

Postsecondary Transition and the Courts: An Update

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Abstract

Postsecondary transition programming for students with disabilities has been a priority for state departments of education, local school districts, and individual education program planning teams since a transition requirement was added to the Individuals With Disabilities Education Act (IDEA) in 1990. Whereas the legal requirements of transition programming are clear, it is instructive to see how courts have interpreted this mandate. In this article, we review six district-level court cases from 2012 to 2013 that involved postsecondary transition planning and services provided under IDEA 2004. Of these six cases, three were decided in favor of the school district, and three were decided in favor of the student and their families. We discuss recommendations to ensure that school districts provide legally appropriate transition planning and programming for eligible students with disabilities.

Keywords

IDEA 2004, special education, case law, postsecondary transition planning

In 1990, when the Education for All Handicapped Children Act (1975) was reauthorized, the U.S. Congress added a requirement that when an eligible student with disabilities turned 16 years of age, their individualized education program (IEP) planning team had to begin preparing the student for post-school life. This requirement was added because of Congress' concern that too many high school-age students with disabilities were dropping out or leaving school unprepared for postsecondary environments (Norlin, 2010).

According to the law, which was renamed the Individuals With Disabilities Education Act (IDEA) in 1990, each student's IEP was to include a postsecondary transition plan. Since 1990, the transition plan requirements for students with disabilities have changed with each amendment/reauthorization of the IDEA. The amendments to IDEA in 1997 required that transition planning begin at age 14 and gradually increase until 1 year before the student reaches the age of majority as determined by the state. At 14, a transition statement regarding the student's course of study was written in the IEP and updated annually. At 16 (or younger, when determined appropriate by the IEP team), a statement of needed transition services with links to outside agencies was added to transition planning. The regulations of IDEA 2004 (renamed as the Individuals With Disabilities Education Improvement Act) defined transition as

academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation; (B) is based on the individual child's needs, taking into account the child's strengths, preferences, and interests; and (C) includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation. (34 C.F.R. § 300.43)

IDEA 2004 also changed the age at which transition planning must begin (i.e., no later than age 16) and a number of transition-related IEP requirements. These requirements included the following:

- (a) measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills;
- (b) transition services, including courses of study, needed to

a coordinated set of activities that (A) is designed to be within a results-oriented process, that is focused on improving the

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assist the child in reaching those goals; and (c) a statement that the child has been informed of the child's rights under Part B, if any, that will transfer to the child on reaching the age of majority beginning no later than one year before the child reaches the age of majority. (20 U.S.C. 1414 (d)(1)(A)(i)(VIII))

Some states have elected to begin transition planning prior to age 16 (e.g., South Carolina requires that transition planning begin by the time a student turns 13). Within these states, school districts and IEP teams need to follow state laws and regulations to begin transition services at those ages (e.g., 13, 14, or 15).

Our purpose in this article is to summarize court cases in which school districts' provision of transition programming was litigated in years 2012 and 2013. Specifically, this article is an update to Prince, Katsiyannis, and Farmer (2013), which examined cases from when IDEA 2004 went into effect (i.e., July 2005) until December 2011. Prior to beginning this review, an explanation and a caveat are in order. First, we offer an explanation of the core requirement of the IDEA: that all qualified students with disabilities receive a free appropriate public education (FAPE). A FAPE refers to special education services that

(a) are provided at public expense, under public supervision and direction, and without charge; (b) meet the standards of the State educational agency; (c) include an appropriate preschool, elementary school, or secondary school education in the State involved; and (d) are provided in conformity with the individualized education program. (34 C.F.R. § 300.17)

Because all students with disabilities served in special education programs under the IDEA are entitled to receive a FAPE, parents who bring due process actions or court cases against a school district for perceived inappropriate programming often allege a violation of a FAPE. The question of what constitutes a FAPE for a student has been a highly litigated issue.

The first special education case heard by the U.S. Supreme Court, *Board of Education of the Hendrick Hudson School District v. Rowley* (1982), involved FAPE issues. In this case, the Supreme Court established a two-part test to guide lower courts in determining whether a school district was providing a student with a disability a FAPE. Specifically, the Rowley test required the lower courts to ask two questions when determining if a school district has provided FAPE: "First, has the [school district] complied with the procedures of the Act? And second, is the individualized education program developed through the Act's procedures reasonably calculated to enable the child to receive educational benefits" (*Board of Education v. Rowley*, 1982, p. 183). When applying the first part of the Rowley test, a court must determine if a school district has adhered to the procedural requirements of the IDEA. When applying the

second part of the test, a court must determine if a student's IEP (and in these cases the student's transition services) were designed to confer educational benefit.

