

Regulatory and Policy Requirements

The following paragraphs summarize the requirements outlined in Regulation 181/98 (as amended by Regulation 137/01) that apply to transition planning. The relevant sections of the regulation are identified in parentheses. For the reader's convenience, excerpts from Regulation 181/98 are provided on page 5.

For exceptional students who are age 14 or over and who are not identified solely as gifted (subsections 6[5] and 7[5]), the student's Individual Education Plan (IEP) must include a transition plan (subsections 6[4] and 7[4]) for the student's transition from school to work, further education, and/or community living (subsection 6[4]).

The principal is responsible for ensuring that the IEP, including the transition plan:

1. is developed in consultation with the parent (and the student, if he or she is age 16 or over) (clause 6[6][a]);
2. is developed in consultation with community agencies and postsecondary institutions, as judged appropriate by the principal (subsections 6[7] and 7[6]);
3. takes into consideration any recommendations concerning the student's special education program or services made by an Identification, Placement and Review Committee (IPRC) or Special Education Tribunal (clause 6[6][b]);
4. is completed or revised as required, and a copy sent to the parent (and to the student, if age 16 or over) within 30 school days of:
 - placement of the student in a program (subsection 6[8]);
 - a change of placement (subsection 7[7]);
 - a confirmation of the continuation of an existing placement in an IPRC review decision, or a school board decision upon receipt of recommendations from an appeal board, or a Special Education Tribunal decision (subsection 7[7]);
5. is stored in the student's Ontario Student Record (OSR) file, unless the student's parent objects in writing (section 8).

The regulation also stipulates that a committee conducting a review of the identification or placement of a student must, with the written permission of the student's parent, consider the student's progress with reference to his or her IEP, including the transition plan (subsection 23 [2]).

Standards for transition plans are outlined in the Ministry of Education's policy document *Individual Education Plans: Standards for Development, Program Planning, and Implementation, 2000*. As stated there, every transition plan must include the following elements:

- specific goals for the student's transition to post-secondary activities. The goals must be realistic and must reflect the strengths, needs, and interests of the student;
- the actions required, now and in the future, to achieve the stated goals. The actions identified must build on the student's identified strengths, needs, and interests;
- the person or agency (the student, parents, educators, providers of specialized support and services, community agencies) responsible for or involved in completing, or providing assistance in completing, each of the identified actions;
- timelines for the implementation of each of the identified actions.

Excerpts from Ontario Regulation 181/98 (as amended by Ontario Regulation 137/01)

Note: Because the transition plan is part of a pupil's Individual Education Plan, any provisions of the regulation that apply to the Individual Education Plan also apply to the transition plan.

6. (4) Where the pupil is 14 years of age or older, the individual education plan must also include a plan for transition to appropriate post-secondary school activities, such as work, further education and community living.
- (5) Subsection (4) does not apply in respect of a pupil identified as exceptional solely on the basis of giftedness.
- (6) In developing the individual education plan, the principal shall,
- a) consult with the parent and, where the pupil is 16 years of age or older, the pupil; and
 - b) take into consideration any recommendations made by the committee [IPRC] or the Special Education Tribunal, as the case may be, regarding special education programs or special education services.
- (7) In developing a transition plan under subsection (4), the principal shall consult with such community agencies and post-secondary educational institutions as he or she considers appropriate.
- (8) Within 30 school days after placement of the pupil in the program, the principal shall ensure that the plan is completed and a copy of it sent to a parent of the pupil and, where the pupil is 16 years of age or older, the pupil.
7. (4) Where an individual education plan does not include a plan for transition to appropriate post-secondary school activities and the pupil has attained the age of 14 or will attain the age of 14 within the school year, the principal shall ensure that a transition plan is developed and included in the individual education plan.
- (5) Subsection (4) does not apply in respect of a pupil identified as exceptional solely on the basis of giftedness.
- (6) In reviewing an individual education plan that includes a transition plan or in developing a transition plan under subsection (4), the principal shall consult with such community agencies and post-secondary educational institutions as he or she considers appropriate.
- (7) Within 30 school days of an implementation of a change in placement or, where the placement is confirmed, within 30 school days of receiving the notice under subsection (1), the principal shall ensure that,
- a) the plan has been reviewed and updated as appropriate;
 - b) a transition plan has been added to the individual education plan where required by subsection (4); and
 - c) a copy of the individual education plan has been sent to a parent of the pupil and, where the pupil is 16 years of age or older, the pupil.
8. The principal shall ensure that the individual education plan for a pupil is included in the record kept in respect of the pupil under clause 265 (d) of the Act, unless a parent of the pupil has objected in writing.