

Law Office of Michelle Becker



**How to help your child transition from high school into
a productive and independent adult life ... *and thrive!***

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Agenda

- When to begin planning for transition
- Transition Planning Process
- What Should the Transition Plan Include
- Several Pathways to Consider after High School
- From High School to Employment
- From High School to Post-Secondary Education and Training
- Independent Living



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When to Begin Planning for Transition


- Transition planning must formally begin with the first IEP after your student turns 16 years old, however you should always be planning ahead
- 20 U.S.C. Sec. 1414(d)(1)(A)(i)(VII); 34 C.F.R. Sec. 300.320(b)
- Make sure you start early enough to plan for and ensure you get all the necessary services (Regional Center, Department of Rehabilitation or college disability services)
- Initially, plan to hold a separate Individualized Transition Plan meeting, separate from the IEP meeting, to spend the proper amount of time discussing your student's post-secondary goals and objectives



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Transition Planning Process


- You can begin transition planning in one of two ways:
 - Discuss the transition plan during the IEP meeting
 - Send a written request to hold a separate transition plan meeting
- There are five main components of transition to plan for:
 - Education – College, Community College, Vocational
 - Employment
 - Independent Living/Daily Living Skills
 - Community Experience
 - Related Services
- The district must conduct assessments in all five components to determine the transition needs and services that meet those needs
34 C.F.R. Sec. 300.304(b); Cal. Ed. Code Sec. 56320(f)



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Transition Planning Assessments


- Conduct Vocational Assessments while in high school
 - Vocational Interests and Values:
 - Campbell's, Career Exploration Inventory, Myers-Briggs Type Indicator
 - Job Aptitudes and Skills:
 - Brigance, Occupational Aptitude Survey
 - Work Behaviors:
 - Brigance, Career Key, Work Behavior Institute
 - Self Determination:
 - American Institutes for Research Self-Determination Assessments
 - Independent Living Skills:
 - Brigance, Transition Planning Inventory, Ansell-Casey Life Skills



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What should the Transition Plan Include

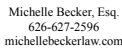

- District Graduation Requirements
- Planned Course of Study by Year
- Units/Credits Completed; Units/Credits left
- Anticipated Completion Date
- Certificate or Diploma (Y/N)
- Age Of Majority – Important to advise student of rights by 17th birthday
- Statement as to whether the student and other agencies were invited
- Review of Transition Assessments completed/Results described
- Statement of Transition Needs
 - Employment, Further Education, Daily Living, Leisure, Health, Self Determination
- Transition Skills Checklist
- Student Post-Secondary Goals - Training and/or Education



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Several Pathways to Consider

- **Competitive Employment**
 - Regular job in the community
 - Work beside disabled/non-disabled individuals
 - Work at pay at/above minimum wage
- **Supported Employment**
 - Regular job in the community
 - Ongoing assistance with a job coach
 - Settings include individual placements, work crews and groups
- **Sheltered Workshops**
 - Vocational training in a protected environment
 - Training for skills for competitive or supported employment
- **Day Programs and Independent Living Skills**
- **Post- Secondary/Higher Education**
 - College/University
 - Community College
 - General Education Vocational Programs



From High School to Employment
Governing Laws

- **Employment Rights under Americans with Disabilities Act (ADA)**
 - Generally, no covered entity shall discriminate against a qualified individual on the basis of a disability
 - Covered Entities are private companies, state and local governmental agencies, labor unions and employment agencies (15+ employees)
- **Employment Rights under Title II – Social Security Admin. Employment Support/Work Incentives Program**
 - Trial Work Programs (TWP) – 9 months of work to test work ability
 - Substantial Gainful Activity (SGA) – Paid work involving mental/physical
- **California Fair Employment and Housing Act**
 - Prohibits harassment and discrimination in employment/housing
- **Reasonable Accommodations in the Workplace (ADA – Title I)**
 - Modifications or adjustments that enable employees to perform the essential functions of their job
 - “Reasonable” is case specific
 - Complaints go to Equal Employment Opp. Comm. (EEOC)


From High School to Employment
Resources

- **California Department of Rehabilitation (DR)**
 - **Vocational Training**
 - Program assists transitioning youths with obtaining and retaining employment and maximize their ability to live independently in their communities.
 - Department develops, purchases, provides, and advocates for programs and services in vocational rehabilitation, habilitation and independent living with a priority on service or persons with most significant disabilities.
- **Regional Centers (RC)**
 - **Work Programs**
 - Work Services Program provides work and community integration opportunities through supported employment and work activity programs
 - **Day Programs**
 - Community based to assist with self help/care, social and behavior skills;
 - Self advocacy and employment skills; community integration

**From High School to Post-Secondary Education
Governing Law**


- Special Education from ages 3-22 (Pre-school through high school) is governed by the Individuals with Disabilities Education Act (IDEA)
- Post-secondary education, which includes trade schools, community colleges and 4-year colleges/universities, is governed by Section 504 of the Rehabilitation Act of 1973 and Title II of the ADA – NOT IDEA
- In a post-secondary setting, students with disabilities must seek out Section 504 accommodations under the Rehabilitation Act of 1973 and Title II of the ADA rather than special education services under IDEA
- The Office of Civil Rights has enforcement responsibilities under Section 504 of the Rehabilitation Act of 1973, NOT the California Department of Education or the Office of Administrative Hearings
- ANY post-secondary institution that receives federal funding is subject Section 504 and Title II; any failure to comply could place federal funds at risk



