



SAN LUIS OBISPO COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

8005 Morro Road
Atascadero, CA 93422
Phone: (805) 782-7304 / FAX: (805) 466-1473

SELPA Guide
Students Exiting Special Education Because of Age

Questions have been raised relating to the responsibility of county office service providers in reference to triennial IEPs and students who were aging out of educational programs.

Answer: Specific legal reference requiring a tri-annual assessment for a student aging out of a program were not found in the Composite of Laws for special education. (SEHO decisions were not checked.) However, the law is clear that the due date is when a tri-annual will be conducted. This means some level of re-evaluation must be documented or waived by the parent if the triennial date is prior to the exit date.

With that said, it seems the most important issue is transition planning for the student. A strong transition plan should be developed for a student exiting services under IDEA. It would seem logical that such a transition plan would be based on a complete set of statements concerning present level of functioning, from the perspective of the educational professional involved. Since instruction/related services, community experiences, and the development of employment and other post-school adult living objectives are mandatory, unless the IEP team decides they are not needed, a present level of functioning should address those areas at the least. To accomplish this, some level of assessment is necessary and therefore an assessment plan would be necessary. The re-evaluation for eligibility (i.e. IQ testing, etc) would in most cases not be necessary. The legal responsibility for a full assessment should be dealt with in the same manner as all triennials.

This discussion raises the issue of what information would be beneficial for other agencies that will deal with the adult with disabilities after their exit from educational programs. The answer in reference to all students who age out of a program would hopefully include a complete present level of functioning and solid transition plan.

Finally, although not in effect yet, IDEA-04 requires all students with disabilities who are leaving secondary school to receive a summary of their accomplishments and transition needs, along with their report cards. It is unclear what form in California law the federal requirement will take, but the intent certainly supports the direction provided above and should shape practice for students exiting at age 22.