

PARENT GUIDE
to
TRANSITION PLANNING in the IEP PROCESS



Transition is about planning for life! It includes planning for academic and non-academic courses and learning experiences, employment and related training opportunities, choices about where to live in the community, and what to do for fun and socialization. One of the goals of transition is to help youth have an understanding of their disability and choices to determine their future. One of the ways transition does this is by connecting your child to teachers and other caring adults, support services, and experiences that build skills and help them reach their goals. Transition is based on family values, priorities, and culture, and is focused on an individual child's strengths, interests, preferences, and needs.

The involvement of youth and families is important so that youth can begin to understand themselves and then identify a team of caring adults who will support their journey. A primary rite of passage for all youth is graduating from high school. The beginning of adulthood is celebrated at this time with an expectation that youth will develop an increasing independence and autonomy and move on to further education, meaningful jobs, finding their own places to live, and their own friends, companions, and life in the community.

These are tough, but exciting times! As a parent, you have survived many stages of your child's life...the terrible twos, beginning school, those wonderful early adolescent years. You have watched your child's development often with pride and sometimes with frustration. Graduation from high school is fast approaching, whether you are ready or not! This is where transition comes in. You have experienced many transitions, or changes, in your child's life. This is probably the most difficult transition that the two of you have experienced thus far. Both you and your child are experiencing some strong feelings about this change. As a parent, your advice is invaluable! You have a perspective that no one else can offer. The teachers will have valuable information to share with you, but you have a perspective that no one else can offer.

In 1990, the Federal Government passed a law called the Individuals with Disabilities Education Act (IDEA). One component of this law was the issue of transition of students from the world of school to adult life. The new IDEA 2004 law says that schools must address transition by the age of 16, or earlier if the IEP Team deems appropriate. Tennessee Rules require transition planning begin no later than age 14 and include development of measurable post secondary goals and a course of study that will reasonably enable your child to meet his/her goals for after high school.

Transition planning includes these four components:

☐ ☐ **Employment** – What does your child want to do to earn a living and become a productive member of society? How can the schools prepare the student for these goals? Are these goals realistic?

☐ ☐ **Post-secondary education and/or training** – Where will my child acquire the skills to become what he/she wants? How will he/she pay for it? What agencies will assist him/her in meeting this goal?

☐ ☐ **Independent living** – Is my child capable of living independently as an adult? What skills does the student need in order to live as independently as possible?

☐ ☐ **Community participation – How will my child be involved in the community? Will he/she participate in recreation, church activities, or other organizations? Can he/she get around in the community independently?**

The school will discuss transition planning at least at each meeting where the annual IEP is developed. The schools need you to help design these plans for your child. Preparing for the Transition/IEP Meeting. The more you plan ahead, the better prepared you will be to participate in your child's transition/IEP meeting!

Prepare for the Transition/IEP Meeting

- ☐ ☐ **Complete the enclosed student/parent questionnaire with your child.**
- ☐ ☐ **Be prepared to share this questionnaire with your child's IEP team.**
- ☐ ☐ **Bring suggestions to meetings on what actions you feel are needed to meet or move toward goals in the transition plan.**
- ☐ ☐ **Make yourselves familiar with the various roles and functions of team members.**
- ☐ ☐ **Become aware of who is responsible for what services.**
- ☐ ☐ **Become aware of timeliness for completion of goals.**
- ☐ ☐ **Be supportive of your child's transition program.**
- ☐ ☐ **Participate in and reinforce the activities in the classroom and community that will prepare and help your child succeed in the adult world.**
- ☐ ☐ **Promote appropriate behavior.**
- ☐ ☐ **Teach and reinforce good grooming habits.**
- ☐ ☐ **Teach money management skills.**

Parents have rights on behalf of their child.

- ☐ ☐ **Parents have a right to have transition services included in their child's IEP while in school.**
- ☐ ☐ **The parents' right to transition services transfer to their child at the age of majority (18) unless conservatorship has been *legally established*.**
- ☐ ☐ **Your child is not necessarily entitled to adult services unless he/she meets the criteria of a specific program to which he/she is applying.**

Questions You Might Ask at the Transition/IEP Meeting

Questions for Secondary School Personnel:

- ☐ ☐ What are the career and vocational objectives on my child's IEP?
- ☐ ☐ Will my child participate in job training, if appropriate?
- ☐ ☐ On what social skills does the IEP team think my child needs to work?
- ☐ ☐ I would like my child included in more vocational classes. What classes do you suggest?
- ☐ ☐ What types of vocational assessments are administered to determine my child's interests and strengths?
- ☐ ☐ Will my child be taught functional math and reading?
- ☐ ☐ What functional activities contribute to independence?