In the cases that we reviewed for this article, the families contended that the school district had failed to provide a FAPE because they believed either that the IEP process or the transition services that were provided to their child did not meet the procedural requirements of the IDEA or that the services provided did not confer educational benefit. The Courts in these six cases, therefore, had to apply the Rowley test to the special education services that the school districts had provided to each of these students to determine if, indeed, the respective school districts' transition programs had conferred a FAPE.

The caveat we will mention is that the cases that we reviewed were at the district court level. No transition-related cases were heard in the U.S. Courts of Appeals or the U.S. Supreme Court from 2012 to 2013. The district court rulings in these cases only strictly apply to the states in which they were heard (e.g., a case heard in Alabama is legal authority only in Alabama). Only cases decided by the U.S. Supreme Court have controlling authority and, thus, must be followed by lower courts throughout the country. Decisions by U.S. Courts of Appeals, which lie between federal district courts and the U.S. Supreme Court in terms of authority, apply to all states within the particular circuit in which they were heard. For example, a case decided by the U.S. Court of Appeals for the Fourth Circuit is controlling authority in all the states that comprise the fourth circuit (i.e., Maryland, North Carolina, South Carolina, Virginia, and West Virginia). The U.S. Supreme Court has not yet ruled on a transition case; therefore, there is no court ruling that applies to all states. This article reports on case rulings from 2012 to 2013 and serves as an update to Prince et al. (2013).

Method

An electronic search of the Special Ed Connection® was conducted for January 1, 2012, to December 31, 2013, using the following search terms: *secondary transition*, *postsecondary transition*, and *transition planning*. Cases were then screened for inclusion criteria, which included the following:

1. Postsecondary transition planning that occurred in the context of IDEA 2004.
2. Facts and conclusions of the case included the student's right to a FAPE.

This yielded six cases meeting inclusion criteria. Of these, three rulings were in favor of the districts having provided a FAPE, and three rulings were in favor of the students and their families.

Transition-Related Litigation in 2012 and 2013

In 2012, only one case involving a FAPE and postsecondary transition was located in the search. *Carrie I. v. Department of Education, State of Hawaii* (2012) addressed the least restrictive environment (LRE) for Greg I., a teenager with autism and Landau–Kleffner syndrome. Greg I. lived at a private mental health facility where he received special education services, speech therapy, occupational therapy, and one-on-one skills training. In July 2010, the IEP team met for Greg’s annual review. During the meeting, the placement of Aiea High School was offered as an LRE. However, the IEP team failed not only to discuss other options but also to consider the potential harmful effects of a public school placement. The District asserted that Greg would benefit from being educated with his nondisabled peers; however, his mother asserted the physical location of the school, combined with her son’s behavioral difficulties, could be detrimental to his education and personal safety. While Greg had a functional behavioral assessment, a behavioral support plan, and a crisis plan for his seizures, these assessments and plans were not brought to the original or follow-up IEP meeting. The District also failed to administer a comprehensive evaluation “at least once every 3 years” unless a parent and the public agency otherwise agree (34 C.F.R. § 300.303(b)(2)).

The District Court held that these procedural violations (i.e., failure to consider the potential harmful effects of a change in placement and failure to administer a triannual evaluation), along with the Department’s failure to develop an appropriate postsecondary transition plan, required it to continue the student’s private placement. Regarding postsecondary transition, the team relied on a prior version of the IDEA when developing the student’s transition plan, whereby they identified the agencies responsible for providing transition services. The District failed to meet IDEA 2004’s requirements for conducting age-appropriate transition assessments, developing appropriate postsecondary goals, and identifying the services needed to reach those goals. Finally, a representative from the state adult service agency that was likely to be responsible for providing or funding the student’s transition services (in this case, the vocational rehabilitation division) was not invited to attend the IEP meeting. The District’s failure to comport with the IDEA’s procedures for the LRE and postsecondary transition planning resulted in a denial of a FAPE.

The five cases heard in 2013 also occurred at the District Court level. In *Patterson v. District of Columbia* (2013), A.P. was a 16-year-old student who was eligible for special education services. In August 2011, after four psychiatric hospitalizations, A.P.’s mother, Ms. Patterson, placed A.P. at a residential school located in Georgia. The District of Columbia continued to take responsibility for A.P.’s special education services.

