

organizations representing individuals with disabilities, and such other networks as the Secretary may determine to be appropriate.

(Authority: 20 U.S.C. 1409(g))
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§§ 324.42—324.49 [Reserved]

PART 325—STATE SYSTEMS FOR TRANSITION SERVICES FOR YOUTH WITH DISABILITIES PROGRAM

Subpart A—General

- Sec.
 325.1 What is the State systems for transition services for youth with disabilities program?
 325.2 Who is eligible for a grant?
 325.3 How must States use funds under this program?
 325.4 What regulations apply?
 325.5 What definitions apply?

Subpart B—How Does a State Apply for a Grant?

- 325.10 What must an application include?

Subpart C—How Does the Secretary Make a Grant?

- 325.20 How does the Secretary evaluate an application?
 325.21 What selection criteria does the Secretary use?

Subpart D—What Conditions Must Be Met After a Grant?

- 325.30 What other conditions must be met by a grantee under this program?

AUTHORITY: 20 U.S.C. 1425(e), unless otherwise noted.

SOURCE: 56 FR 66291, Dec. 20, 1991, unless otherwise noted.

Subpart A—General

§ 325.1 What is the State systems for transition services for youth with disabilities program?

This program provides assistance to States to develop, implement, and improve systems to provide transition services for youth with disabilities

from age 14 through the age they exit school.

(Authority: 20 U.S.C. 1425(e)(1))

§ 325.2 Who is eligible for a grant?

Under this program the Secretary may make a one-time, five-year grant—

- (a) To a State educational agency and a State vocational rehabilitation agency that submit a joint application; or
- (b) If a vocational rehabilitation agency does not choose to participate, to a State educational agency and a State agency that provides transition services to individuals who are leaving programs under the Act, that submit a joint application.

(Authority: 20 U.S.C. 1425(e)(2))

§ 325.3 How must States use funds under this program?

Agencies that receive grants under this program shall use grant funds to—

- (a) Increase the availability, access, and quality of transition assistance through the development and improvement of policies, procedures, systems, and other mechanisms for youth with disabilities and their families as those youth prepare for and enter adult life;
- (b) Improve the ability of professionals, parents, and advocates to work with those youth in ways that promote the understanding of and the capability to successfully make the transition from student to adult;
- (c) Improve working relationships among education personnel, both within LEAs and in postsecondary training programs, relevant State agencies, the private sector (especially employers), rehabilitation personnel, local and State employment agencies, local Private Industry Councils authorized by the Job Training Partnership Act, and families of students with disabilities and their advocates to identify and achieve consensus on the general nature and specific application of transition services to meet the needs of those youth;
- (d) Create an incentive for accessing and using the expertise and resources of programs, projects, and activities related to transition funded under this program and with other sources;

(e) Create incentives for the implementation of lasting State-wide system changes in the transition of students with disabilities to postsecondary training, education, and employment; and

(f) Assist the State education agency in implementing the requirement in section 602(a)(20)(D) of the Act that the student’s individualized education program include a statement of needed transition services for students, beginning no later than age 16 and annually thereafter (and, if determined appropriate for the individual, beginning at age 14), including, if appropriate, a statement of the interagency responsibilities or linkages, (or both) before the student leaves the school setting.

(Authority: 20 U.S.C. 1425(e)(3))

§ 325.4 What regulations apply?

The following regulations apply to this program:

(a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR—

- (1) Part 75 (Direct Grant Programs);
 - (2) Part 77 (Definitions that Apply to Department Regulations);
 - (3) Part 79 (Intergovernmental Review of Department of Education Programs and Activities);
 - (4) Part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments);
 - (5) Part 81 (General Education Provisions Act—Enforcement);
 - (6) Part 82 (New Restrictions on Lobbying);
 - (7) Part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)); and
 - (8) Part 86 (Drug-Free Schools and Campuses).
- (b) The regulations in this part 325.

(Authority: 20 U.S.C. 1425(e))

§ 325.5 What definitions apply?