Questions for Post-Secondary/Vocational Training or Education Programs:

- ☐ ☐ What training programs are offered?
- ☐ ☐ What is the length and cost of the programs?
- ☐ ☐ What are the entry requirements of the program?
- ☐ ☐ What support services are available for him/her?
- ☐ ☐ How and where can financial assistance be obtained?
- ☐ ☐ What is the application procedure?
- ☐ ☐ Do you provide assistance in locating a job when my child finishes your program?

Questions for Adult Service Agencies:

Many of the following questions can be answered by visiting **Pathfinders Adult Services Resource Guide**: <http://kc.vanderbilt.edu/kennedy/pathfinder>

- ☐ ☐ What programs and services are offered by your agency?
- ☐ ☐ What types of disabilities do you serve?
- ☐ ☐ How do you determine eligibility?
- ☐ ☐ What is the cost for your program? Can financial assistance be obtained and, if so, whom do I contact?
- ☐ ☐ Is there a waiting list for your programs? If so, how long?
- ☐ ☐ Who is the contact person?

☐ ☐ How old does my child have to be to receive your services?

☐ ☐ What is the duration of the services?

☐ ☐ What is my role and level of involvement?

☐ ☐ Do you offer individual and family counseling?

How You Can Help in Developing a Transition Plan

☐ ☐ **Involve your child.** Your child has specific ideas for his future. Take the time to listen to these ideas.

☐ ☐ **Set realistic goals.** Take your child's ideas, abilities and interests into consideration. Help him/her set goals that are realistic.

☐ ☐ **Encourage independence.** Move your child to more independent situations. This includes self-care, independent travel, money management, and decision making.

☐ ☐ **Gather information about services that are available to your child upon graduation from high school.** Find out about services available through Vocational Rehabilitation, and all other available programs. Place your child's name on any appropriate waiting lists. Gather information about guardianship and conservatorship, when needed.

☐ ☐ **Build self-esteem.** Have confidence in your child. Expect him/her to achieve with appropriate supports. Your confidence will send a positive message to your child.

☐ ☐ **Encourage friendships with peers.** Place your child in activities where he/she will spend time with youth that can be friends.

☐ ☐ **Provide real experiences.** Persons with disabilities need experiences in the community. Provide the opportunity for your child to participate in activities such as recreation, church, and youth organizations.

☐ ☐ **Encourage good grooming and good work habits.**

☐ ☐ **Encourage the child to learn to accept criticism.** In order to function as an adult, youth need to accept criticism with grace, whether this criticism is fair or unfair.

Guardianship/Conservatorship and the Age of Majority

Beginning at least one year before the age of majority, the IEP process must include a statement that the student and his or her parents have been informed of his or her rights and that these rights will transfer to the student upon reaching the age of majority.

Educational rights that transfer to the student at age 18 are:

- ✓ receive notice of and attend individual education program (IEP) meetings.
- ✓ consent to reevaluation.
- ✓ consent to change in placement.

- ✓ request for mediation or a due process hearing to resolve a dispute about evaluation, identification, eligibility, IEP, placement, or other aspects of a free appropriate public education (FAPE).

In the state of Tennessee, a minor reaches the age of majority on his or her 18th birthday. Upon attaining the age of majority, all rights and privileges of an adult are granted to this individual allowing the 18 year old to legally make decisions about personal affairs, including educational matters.

An individual who turns eighteen is no longer legally subject to the authority of his or her parents. This is also true for an individual that has a disability regardless of the level of functioning. In order for someone to make decisions on behalf of an individual with disabilities who has turned 18, a caring adult (which may or may not be the parent) must obtain a court order granting him or her conservatorship and/or guardianship. To apply for a guardianship/conservatorship, contact the probate division of the circuit court in your local county or an attorney of your choice. Guardianship and conservatorship allow the parent or individual appointed by a court to make legally binding decisions on behalf of an adult child, who may not possess the functional or mental capability to do so independently.

Material in this guide is from *Tennessee Connections Transition Manual* produced by the transition task force in collaboration with personnel from the Tennessee Department of Education. The entire guidebook is available from: www.state.tn.us/education/speced

Note: If your child receives SSI benefits, find out how he/she can work and continue to receive benefits at www.ssa.gov or ask your IEP Team members to put you in touch with a Benefits Planner.

Student/Parent Questionnaire for Transition Planning

Please consider these questions as you prepare for the next IEP meeting for your child. At this meeting we will develop a transition plan, which will identify future goals for your child. These questions will help identify your dreams for your child as we prepare for the future.