On January 24, 2012, a multidisciplinary team revised A.P.’s IEP. The revised IEP provided for specialized instruction for 30 hr per week, counseling for 3 hr per week, a behavior intervention plan (BIP), and a transition plan (A.P. was going to turn 16 in the year the revised IEP was implemented). The 2012 transition plan indicated A.P. “will discuss educational choices with the guidance counselor or other school personnel”; “will explore occupational choices including the area of law”; and “will discuss the importance of vocational rehabilitation with [a] special education coordinator,” A.P. completed a career assessment that produced a ranked list of careers that interested A.P.; however, no particular educational or career goal was listed in the IEP.

When A.P. began attending Coolidge Senior High School in the District of Columbia, her mother filed a due process complaint alleging that the IEP was inappropriate because the District failed to conduct a vocational assessment. In November 2012, the Hearing Officer found that the IEP lacked appropriate measurable postsecondary goals based on a transition assessment. The Hearing Officer directed the District to revise the 2012 transition plan but found that A.P. had not been denied a FAPE because she was doing very well academically and functionally. In January 2013, the District enacted the 2013 transition plan. A.P. took the *Brigance Educational Interest Assessment* and the *Brigance Career Choice Assessment*. These assessments showed A.P. understood the importance of graduating from high school and that she planned to go to college to study criminal justice to become a judge or parole officer. To reach these identified goals, the new transition plan noted that A.P. would locate the sources that can provide her with helpful materials and information about her career choice and would complete 100 hr of community service to explore and research her career interests.

In February 2013, Ms. Patterson filed suit appealing the hearing officer’s decision, asserting that the District failed to provide a FAPE because the 2012 transition plan was inappropriate. Because the District provided a more substantive 2013 transition plan, the initial 2012 plan was not a substantive denial of a FAPE.

In *Jefferson County Board of Education v. Lolita S.* (2013), Lolita S. requested a due process hearing, claiming that the District had violated her son’s right to comprehensive evaluations and FAPE in the LRE, including related services and individualized academic instruction. Lolita S. contended that her son, M.S., failed to make reasonable progress in numerous areas. She sought relief of reimbursement for her out-of-pocket expenses, including attorneys’ fees and the fee for independent educational evaluations (IEE). Among the findings of the evaluation included the clinical psychologist’s recommendation that the district should perform a transition assessment to examine M.S.’s skills and provide a social skills program, assistive technology, a functional reading assessment to determine the

appropriate reading program, intensive instruction in reading and math, and a behavioral management plan to improve his motivation. The administering psychologist characterized these recommendations as designed to enable M.S. to make reasonable progress.

The due process hearing extended the course of 5 months. In May 2012, the hearing officer found in the District provided M.S. with a FAPE. Specifically, the transition services M.S. received met IDEA requirements, because the services were preparing him for postsecondary living. However, the hearing officer found in favor of Lolita's request for public funding of the IEE. Specific citations of services included M.S.'s participation in a class to improve note-taking, class preparation, organizational skills, and career planning. Outside contractors came to the school twice a week to aid the class in job assessments and interests. The court held that the District's use of a generic reading goal suitable for a ninth-grade student did not meet IDEA's requirements of individualized and measurable goal setting. Furthermore, this reading requirement was six grade levels beyond M.S.'s ability.

The transition-planning portion of the IEP did not meet IDEA requirements in multiple ways. First, the transition assessments were unspecified and produced vague results that M.S. needed to improve his personal management. Second, the transition goal was not individualized and remained the same as the previous year. The transition goal—"the student will be prepared to participate in postsecondary education" (p. 50)—was not individualized to meet the student's needs. This use of "stock language" was magnified by the fact that M.S. was on the Alabama Occupational Diploma track. Given the possible 12 areas of offered transition services, M.S.'s IEP only specified his needing one service, personal management. Vocational evaluation, employment development, postsecondary education, financial management, transportation, living arrangements, advocacy/guardianship, community experiences, and linkages to agencies were not listed as needed services. The District Court found that the failure of the 2011–2012 IEP to include required individualized transition goals, transition assessments, and transition services means that the IEP did not comply with the IDEA. Based on the inappropriate reading goals and transition plan, the Court found the District failed to offer the student FAPE.

