



## Memorandum

**To:** Special Education Directors  
**From:** Exceptional Student Services  
**Date:** October 31, 2024  
**Re:** Arizona State Board Rule Change for Secondary Transition Services

### Overview

On October 21, 2024, the Arizona State Board of Education (SBE) approved a board rule change that impacts Individualized Education Program (IEP) requirements, specifically secondary transition services. The newly adopted board rule (see below for full text of the adopted SBE rule) requires:

- Transition services for students to be in effect in the IEP in place when the student ends 9th grade or age 16, whichever is first, or earlier, as determined necessary by the student's IEP team. (A.A.C. R7-2-401(G)(4)(A))
- The student's estimated graduation date to be included in their IEP, aligned with the transition plan. (A.A.C. R7-2-401(G)(4)(A)(c))
- The school to provide written notification to parent(s) of a student's anticipated graduation date at least one year before the anticipated high school graduation date. (A.A.C. R7-2-401(G)(4)(A)(c)(i))

*These changes were immediately effective on the date of Board approval (10/21/2024), per [Arizona State Board of Education Rulemaking Procedures](#).*

### Public Education Agency (PEA) Implementation Activities

PEAs must update their special education policies and procedures to conform with the updated Arizona SBE rule while implementing these changes within their special education systems. PEAs must develop and implement systems to ensure that secondary transition planning starts at an earlier age for all students with disabilities. This may include training staff and updating IEPs that have already taken place this school year for applicable students.

The revised State Board Rule regarding secondary transition services became effective on October 21, 2024. However, the implementation of PEA activities related to the revised Board rule will reflect a "lag" necessitated by the timing of the revised rule approval with one exception, as described below.

- The revised requirement for transition services to be included in a student's IEP when they complete the 9th grade (if the student has not already reached

age 16) will be effective when the student completes the 9th grade in the 2024-2025 school year (SY).

- The written notice to parents at least one year before a student's anticipated high school graduation date would be required no later than that same date in December 2024 for a student graduating in December 2025 or the same date at the end of the 2024-2025 SY for a student graduating at the end of the 2025-2026 SY.
- *Exception:* The new "estimated date of graduation" requirement in a student's IEP is in effect on *October 21, 2024, and thereafter*, under the following circumstances:
  - A student's IEP Team determines it is appropriate to include transition services for a younger student, or
  - A student who turns 16 years of age *before* completing the 9th grade. (A.A.C. R7-2-401(G)(4)(A)(c))

### **State Education Agency (SEA) Implementation Activities**

In the exercise of its general education supervision responsibilities under IDEA, 34 C.F.R. 300.149 et seq. and AAC R7-2-401(M), ADE/Exceptional Student Services (ADE/ESS) will ensure through technical assistance to PEAs that all eligible students with disabilities receive a free appropriate public education (FAPE) consistent with the new SBE secondary transition rule and, as applicable, will ensure compliance with these new requirements. Implementation of these activities is as follows:

- ADE/ESS Program Support and Monitoring (PSM) and Dispute Resolution (DR), through each unit's applicable processes, will ensure compliance with the revised transition services portion of the rule beginning SY 2025-2026 for all students with disabilities entering 10th grade. Through the remainder of SY 2024-2025, ADE/ESS PSM and DR will continue to ensure the implementation of transition planning at age 16 in accordance with the federal requirements and State Board Rule.
- ADE/ESS DR will ensure compliance with the written notification of anticipated graduation requirement beginning December 2024 for December 2025 graduates and May 2025 for May 2026 graduates.
- ADE/ESS PSM will monitor for the written parent notification of anticipated graduation and inclusion of anticipated graduation requirement through the annual PEA assurances, due between April and June 2025.
- During a PEA's programmatic monitoring, a review of updated policies and procedures reflecting the revised State Board Rule will be completed as part of the programmatic monitoring activities beginning SY 2025-2026.
- ADE/ESS DR will review IEPs for any state complaint or due process complaint when it is alleged that the estimated graduation date is not included in the student's IEP revised on or after October 21, 2024.

## SEA Technical Assistance and Training Opportunities

ADE/ESS will provide ongoing training opportunities and technical assistance through annual site visits completed by PSM staff. A presentation about the updates to the SBE rule will be provided at the November 21, 2024, Professionals Check-In. Additional training opportunities and best practice guidance from the ADE/ESS Special Projects Secondary Transition team will be forthcoming.

Contact your [PEA's assigned PSM specialist](#) for questions about the revised SBE rule requirements. For questions about Dispute Resolution options, please contact Laura Boever at (602) 542-3084 or email [ESSDRInbox@azed.gov](mailto:ESSDRInbox@azed.gov).

### Full Text of SBE adopted rule, as provided by SBE

*Revised Rule: A.A.C. R7-2-401.G.4*

Each IEP of a student with a disability shall be developed in accordance with IDEA and its regulations, state statutes and State Board of Education rules. If appropriate to meet the needs of a student and to ensure access to the general curriculum, an IEP team may include specially designed instruction in the IEP that may be delivered in a variety of educational settings by a general education teacher or other certificated personnel provided that certificated special education personnel are involved in the planning, progress monitoring and when appropriate, the delivery of the specially designed instruction.

- A. Transition services: Beginning not later than the first IEP to be in effect when the child completes 9<sup>th</sup> grade or reaches age 16, whichever is first, or younger if determined appropriate by the IEP Team, and updated annually, thereafter, the IEP must include—
  - a. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
  - b. The transition services (including courses of study) needed to assist the child in reaching those goals; and
  - c. The estimated date of graduation for the student, including the course of study that specifically aligns to the student's individual transition plan.
    - i. A school shall inform parents in writing at least one year before the anticipated high school graduation date of the child with a disability. This requirement is in addition to and not in lieu of federal requirements at C.F.R. 300.503 to provide prior written notice typically sent immediately prior to implementing a change in

placement.

- d. Transfer of rights at age of majority. Beginning not later than one year before the child reaches the age of majority under State law, the IEP must include a statement that the child has been informed of the child's rights under Part B of the Act, if any, that will transfer to the child on reaching the age of majority under § 300.520.