Employment:

I think my child will work in a: (check most appropriate option)

Full time regular job

Part time regular job

A job that has support and is supervised

Other:

My child's strengths in this area are:

My child seems to enjoy working as:

When I think of my child working, I feel that (s) he needs to develop skills in this area:

Note: Tennessee has a site to help teach students about different careers, job duties, salary range, education requirements, etc. at <http://tcids.tbr.edu/>

Education:

After graduation, my child will attend:

College

Community college

Vocational training

On-the-job training

Other:

My child's educational strengths are:

Recreational:

When my child graduates, I hope (s) he is involved in (check all that apply):

Independent recreational activities

Activities with friends

Organized recreational activities

Other:

During free time, my child enjoys:

My child's strengths in this area are:

My child's weaknesses in this area are:

Transportation:

When my child graduates (s)he will (check all that apply):

Have a driver's license and car

Walk

Use a bus or taxi independently

Use supported transportation (i.e., car pools, special program)

Other:

My child's strengths in this area are:

My child needs to develop skills in this area:

Please check 3 to 5 areas in which your child needs information/support:

Social/Interpersonal:

Making friends

Setting goals

Getting along with family

Handling legal responsibilities

Managing anger

Communicating needs appropriately

Getting along with the opposite sex

Other:

Personal Management:

Hygiene

Safety

Mobility/transportation

Money management/budgeting
Time management
Other:

Health Care Issues such as a serious medical condition or management of medications.

Age of Majority: Preparing Your Child for Making Good Choices

Parents want their children to have the skills they need to succeed as adults. While this is important for every young person, youth with disabilities often face extra challenges. That's why they need to be actively involved in setting their high school goals and planning for their transition to adulthood well before they reach the age of majority. (*In Tennessee,, the age of majority is 18*)

The Individuals with Disabilities Education Act (IDEA) gives states the authority to elect to transfer educational decision-making rights to students at the age of majority. In a state that transfers rights at the age of majority, beginning at least one year before a student reaches the age of majority under State law, the student's individualized education program (IEP) must include a statement that the student has been informed of his or her rights, if any, under Part B of IDEA , that will transfer to the student upon reaching the age of majority. The public agency shall provide any notice required by Part B to both the student and the parents. (This regulation does not apply to students who have been determined to be incompetent under state law.)

In a state that has elected to transfer educational decision-making rights at the age of majority, students become responsible for their educational program. Students, not their parents, are the primary participant in developing their IEP and they become responsible for making other decisions, such as consenting to any changes in placement or requesting mediation or due process hearings to resolve disputes.

Reaching the age of majority can be an exciting time for most students. Transferring rights to young adults who are unable to make informed decisions or take responsibility for their choices, however, carries many risks. *Will students decide to drop out of high school or accept a quick diploma and become ineligible for much-needed transition services?* Many of the decisions young adults make affect their quality of life after high school.

Helping Your Child Prepare for the Age of Majority

As parents, we can begin to help our children prepare for adult-hood by looking at the role we play in their lives. *Do we try too hard to sway our children's decisions? Do we tend to speak for our children instead of letting them speak for themselves? Can we separate our own desires from our children's wishes?* It can be hard to let go of our parental role when we love our children and worry about their future. But we may need to step back and look at our own actions. Our role is to help our children to become comfortable making their own decisions and capable of making good choices. Children develop decision-making skills over time. Young children can practice these skills within the family. Older children can take increasing responsibility for the decisions that affect their lives.

Age of majority is the legal age established under state law at which an individual is no longer a minor and, as a young adult, has the right and responsibility to make certain legal choices that adults make.

Rights that transfer—

In states that transfer educational rights at the age of majority, all of the educational rights provided to the parents transfer to the student when he or she reaches the age of majority. These educational rights may include the right to. . .

- receive notice of and attend individual education program (IEP) meetings.
- consent to reevaluation.
- consent to change in placement.
- request for mediation or a due process hearing to resolve a dispute about evaluation, identification, eligibility, IEP, placement, or other aspects of a free appropriate public education (FAPE).

Teaching Young Children How to Make Decisions

- Include your child in purchasing decisions. Does your child help select his or her own clothing and help with grocery shopping and meal planning?
- Discuss important decisions such as vacation plans and major purchases as a family. Routinely state your thoughts out loud so your children have a model for good decision making: "We are not ready to decide on that yet, let's talk about it tomorrow after dinner;" or "Let's gather more information before we buy this."
- Practice with your child what he or she should do if lost.

Teaching Older Children How to Make Decisions

- Encourage your child to participate in planning his or her IEP and even leading the IEP meeting.
- Role-play IEP meetings with your child ahead of time to help him or her clarify what he or she wants from the meeting. Practice how to step out of the meeting to discuss a decision in private. Ask your child if he or she wants to invite anyone to the meeting for support.

