



Guidance

2022 Questions and Answers from B-13 DC Webinar

Michigan Department of Education Office of Special Education
March 2022

Questions and Answers

The following are the questions and answers from the Indicator B-13 (Secondary Transition) Interrater Reliability Training webinar that was given on Thursday February 24, 2022. The webinar can be accessed at the [Catamaran Technical Assistance Website's Past Events page](#).

For B-13 training resources such as the manual, sample checklist, or how-to complete the activity in Catamaran, visit the [Catamaran Technical Assistance Website's B-13 Secondary Transition page](#). For questions that are not addressed here, please send them to Chantel Mozden at mozdenc@michigan.gov.

Amending Student Records

Question

Can a student record be amended March 1 – April 9?

Answer

A student record cannot be amended for data reporting purposes. Once the record has been reviewed, that is the data to be reported. The data reported should reflect the Individualized Education Program (IEP) which was in place on March 1.

Question

Can IEPs be amended prior to March 1, 2022?

Answer

Yes, an IEP can be amended prior to March 1, 2022. Complete the checklist using the IEP that was in place on March 1.

Sanctions

Question

What are the proposed sanctions that may be imposed if the data reported by the Intermediate School District (ISD) is not accurate?

Answer

The proposed sanctions that may be imposed for reporting inaccurate data include a corrective action, a data reliability letter issued in Catamaran, the ISD participating in additional required technical assistance activities, or the determination rating of the ISD may be impacted. Valid and reliable data is a requirement of 34 CFR §300.604(b).

Student Sample

Question

One of our local districts was not represented in the 2022 B-13 data collection activity and they do have students of transition age, why is this?

Answer

For the data collection, students are aggregated to the ISD level. A random sample of students is pulled based on the size of the ISD population. In any given year, a particular district may have zero to all students on the ISD sample.

B-13 Checklist Item Two – Prior Consent to Invite an Agency

Question

If the district was told that a student is not working with an agency, then at the IEP Team meeting the team discovers they are working with an agency, what is the most appropriate way of handing the situation?

Answer

34 CFR §300.321(b)(3) of the *Individuals with Disabilities Education Act* (IDEA) states: 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.

For each student whose IEP Team will discuss transition planning, the district must determine if there is an agency which is likely to be responsible for providing or paying for transition services. When the district determines an agency is likely to be responsible for providing or paying for services, the district must invite the participating agency.

34 CFR §300.321(a)(6) of the IDEA states: at the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate, may attend the IEP Team meeting.

Question

Is the district compliant if the consent to invite an agency was received from the parent of a student who was 17 but who turned 18 before the IEP Team meeting?

Answer

Consent of the parent for the student who has not yet reached the age of majority at the time of obtaining consent meets the requirements of written consent to invite any participating agency that is likely to be responsible for providing or paying for services.

Question

If a parent, or student who has reached the age of majority, does not provide consent to invite an outside agency-where does that need to be documented? I have seen it documented in the IEP. Is that compliant? Or does it need to be on the Prior Consent form?

Answer

34 CFR §76.731 states: a State and a subgrantee shall keep records to show its compliance with program requirements. A specific location or documentation is not detailed therefore, when submitting documentation for verification of compliance for Indicator B-13, the IEP, consent to invite, invitation to student/participants, emails etc. are acceptable to use to find information regarding a parent's provision or denial of consent to invite an agency.

Question

Can the consent to invite an outside agency and the IEP Team meeting occur on the same date?

Answer

A representative of any participating agency that is likely to be responsible for providing or paying for transition services must be notified of the meeting early enough to ensure that they have an opportunity to attend and meaningfully participate in the IEP Team meeting.

B-13 Checklist Item Three – Participating Agency Invitation

Question

If the IEP Team determines that there is NOT a need to invite a community agency and that decision is documented on the IEP, but an agency is listed in the transition services or it is listed on the IEP that the student has an open case with an agency, is that considered compliant or noncompliant?

Answer

34 CFR §300.321(b)(3) of the IDEA states: 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.

For each student whose IEP Team will discuss transition planning, the district must determine if there is an agency which is likely to be responsible for providing or paying for transition services. There is not a requirement to determine the “need to invite an agency.” When the district determines an

agency is likely to be responsible for providing or paying for services, the district must invite the participating agency.

Question

What guidance can be provided to districts regarding when an agency should be invited to an IEP?

Answer

A district must determine if an agency is likely to be responsible for paying for or providing services. If no agency is likely to do so, then no consent or invitation is needed. If an agency is likely to provide or pay for services, then consent for invitation must be sought. See the Secondary Training Video Series: Consent and Inviting-Secondary Transition Training Video-August 2020, Catamaran – B-13 Secondary Transition. The IEP Team could write “No agency is likely to be responsible for paying for or providing transition services” on the IEP when no agency is likely to be responsible for paying for or providing transition services.

Question

If consent was given by the parent but the agency could not attend, should there be a specific statement indicating that?

Answer

Yes, document that the agency could not attend on the IEP.

B-13 Checklist Item Four – Transition Assessment

Question

Is a survey a transition assessment?

Answer

Transition assessment is defined as an on-going process of gathering data about a student’s strengths, needs, preferences, and interests as they relate to the demands of current and future work, education, living, personal, and social environments. Transition assessment is accomplished by using a variety of assessment instruments, transition tools, and other data sources including

interest inventories, student surveys, skills assessments, aptitude assessments, observations, interviews, medial reports, etc.

B-13 Checklist Question Six – Post Secondary Goals Annual Update

Question

Will we need to upload the new enroll document if there was an out-of-date IEP when the student enrolled but then a new one was held within 30 days?

Answer

Any documentation supporting the answers reported on the Indicator B-13 checklist needs to be uploaded.

Question

If the student is an out of state transfer, can that “30 school days of enrollment” include an extension if applicable?

Answer

Yes, the initial evaluation timeline for out of state transfer students, within 30 school days of enrollment, can include an extension, provided the extension is agreed to by the parent and the district as found in Provision of Special Education Services for Transfer Students guidance. (

Training staff on how to write quality annual goals using the four components (baseline, skill, target, method of measurement) will assist teachers in writing quality annual goals. The ISD which is completing this data collection activity will want to respond to this information regarding the content of the IEP as a function of their general supervision accountability.