(a) *Definition in the Act.* The following term used in this part is defined in section 602(a)(19) of the Individuals with Disabilities Education Act:
Transition services

(b) *Definitions in EDGAR.* The following terms used in this part are defined in 34 CFR 77.1:

- Application
- EDGAR
- Grant
- Local education agency (LEA)
- Project
- Secretary
- State
- State educational agency (SEA)

(c) *Other definitions.* The following definitions also apply to this part:

Act means the Individuals with Disabilities Education Act.

Youth with disabilities means individuals with disabilities from age 14 through the age they exit school.

(Authority: 20 U.S.C. 1425(e))

Subpart B—How Does a State Apply for a Grant?

§ 325.10 What must an application include?

An application under this program must include the following:

(a) A description of how the State educational agency and State vocational rehabilitation agency or other State agency will use—

- (1) The first year, if necessary, to plan how to implement transition services;
- (2) The second through fourth years to develop and implement transition services; and
- (3) The fifth year to evaluate transition services.

(b) A description of how the grant funds will be used during the planning period and phased out during the evaluation period to ensure the continuation of transition services.

(c) A description of the current availability, access, and quality of transition services for eligible youth and a description of how, over five years, the State will improve and expand the availability, access, and quality of transition services for youth with disabilities and their families as those youth prepare for and enter adult life.

(d) A description of how the State will improve and increase the ability of professionals, parents, advocates, and youth to promote the understanding of and the capability to successfully

make the transition from student to adult.

(e) A description of how the State will improve and increase working relationships among education personnel, both with LEAs and in postsecondary training programs, relevant State agencies, the private sector (especially employers), rehabilitation personnel, local and State employment agencies, local Private Industry Councils authorized by the Job Training Partnership Act, students with disabilities, their families, and their advocates to identify and achieve consensus on the general nature and specific application of transition services to meet the needs of youth with disabilities.

(f) A description of how the State will use grant funds as an incentive for accessing and using the expertise and resources of programs, projects, and activities related to transition funded through this program and with other sources.

(g) A description of how the State will address, in whole or in part, the needs of youth with disabilities from minority backgrounds.

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(Authority: 20 U.S.C. 1410(b), 1425(e)(4)(A))

Subpart C—How Does the Secretary Make a Grant?

§ 325.20 How does the Secretary evaluate an application?

(a) The Secretary evaluates an application submitted under this program on the basis of the criteria in § 325.21.

(b) The Secretary awards up to 100 points under these criteria.

(c) The maximum possible score for each criterion is indicated in parentheses.

(Authority: 20 U.S.C. 1425(e))

§ 325.21 What selection criteria does the Secretary use?

The Secretary uses the following criteria to evaluate the quality of an application submitted under this part:

(a) *Extent of need and expected impact* (20 points). The Secretary reviews each application to determine the justification for the proposed activities in the State based on the State need for and

expected impact from the activities to develop, implement, and improve systems to provide transition services for youth with disabilities from age 14 through the age they exit school. The Secretary looks for information that provides—

(1) A description of the current availability, access, and quality of transition services for eligible youth and a description of how, over five years, the State will improve and expand the availability, access, and quality of transition services for youth with disabilities and their families as those youth prepare for and enter adult life;

(2) A description of how the State will improve and increase the ability of professionals, parents, advocates, and youth to promote the understanding of and the capability to successfully make the transition from student to adult;

(3) A description of how the State will improve and increase working relationships among education personnel, both within LEAs and in postsecondary training programs, relevant State agencies, the private sector (especially employers), rehabilitation personnel, local and State employment agencies, local Private Industry Councils authorized by the Job Training Partnership Act, students with disabilities, their families, and their advocates to identify and achieve consensus on the general nature and specific application or transition services to meet the needs of youth with disabilities;

(4) A description of how the State will use grant funds as an incentive for accessing and using the expertise and resources of programs, projects, and activities related to transition funded under this program and with other sources; and

(5) A description of how the State will address the unique needs of youth with disabilities from minority backgrounds.