In *Gibson v Forest Hills School District Board of Education* (2013), the parents of Chloe Gibson, a 20-year-old with multiple disabilities, filed a due process complaint against the Ohio Department of Education. Her parents alleged that the Forest Hills school district had failed to provide Chloe a FAPE. Although school district personnel and Chloe's parents disagreed on many aspects of her IEP and placement, one of the issues that led to the complaint arose when Chloe was at the age in which transition assessments and plans were to be discussed at her IEP team meeting. Chloe's IEP team, however, did not invite her to the IEP

meeting because team personnel later asserted that they were concerned about her ability to tolerate a lengthy, possibly contentious, IEP meeting where issues would be addressed that were "well above her comprehension level" (p. 24). Chloe's parents also raised a number of other issues in their complaint.

In April 2011, the independent hearing officer (IHO) ruled that the school district had denied Chloe a FAPE because of deficiencies in her IEP and ordered the district to develop additional IEP goals and provide compensatory educational services. The IHO also held that the Gibsons were not the prevailing parties, despite having ruled that the school district failed to provide a FAPE in some areas because Chloe's parents bore some of the responsibility for the school district's failures. The Gibsons then appealed the IHO's decision to the Ohio Department of Education's State Review Officer (SRO). The SRO issued a ruling that the Forest Hills School District had offered Chloe a FAPE. In addition, the SRO determined that there was overwhelming evidence that the Gibsons had been meaningfully involved in their child's IEP team, despite their contentious nature. The SRO upheld the IHO's decision that the school district needed to add goals to Chloe's IEP and provide compensatory services. The SRO also agreed with the IHO that the Gibsons were not the prevailing party for purpose of awarding attorneys' fees.

The Gibsons filed a complaint asserting they were prevailing party and were entitled to attorneys' fees, while the school district initiated a separate suit asserting the IHO and SRO had erred when they required the school district to add goals to Chloe's IEP and provide compensatory educational services. The Gibsons then filed a counterclaim asserting the SRO should have provided Chloe with compensatory educational services related to (a) assistive technology, (b) transition services, (c) LRE, (d) denial of a FAPE, and (e) denial of meaningful parental participation. On June 11, 2013, the federal district court issued a ruling in *Gibson v. Forest Hills School District Board of Education*. In its opinion, the court addressed each claim separately. For the purpose of this article, we will examine the court's discussion of transition services.

The court noted that Ohio state law required that a school district "must invite" (p. 39) a student to an IEP meeting in which postsecondary goals and transition services would be discussed. The fact that Chloe had not been invited to her IEP meeting was undisputed. Thus, the court found that the Forest Hills School District had clearly violated this requirement. The court noted that the failure to include Chloe in the IEP meeting amounted to a procedural violation. The difficult question the court had to address was whether this procedural violation resulted in substantive harm and a denial of a FAPE. The court stated that this procedural violation would not have resulted in a denial of FAPE if the school district had taken other steps to ensure that Chloe's preferences and interests were considered when developing

her IEP. The court found, however, that the school district's informal approach to determining Chloe's preferences and interests (i.e., determining what she liked to do at school) was not sufficient. Moreover, the school district had not conducted an age-appropriate transition assessment of Chloe. Thus, the court concluded that the school district committed violations that resulted in substantive harm and a denial of a FAPE by failing to provide adequate transition services.

In *Maksym v Strongsville City School District* (2013), the parent of high school senior with brain damage and cerebral palsy asserted her son's postsecondary transition needs were not being met during an eighth-period office aide assignment. The parent argued that no learning took place during this idle time and supported her claim by an e-mail from the guidance office secretary to her son's teachers asking them to send work for him to complete.

In October of 2009, the IEP team met and discussed student's educational goals and completed first draft of transition goals for upcoming IEP. The parent was invited but did not attend. The IEP team, including the parent, met again in November where the parent expressed that her son should receive less phonics instruction and more functional life skills to facilitate a smoother transition to the "adult" world. In addition, the parent requested that the school district conduct situational assessments. After a series of meetings, it was decided that the student be placed in a "community work experience" program for the first four periods of the day and three instructional periods in the afternoon. Two of these instructional periods focused on transition to work course that included embedded reading and math skills. The final period was initially a study hall. In a subsequent meeting, the parent objected to the eighth-period placement, and the school district assigned the student to the guidance office to work as an "aide." During the February meeting, the parent continued to express concern about student's eight-period assignments, and the student was then assigned to an art exploration class for 3 days each week.