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Admissions


- **Entrance Exams**
 - Test ability/aptitude, not disability
 - Testing Conditions may be changed to accommodate participation by student so long as reasonable (Large print, extra time, more breaks, etc.)
- **Disability Questions**
 - Schools cannot make pre-admission inquiries about disabilities
 - School CAN make inquiries that provide information regarding student's ability to meet essential program requirements (not to identify disability)
- **Denial of Admission due to disability**
 - Schools cannot deny admission on the basis of disability if student meets essential program requirements
- **Are schools under an obligation to identify students with disability**
 - NO – Unlike the Child Find rules under IDEA, if a student wants accommodations/services, the student must self-identify as a student with disabilities and seek out services



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**Post-Admission
Documentation**


- **Section 504 Academic Adjustment/Aids and Services**
 - Defined by 34 C.F.R. § 104.44(a); modification to academic requirements necessary to ensure such requirements do not discriminate against a student with a disability (extended time, reduced course load, etc.)
- **Proper Documents to receive adjustments**
 - Requirements vary by institution; documentation must show that student has a disability, that it is an impairment that substantially limits a major life activity (Walking, breathing, reading, thinking, etc.)
 - Documentation should show how students ability to function is limited by disability
- **Who is responsible to provide documents – THE STUDENT**
- **Is current IEP/504 Plan sufficient – NO; it is helpful but not sufficient**



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**Post-Admission
Documentation (Continued)**


- Will a Medical diagnosis be enough – NO
 - Impairment must substantially limit a major life activity, or student must have a record of such an impairment or be regarded as having such an impairment. A diagnosis from a treating physician, along with information about how the disability affects the student, will likely suffice.
- How to prepare for transition – Begin transition planning **EARLY**
 - Conduct new assessments in senior year of high school. A student can be assessed by the school once each year, upon request. Submit an assessment request at the beginning of the year so student leaves high school with updated results.
 - Hold IEP/504 Plan meeting (out of cycle if necessary) to include any new services and accommodations into existing IEP/504 Plan based on new assessment results
 - Obtain updated medical diagnosis in senior year of high school
 - Once student is accepted in to school/enrolls in school, student (and parent) should meet with the school's Office of Students with Disabilities to register as a student with disabilities; supply documentation, discuss needs and secure accommodations



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**Post-Admission
Obtaining Services**


- Must schools provide everything you ask for – NO
 - Not if adjustment waives essential academic requirements or results in undue financial burden (extra time on tests v. change test content)
- How to request adjustments – Office of Student with Disabilities
- How to work with Office of Students with Disabilities
 - Student seeks out assistance from the Office
 - Office assists students in determining appropriate adjustments/Self Advocacy
 - It is up to students to take advantage of services
- Who pays for auxiliary aids and services
 - The school is responsible for supplying aids/services, however, they may require students to pay up front then the school will reimburse the student
- What if aids are not working – Self Advocacy



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From High School to Independent Living

- Independent Living Programs
 - Independent Living Programs provide services to young adults with developmental disabilities.
 - They offer functional skills training necessary to secure a self-sustaining, independent living situation in the community and/or may provide the support necessary to maintain those skills.
 - Individuals typically live alone or with roommates in their own homes or apts.
- Resources
 - Regional Center
 - California Fair Employment and Housing
 - California Mentor – Bridges Program
 - Independence Center
 - CASA De Amma
- Skills Development
 - Managing Money
 - Maintaining Living Accommodations
 - Personal Care
 - Food Preparation/Nutrition
 - Leisure and social skills; community involvement



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Post-Secondary Keys to Success

- Attitude, Self Advocacy, Preparation
- Understand your disability
- Accept responsibility for your own success
- Take appropriate prep courses and aptitude tests in high school
- Learn time-management skills
- Acquire computer skills
- Consider a post-secondary preparatory program



Research programs both in-state and out of state
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RESOURCES

- US Department of Education, Office of Civil Rights, Transition of Students with Disabilities to Post Secondary Education; A Guide for High School Education, Washington D.C., 2011 (<http://www.ed.gov/about/offices/list/ocr/transitionguide.html>)
- Transition Planning Guide: Oregon Department of Education, Transition Planning from High School to Adult Live; A Student Handbook (<http://www.ode.state.or.us>)
- Disability Rights California: *Special Education Rights and Responsibilities, Chapter 10 – Information on Transition Services, Including Vocational Education*. See www.disabilityrightsca.org. Search: Transition Services
- Timmons, J., Podmostko, M., Bremer, C., Lavin, D., &Wills, J. (2005). *Career planning begins with assessment: A guide for professionals serving youth with educational & career development challenges (Rev. Ed.)*. Washington, D.C.: National Collaborative on Workforce and Disability for Youth, Institute for Educational Leadership. Available at www.nwcyn.org/info/resources_&_Publications/manuals.php



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