

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 14-8.03 as follows:

6 (105 ILCS 5/14-8.03) (from Ch. 122, par. 14-8.03)

7 Sec. 14-8.03. Transition ~~goals, supports, and~~ services.

8 (a) For purposes of this Section, "transition services"
9 means a coordinated set of activities for a child with a
10 disability that (i) is designed to be within a results-oriented
11 process that is focused on improving the academic and
12 functional achievement of the child with a disability to
13 facilitate the child's movement from school to post-school
14 activities, including post-secondary education, vocational
15 education, integrated employment (including supported
16 employment), continuing and adult education, adult services,
17 independent living, or community participation; (ii) is based
18 on the individual child's needs, taking into account the
19 child's strengths, preferences, and interests; and (iii)
20 includes instruction, related services, community experiences,
21 the development of employment and other post-school adult
22 living objectives, and, if appropriate, acquisition of daily
23 living skills, benefits planning, work incentives education,

1 and the provision of a functional vocational evaluation.
2 Transition services for a child with a disability may be
3 special education, if provided as specially designed
4 instruction, or a related service if required to assist a child
5 with a disability to benefit from special education.

6 (a-5) Beginning no later than the first individualized
7 education plan (IEP) in effect when the student turns age 14
8 1/2 (or younger if determined appropriate by the IEP Team) and
9 updated annually thereafter, the IEP must include (i)
10 measurable post-secondary goals based upon age-appropriate
11 transition assessments and other information available
12 regarding the student that are related to training, education,
13 employment, and, where appropriate, independent living skills
14 and (ii) the transition services needed to assist the student
15 in reaching those goals, including courses of study. A school
16 district shall consider, and develop when needed, the
17 transition goals and supports for eligible students with
18 disabilities not later than the school year in which the
19 student reaches age 14 1/2 at the individualized education plan
20 meeting and provide services as identified on the student's
21 individualized education plan. Transition goals shall be based
22 on appropriate evaluation procedures and information, take
23 into consideration the preferences of the student and his or
24 her parents or guardian, be outcome-oriented, and include
25 employment, post-secondary education, and community living
26 alternatives. Consideration of these goals shall result in the

1 ~~clarification of a school district's responsibility to deliver~~
2 ~~specific educational services such as vocational training and~~
3 ~~community living skills instruction.~~

4 (b) Transition planning must be conducted as part of the
5 IEP process and must be governed by the procedures applicable
6 to the development, review, and revision of the IEP, including
7 notices to the parents and student, parent and student
8 participation, and annual review. To appropriately assess and
9 develop IEP transition goals and transition services for a
10 child with a disability ~~plan for the student's transition~~
11 ~~needs,~~ additional participants ~~individualized education plan~~
12 ~~team members~~ may be necessary and may be invited ~~asked~~ by the
13 school district, parent, or student to participate ~~assist~~ in
14 the transition planning process. Additional participants
15 ~~individualized education plan team members~~ may include without
16 limitation a representative from the Department of Human
17 Services or another State agency, a case coordinator, or
18 persons representing other public or community agencies or
19 services, such as adult service providers or public community
20 colleges. The IEP ~~individualized education plan~~ shall identify
21 ~~specify~~ each person responsible for coordinating and
22 delivering transition services. If the IEP team determines that
23 the student requires transition services from a public or
24 private entity outside of the school district, the IEP team
25 shall identify potential outside resources, assign one or more
26 IEP team members to contact the appropriate outside entities,

1 make the necessary referrals, provide any information and
2 documents necessary to complete the referral, follow up with
3 the entity to ensure that the student has been successfully
4 linked to the entity, and monitor the student's progress to
5 determine if the student's IEP transition goals and benchmarks
6 are being met. The student's IEP shall indicate one or more
7 specific time periods during the school year when the IEP team
8 shall review the services provided by the outside entity and
9 the student's progress in such activities. The public school's
10 responsibility for delivering educational services does not
11 extend beyond the time the student leaves school or when the
12 student's eligibility ends due to age under this Article
13 ~~student reaches age 21.~~

14 (c) A school district shall submit annually a summary of
15 each eligible student's IEP transition goals and transition
16 services ~~needed—supports~~ resulting from the IEP Team
17 ~~individualized education plan team~~ meeting to the appropriate
18 local Transition Planning Committee. If students with
19 disabilities who are ineligible for special education services
20 request transition services, local public school districts
21 shall assist those students by identifying post-secondary
22 school goals, delivering appropriate education services, and
23 coordinating with other agencies and services for assistance.

24 (d) Notwithstanding any other rulemaking authority that
25 may exist, neither the Governor nor any agency or agency head
26 under the jurisdiction of the Governor has any authority to

1 make or promulgate rules to implement or enforce the provisions
2 of this amendatory Act of the 95th General Assembly. If,
3 however, the Governor believes that rules are necessary to
4 implement or enforce the provisions of this amendatory Act of
5 the 95th General Assembly, the Governor may suggest rules to
6 the General Assembly by filing them with the Clerk of the House
7 and the Secretary of the Senate and by requesting that the
8 General Assembly authorize such rulemaking by law, enact those
9 suggested rules into law, or take any other appropriate action
10 in the General Assembly's discretion. Nothing contained in this
11 amendatory Act of the 95th General Assembly shall be
12 interpreted to grant rulemaking authority under any other
13 Illinois statute where such authority is not otherwise
14 explicitly given. For the purposes of this amendatory Act of
15 the 95th General Assembly, "rules" is given the meaning
16 contained in Section 1-70 of the Illinois Administrative
17 Procedure Act, and "agency" and "agency head" are given the
18 meanings contained in Sections 1-20 and 1-25 of the Illinois
19 Administrative Procedure Act to the extent that such
20 definitions apply to agencies or agency heads under the
21 jurisdiction of the Governor.

22 (Source: P.A. 92-452, eff. 8-21-01.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.