(b) *Technical soundness* (25 points). The Secretary reviews each application to determine the technical soundness of the project and whether the applicant has the capacity to achieve lasting statewide change, including a description of how the State will—

(1) Target resources to school settings, such as providing access to rehabilitation counselors for students with disabilities who are in school settings;

(2) Target a substantial amount of grant funds, received under this program, to program evaluation and documentation of, and dissemination of information about, transition services as well as to improve the capacity for case management;

(3) Provide incentives for interagency and private sector resource pooling and otherwise investing in transition services, especially in the form of cooperative agreements, particularly with Private Industry Councils authorized by the Job Training Partnership Act and local branches of State employment agencies;

(4) Provide for early, ongoing information and training for those involved with or who could be involved with transition services—professionals, parents, youth with disabilities, including self-advocacy training for those youth, and advocates for those youth as well as Private Industry Councils authorized by the Job Training Partnership Act and local branches of State employment agencies;

(5) Provide for the early and direct involvement of all relevant parties, including Private Industry Councils authorized by the Job Training Partnership Act and local branches of State employment agencies, in operating and planning improvements in transition services, and the early and direct involvement of all relevant parties in planning and implementing transition services for individual youth;

(6) Provide access to training for eligible youth that matches labor market needs in their communities;

(7) Integrate transition services with relevant opportunities in communities, including those sponsored by Private Industry Councils authorized by the Job Training Partnership Act and local employment agencies;

(8) Clearly define the services and service delivery system that will result from the project. The State must have analyzed in detail how these will differ from the current services and current delivery system;

(9) Identify all relevant barriers to implementing the proposed statewide

changes and identify and propose appropriate strategies for eliminating those barriers;

(10) Use an evaluation plan for transition services that is outcome oriented, that focuses on individual youth-focused benefits, and that is based on standard sources of information such as the individualized education programs required by the IDEA;

(11) Disseminate annually information about project activities and procedures and information from project evaluation activities, including information regarding effective strategies and obstacles to achieving project goals, to the organizations described in §325.30, and to other interested organizations within the State; and

(12) Ensure that, if appropriate and no later than age 22, eligible youth who participate in transition services under this program would be served as appropriate in the State section 110 program, the title VI, part C program, or the title VII, part A program, authorized under the Rehabilitation Act of 1973, as amended.

(c) *Plan of operation* (20 points). The Secretary reviews each application for information that shows the quality of the plan of operation for the project, including—

(1) An effective plan of management delineating the roles of both participating agencies and ensures proper and efficient administration of the project;

(2) A clear description of how the objectives of the project relate to the purpose of the program;

(3) The way the joint applicants plan to use their resources and personnel to achieve each objective;

(4) A description of how all State and other agencies whose cooperation and participation are necessary for statewide implementation are actively collaborating in project management;

(5) A description of how the joint applicants will provide for the direct participation of youth with disabilities and parents in the planning, development, and implementation of the project;

(6) A description of the procedures to be used to ensure that youth and their families who are potentially eligible

for the disability programs of the Social Security Administration are provided information, training, and referral services;

(7) A description of how the first year will be used to plan, if necessary, how to implement transition services, the second through fourth years to develop and implement transition services, and the fifth year to evaluate statewide services;

(8) Whether the budget is adequate to support the project and costs are reasonable in relation to the objectives of the project; and

(9) The extent to which grant funds will be used during the planning period and phased out during the evaluation period to ensure the continuation of transition services.

(d) *Quality of key personnel* (25 points, distributed as indicated). (1) The Secretary reviews each application for information that shows the qualifications of key personnel the applicant plans to use on the project, including information that shows—

(i) The qualifications of the project director (8 points); and

(ii) The qualifications of each of the other key personnel to be used in the project, including experience and training in fields related to the objectives of the project (7 points).

(2) In determining the qualifications of each person referred to in paragraphs (d)(1) (i) and (ii) of this section the Secretary also considers—

(i) The time that each person will commit to the project;

(ii) Experience and training in conducting, documenting, and applying the types of activities to be conducted; and

(iii) Knowledge of the results and findings of relevant projects and potential for application of this information in addressing the need for transitional services to youth with disabilities.

(3) Recruitment of underrepresented populations (10 points). The Secretary reviews each application for information that shows effective efforts are being made to recruit members of underrepresented populations as project staff, including—

(i) Strategies to recruit employees who are members of underrepresented populations, including members of ra-

cial or ethnic minority groups and individuals with disabilities; and

(ii) Procedures to provide training and other necessary support to retain and advance qualified personnel from underrepresented populations.