A due process hearing held over the course of 14 hearing days where 13 witnesses were called to testify. The hearing officer found in favor of the school district concluding that plaintiff failed to establish that the school district violated the IDEA. The plaintiff appealed the decision to the Ohio Department of Education's State Level Review Officer (SLRO) but only challenged two conclusions reached by the IHO: (a) School District committed a procedural violation of the IDEA by engaging in predetermination and (b) no educational benefit was obtained from his eighth-period placement. The SLRO rejected both arguments and affirmed the findings made by the IHO. The court held and rejected plaintiff's argument and agreed with the conclusion of both IHO and the SLRO.

The plaintiff did not provide sufficient evidence to suggest predetermination. The plaintiff argued that his

eighth-period placement in the guidance office as an aide was not reasonably calculated to confer an educational benefit because no learning happened during this period. The plaintiff also referred to an e-mail by the guidance office secretary requesting that plaintiff's teachers send work so the student does not "sit and do nothing." The school district argued that it is not legally required to "maximize student's potential" or to "provide the best possible education." Rather, the district need only offer an IEP that is calculated to "provide educational benefit."

The Court decided the district had offered the student a FAPE because his IEP addressed his needs by primarily focusing on functional skills—reading, math, and vocational skills—to enable him to transition into adult life. The student made progress toward his IEP goals throughout the school year, and the eighth-period placement furthered these goals by providing in-school work experience to foster his chances for postsecondary employment.

In *M.Z. on Behalf of J.Z. v The New York City Department of Education* (2013), the parents of a child with "significant cognitive disabilities, language deficits, and severe difficulties with social interaction" (p. 2) rejected the school district's IEP and their child's placement at the Manhattan Occupational Training Center. The parents filed for a due process hearing alleging that the school district failed to provide a FAPE during the 2010–2011 school year because the IEP team had committed several procedural and substantive errors in the IEP process, including failing to (a) consider new evaluation information, (b) conduct a functional behavioral assessment (FBA), (c) design an appropriate BIP, (d) develop an adequate transition plan, (e) describe the child's present levels of academic achievement and functional performance, (f) write measurable annual goals, and (g) offer an appropriate placement.

The IHO ruled that the school district had failed to offer a FAPE because of the issues regarding the evaluation, FBA and BIP, transition plan, and the IEP goals. The IHO also found that the school would neither have been able to implement the related services as required in the IEP nor did the placement provide sufficient academic instruction. The IHO, however, did find that the school district placement offered appropriate worksite opportunities. The school district then appealed to the SRO, who reversed the findings of the IHO, ruling that the school district had provided the student a FAPE for the 2010–2011 school year. The SRO decision noted that although the student's transition plan was technically defective, the problems did not rise to the level of depriving the student of a FAPE. The student's parents then appealed to United States District Court for the Southern District of New York.

The court examined the procedural and substantive adequacy of the student's IEP and the decisions of the IHO and SRO. The court agreed with the IHO and SRO that the school district had committed flaws in the development and

substance of the student's IEP but sided with the SRO's conclusion that these errors did not deprive the student of a FAPE. With respect to the student's transition plan, the judge wrote that the transition plan failed to (a) specify activities that would help the student's math and social skills, (b) determine which post-high school programs the student may be involved in, and (c) identify who would provide the transition services. The judge found that the deficient transition plan constituted a procedural flaw and that procedural errors in the special education process only lead to a denial of a FAPE when those errors impede the child's right to a FAPE, significantly interfere with the parents' right to be involved in the decision-making process, or cause a deprivation of educational benefits. Thus, the judge found that this particular error made by the school district (i.e., deficiencies in the transition plan) did not deprive the student of a FAPE.

Conclusion and Implications for Practice

In this section, we draw conclusions from these court rulings and present implications for school and district administrators. The components of the transition plan are meant to be connected to maximize the benefit for student transitions; however, transition plan development awaits more comprehensive quality measures. To ensure each student's transition needs are met appropriately and to avoid costly legal involvement, it is essential for school personnel to understand the implications of relevant case law in postsecondary transition planning:

