); Ed 1109.03 (i); 34 CFR 300.324(c); Ed 1109.03 (j)	Y	N	Coordinated activities that help support the MGPGs; activities, exposures, opportunities that help to prepare students to get to where they want to go after high school.
4. Do transition services include a course of study that will reasonably enable the student to meet his or her measurable post-secondary goal(s)? IDEA and NH Rules Citation: Ed 1109.01(a);34 CFR 300.320 (b)(2); Ed 1109.01(a)(10)	Y	N	
5. Is there at least one annual IEP goal related to the student’s transition service needs? IDEA and NH Rules Citation: Ed 1109.01(a);34 CFR 300.320(a)(2)(i)(B);34 CFR 300.43	Y	N	Annual goals connect to transition services and MPSGs. Annual goals are part of the transition services big picture plan and how they work with the course of study based upon where a student is functioning to get them to where they want to go after high school.
6. Is there evidence that the student was invited to his or her IEP Team meeting where one of the purposes was considering the postsecondary goals and transition services needed to assist in reaching those goals? IDEA and NH Rules Citation: Ed 1103.01(a); 34 CFR 300.321(b)(1); 34 CFR 300.322(b)(2)	Y	N	_____ Student was invited to the IEP meeting _____ The consideration of postsecondary goals/transition services was one of the meeting purposes identified on the invitation
7. If appropriate, is there evidence that a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority? IDEA and NH Rules Citation: 34 CFR 300.321(b)(3); 34 CFR 300.322(b)(2)(ii)		Y N NA	
Does the IEP meet the requirements of Indicator 13? (circle one)			YES (All Ys or NA for each of the items above) NO (One or more N for the items above)

Reviewers Signatures: _____ Date: _____