(e) *Evaluation* (10 points). The Secretary reviews each application to determine the quality of the plan for evaluating the project throughout the entire grant, leading to the required fifth year evaluation. The Secretary reviews factors including—

(1) The adequacy of the applicant's plan to determine the effectiveness of the project in achieving measurable changes in State policy, programs, and services that improve systems providing transition services for youth with disabilities.

(2) The adequacy of the applicant's plan to determine the effectiveness and timeliness in completion of the managerial procedures and objectives of the project's plan of operation; and

(3) The procedures for recording, reviewing, analyzing, and interpreting for relevant audiences, data generated through conducting project activities.

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(Authority: 20 U.S.C. 1425(e))

Subpart D—What Conditions Must Be Met After a Grant?

§ 325.30 What other conditions must be met by a grantee under this program?

(a) The Secretary, if appropriate, requires grantees to prepare reports describing their procedures, findings, and other relevant information in a form that will maximize the dissemination and use of those procedures, findings, and information.

(b) The Secretary requires delivery of those reports, as appropriate, to—

(1) The regional and Federal resource centers, the clearinghouses, and the technical assistance to parents programs assisted under parts C and D of the Act;

(2) The National Diffusion Network;

(3) The ERIC Clearinghouse on the Handicapped and Gifted;

§ 326.1

(4) The Child and Adolescent Service Systems Program (CASSP) under the National Institute of Mental Health;

(5) Appropriate parent and professional organizations;

(6) Organizations representing individuals with disabilities; and

(7) Such other networks as the Secretary may determine to be appropriate.

(c) Each grantee shall participate in the evaluation conducted by the institution of higher education or nonprofit public or private organization supported to implement section 626(f)(3)(A) of the Act.

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(Authority: 20 U.S.C. 1410(g), 1425(f)(3))

PART 326—SECONDARY EDUCATION AND TRANSITIONAL SERVICES FOR YOUTH WITH DISABILITIES PROGRAM

Subpart A—General

Sec.

326.1 What is the Secondary Education and Transitional Services for Youth with Disabilities program?

326.2 Who is eligible to apply for an award under this program?

326.3 What regulations apply to this program?

326.4 What definitions apply to this program?

326.5—326.9 [Reserved]

Subpart B—What Kinds of Projects Does the Secretary Assist Under This Program?

326.10 What kind of projects are authorized under this part?

326.11—326.19 [Reserved]

Subpart C—How Does One Apply for a Grant?

326.20 What must an applicant include in its application?

326.21—326.29 [Reserved]

Subpart D—How Does the Secretary Make a Grant?

326.30 What priorities are considered for support by the Secretary under this part?

326.31 How does the Secretary establish priorities?

326.32 What are the selection criteria for evaluating applications for research and evaluation projects?

34 CFR Ch. III (7-1-97 Edition)

326.33 What are the selection criteria for evaluating applications for model projects?

326.34 Are awards in this program geographically dispersed?

326.35—326.39 [Reserved]

Subpart E—What Conditions Must Be Met by a Grantee?

326.40 What is the requirement for participation of students with disabilities and their parents?

326.41 What coordination requirements must a grantee meet?

326.42 What other conditions must be met by grantees under this program?

326.43—326.49 [Reserved]

AUTHORITY: 20 U.S.C. 1425, unless otherwise noted.

SOURCE: 49 FR 28383, July 11, 1984, unless otherwise noted.

Subpart A—General

§ 326.1 What is the Secondary Education and Transitional Services for Youth with Disabilities program?

(a)(1) The purpose of this program is to assist youth with disabilities in the transition from secondary school to postsecondary environments such as competitive or supported employment.

(2) The Secretary carries out this purpose by providing assistance for projects that—

(i) Strengthen and coordinate education and related services that assist youth with disabilities currently in school or who recently left school to assist them in the transition to competitive or supported employment, postsecondary education, vocational training, continuing education, independent and community living or adult services;

(ii) Stimulate the improvement and development of programs for secondary special education; or

(iii) Stimulate the improvement of the vocational and life skills of students with disabilities to enable them to be better prepared for transition to adult life and services.

(b) The purpose of this program is also to ensure that secondary special