- School districts generally prevailed in cases if the student's transition plan included multiple age-appropriate transition assessments that contributed to the development of individualized postsecondary goals. To ensure that transition assessments meet this requirement, districts should not be solely dependent on informal measures of student's interests and abilities (*Gibson v. Forest Hills School District Board of Education*, 2013). A lack of assessments is enough to constitute a lost educational opportunity and establish a denial of FAPE (*Carrie I. v. Department of Education, State of Hawaii*, 2012). School districts should implement a series of ongoing assessments that include formal assessments such as achievement, adaptive behavior, quality of life, aptitude, self-determination, vocational and transition knowledge and skills assessments (Clark, 2007).
- A transition plan should reflect the student's skills and interests, be tailored to the student's specific needs, and include a series of practical goals that will help the youth transition into life after high school (*K.C. v. Mansfield Independent School District*, 2009). A student's IEP should include a minimum of

two postsecondary goals—one for postsecondary education and training and one in the area of employment. Independent living goals should be included as needed (34 C.F.R. § 300.320(b)(1)).

- School teams should ensure that student participation in the IEP process is maximized, including structuring meetings in such a way that student attendance and participation is facilitated (*Gibson v. Forest Hills School District Board of Education*, 2013). To increase student participation, secondary curriculum can incorporate an evidence-based practice, including the Self-Advocacy Strategy or the Self-Directed IEP (Konrad & Test, 2004).
- A deficient transition plan may not be grounds for denial of FAPE if other sections of the IEP are linked to transition and demonstrate student progress toward transition goals (*M.Z. v. New York City Board of Education*, 2013) and if the student made academic and functional progress in spite of a deficient transition plan (*Patterson v. District of Columbia*, 2013). The transition services section of the transition plan should provide team members with details showing how the student will achieve his or her goals (Yell, Plotner, & Shriner, 2013). It is also important that the IEP/transition plan identifies *who* is responsible for carrying out activities listed in the IEP.

Special educators, transition specialists, and school administrators have an obligation to understand and follow the law as it relates to student transition planning. Based on the requirements of IDEA 2004, it is imperative that postsecondary transition plans be individualized. If school and district administrators approach postsecondary transition with a focus on quality rather than compliance, schools will avoid procedural and service-delivery violations that result in a denial of a FAPE (Prince et al., 2013).

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References

- Board of Education of the Hendrick Hudson Central School District v. Rowley, 458 U.S. 176 (1982).
- Carrie I. v. Department of Education, State of Hawaii, 59 IDELR ¶ 46 (D. Haw. 2012).
- Clark, G. M. (2007). *Assessment for transition planning* (2nd ed.). Austin, TX: PRO-ED.

- Education of All Handicapped Children Act (1975). Now codified as the Individuals With Disabilities Education Act at 20 U.S.C. §§ 1400 *et seq.*
- Gibson v. Forest Hills School District Board of Education, 61 IDELR ¶ 97 (S.D. Ohio 2013).
- Individuals With Disabilities Education Act (1990), 20 U.S.C. §§ 1400 *et seq.* (1990).
- Individuals With Disabilities Education Act Regulations, 34 C.F.R. § 300.320 *et seq.* (2004).
- Jefferson County Board of Education v. Lolita S., 62 IDELR ¶ 2 (N.D. Ala. 2013).
- K.C. v. Mansfield Independent School District, 52 IDELR ¶ 103 (N.D. Tex. 2009).
- Konrad, M., & Test, D. W. (2004). Teaching middle-school students with disabilities to use an IEP template. *Career Development for Exceptional Individuals*, 27, 101–124.
- Maksym v. Strongsville City School District, 61 IDELR ¶ 294 (N.D. Ohio 2013).
- M.Z. v. New York City Board of Education, 61 IDELR ¶ 26 (S.D.N.Y. 2013).
- Norlin, J. W. (2010). *Postsecondary transition services: An IDEA compliance guide for IEP teams* [Pamphlet]. Palm Beach Gardens, FL: LRP Publications.
- Patterson v. District of Columbia, 61 IDELR ¶ 278 (D.D.C. 2013).
- Prince, A. M., Katsiyannis, A., & Farmer, J. (2013). Postsecondary transition under IDEA 2004: A legal update. *Intervention in School and Clinic*, 48(5), 286–293. DOI: 10.1177/1053451212472233
- Yell, M. L., Plotner, A. J., & Shriner, J. (2013). *Developing educationally meaningful and legally sound individual education programs*. In M. L. Yell, N. Meadows, E. Drasgow, & J. Shriner (Eds.), *Evidence-based practices in educating students with emotional and behavioral disorders* (2nd ed., pp. 187–215). Upper Saddle River, NJ: Pearson.