Additional Tips for Helping Your Child Make Informed Decisions

- Help your child develop good working relationships with school personnel and other IEP team members so there is little disruption when he or she reaches the age of majority.
- Do not allow educators to pressure your child into making decisions he or she is not capable of handling.
- Avoid being overprotective. Do not interfere with your child's desires when it is not truly necessary.
- Stay involved even after you are no longer the primary participant in the development of your child's IEP. IDEA does not address parents' attendance at IEP meetings once a student has reached the age of majority. Typically a parent continues to attend the meeting as an individual who is knowledgeable about the student's educational needs and abilities unless the child objects to the parents' attendance.

Transfer of Rights

In a state that transfers rights at the age of majority, beginning at least one year prior to the student reaching the age of majority under state law, the student's IEP must include a statement that the student has been informed that his or her rights under Part B, if any, will transfer. The school must comply with IDEA notification requirements to both the student and the parents.

Families should understand how their state implements these IDEA regulations. Ideally, the student, parents, and other family members will all continue to be actively involved in planning the services and programs for the student's transition into adulthood. As parents of children with disabilities, our challenge is to seek opportunities for our children to make choices for themselves beginning at a very early age and continuing throughout their school years. Community education programs often have classes for teens on assertiveness or independent living skills. Centers for Independent Living offer workshops on self-determination and living skills for young adults. Leadership workshops and camps can also be beneficial in teaching these skills.

Guardianship

If a state elects to transfer rights at the age of majority, IDEA requires at least one year of notice to parents and students before a student reaches the age of majority. This notice alerts families to consider whether or not their child is capable of representing him or herself.

At the age of majority, students are granted certain legal rights, such as the right to vote, marry, obtain a credit card, consent to medical treatments, make living arrangements, and sign contracts. Each of the 50 states determines what rights transfer to individuals at the age of majority within that state. Some students may not be able to recognize when a decision needs to be made, consider possible options, or recognize the consequences of their decisions without additional support. For these students, guardianship, conservatorship, or another form of representation by an advocate may be appropriate.

When the student reaches the age of majority under State law (except for a child with a disability who has been determined to be incompetent under State law)—

- (A) The public agency shall provide any notice required by IDEA to both the individual and the parents;
- (B) All other rights accorded to parents under IDEA transfer to the child;
- (C) The agency shall notify the individual and the parents of the transfer of rights; and
- (D) All rights accorded to parents under IDEA transfer to children who are incarcerated in an adult or juvenile Federal, State, or local correctional institution [20 U.S.C. 1415(m)].

Under guardianship, a person is considered to be legally incompetent. The individual loses the authority to make all the decisions granted to adults. A person called the guardian is **assigned by the court** to make these decisions. The guardian is usually a parent. The person under guardianship is legally referred to as the ward.

Many states also offer limited guardianship, sometimes called conservatorship. People who are granted conservatorship for another individual are assigned limited decision-making responsibility based on the individual's needs. These responsibilities are carefully outlined in a court order. Conservatorship is designed to allow a person to retain as many of his or her rights as possible. A person under conservatorship is not considered to be legally incompetent. He or she retains as many rights as deemed appropriate by the court. Different people have different limitations under conservatorship, depending on their individual vulnerabilities. The person the court appoints to make decisions on behalf of the individual is called the conservator. The person who has a conservator assigned is considered the conservatee.

Obtaining guardianship or conservatorship for a person **requires a petition to be filed with a court** alleging that the person needs such an arrangement, a court hearing on the case, and annual reports filed with the court regarding the status of the arrangement. The petition for guardianship or conservatorship often involves numerous complicated forms, although it is not required that an attorney be involved in the process. Petitioners can obtain necessary forms from the probate court.

Guardianship, and to a lesser extent conservatorship, severely limits an individual's right to make independent decisions and should only be considered when there is no less restrictive alternative. If your child is not able to make educational decisions but does not need guardianship or conservatorship, you may want to explore procedures within your state that may allow an advocate to represent the educational interests of your child.

Graduation: Another Transition Consideration

Regular Diploma

If a student with a disability graduates with a regular diploma, the student loses eligibility for a free appropriate public education (FAPE). However, if a student graduates with any other type of diploma or certificate, the student may retain eligibility for education services.

Timely Notice

Schools must notify parents before proposing to graduate a student with disabilities because it is considered a change in placement. This notice must be given within a reasonable time before graduation to ensure that parents and students have the opportunity to plan for, or challenge, the pending graduation.

This document adapted from ncset.org and PACER Center information.