



Education Law Center

*Making sure that all of Pennsylvania's children
have access to quality public schools*

TRANSITION TO ADULT LIFE FOR CHILDREN WITH DISABILITIES

IMPORTANT: ELC's publications are intended to give you a general idea of the law. However, each situation is different. If, after reading our publications, you have questions about how the law applies to your particular situation, contact the Disability Rights Network at 1-800-692-7443, contact ELC for a referral, or contact an attorney of your choice.

WHAT ARE TRANSITION SERVICES?

Federal law defines transition services as a "coordinated set of activities" and a "results-oriented" process that is focused on improving the child's academic and life skills so that the child can move smoothly from school to life after school. Transition planning must be "based on the child's needs, taking into account the child's strengths, preferences, and interests."

In Pennsylvania, a **coordinated set of activities** means a multi-year planning process that leads the child from age 14 through the high school years. Appropriate **transition outcomes** can include:

- Post-high school **education** like community colleges, four-year universities, trade or technical schools;
- Vocational education and **training**, including programs funded through the Offices of Vocational Rehabilitation and Mental Health/Mental Retardation;
- **Employment**, integrated employment (including supported employment);

- Continuing and **adult education** programs, including GED courses and **adult services** provided by agencies like the Offices of Vocational Rehabilitation, Mental Health/Mental Retardation and the Social Security Administration;
- **Independent and community living.**

Transition services can include instruction or special instruction, related services, community experiences, and the development of employment skills and other post-school adult living objectives. Transition services could also include activities to help the child acquire daily living skills, and a functional vocational evaluation. For example, if a child with a disability will be living in a group home and participating in supportive employment, she may need to be taught how to use public transportation and handle money. If the child will be attending post-secondary education or vocational education, the child's program could include algebra (an essential course for college admission), or even advanced placement courses.

Good transition plans should include teaching children "**self-advocacy skills**" so that the children can advocate for themselves after their public school experience ends. Effective self-advocates understand their disabilities, the impact of the disabilities on their daily lives, and the supports they need to be successful in school, employment, and in the community. Parents and school staff should help children be effective self-advocates during transition planning. They should help the child explain her preferences, aptitudes, and abilities so that the resulting educational programming will be interesting to, and appropriate for, the student.

WHO IS ENTITLED TO TRANSITION SERVICES, AND WHEN DO TRANSITION SERVICES BEGIN?

Children who are **14 or older** must have a transition plan as part of their IEPs. **The transition plan** must include **appropriate and measurable goals** for when the child leaves high school; the goals should be updated each year. Transition goals must be based on **age-appropriate transition assessments** in the areas of training, education, employment, and, when appropriate, independent living skills. The IEP should also include the **transition services** (including courses of study) needed for the child to reach the transition goals. The IEP can list outside

agencies that will provide services to help the child achieve her transition goals. When the child turns 17, the IEP Team must discuss whether voter registration is an appropriate community living and/or citizenship goal for the child. If it is, the IEP must explain when and how voter registration will be accomplished.

Think about transition early! If appropriate and measurable goals are to be in place when the child turns 14, planning and transition assessments should start earlier.

WHERE MUST TRANSITION SERVICES BE PROVIDED?

Transition services, like all other special education services, must be provided in the "least restrictive environment." This means that children with disabilities must receive transition services, to the maximum extent appropriate, with children who are not disabled in the regular education environment or in community settings. The location of the services should be clear in the IEP. Transition services and activities can take place in the school, community, an employment site, and in vocational technical schools.

WHAT INFORMATION SHOULD BE GATHERED BEFORE TRANSITION PLANNING BEGINS?

Transition services must be based on the individual child's strengths and needs, taking into account the child's preferences and interests and the results of age-appropriate transition assessments relating to training, education, employment, and, where appropriate, independent living skills. The individualized assessment should provide an overall picture of the child, and should help the child and family decide what they want the child to do after leaving school. Assessment information can be obtained through child and parent interviews, surveys, teacher questionnaires, observations of the child in school and at a work setting, and through more formal assessments.

WHO DECIDES WHAT THE TRANSITION OBJECTIVES AND SERVICES WILL BE?

The IEP Team determines what the transition goals and services for the child should be. In addition to the regular members of the IEP Team (including, of course, the parents), the child *must* be invited to take part in transition planning. If the child does not attend the IEP Team meeting, the district must take other steps to ensure that the child's interests and preferences are considered.

With the consent of the family or an adult student, representatives from outside agencies that will be responsible for providing or funding adult disability services can be invited to participate in an IEP meeting at which a transition plan will be developed or revised. Such agencies can include the Office of Vocational Rehabilitation (OVR), the County Offices of Mental Health/Mental Retardation (MH/MR), or an agency administering a Medicaid Home and Community Based Waiver Program.

OVR can accept student referrals from the child, a family member, or school personnel up to two years prior to graduation or earlier (each child is evaluated on an individualized basis), and can help eligible children develop an Individual Plan for Employment (IPE) before leaving the school setting. After the child leaves school, OVR can provide employment and training services to the child, provide counseling and guidance services, and can help the child address special needs and barriers to competitive employment. If you need help to access OVR services, you can call the Pennsylvania Client Assistance Program (CAP) at 1-888-745-2357 (voice/tty).

The school district cannot guarantee that an outside agency that participates in transition planning will follow through on its commitments to the child or the family, even if those commitments are written into the IEP. However, if an outside agency does not provide the transition services listed in the IEP, the school district must bring the IEP Team together again to decide what other strategies can be used to meet the child's transition goals.

HOW ARE TRANSITION GOALS AND SERVICES INCLUDED IN THE IEP?

If your child will be 14 when her IEP is in effect, the IEP Team should fill out Section III of the IEP form. Here is a link to the annotated IEP form that school districts use <http://www.pattan.k12.pa.us/files/Forms/English/IEP-ANN011309.pdf>. It contains information and suggestions that will help. The Team should fill out this section of the IEP, indicating the child's and family's post school goals, post-secondary education and training goals, and independent living (if appropriate). For each transition service the Team should note the location, frequency, expected length, the agency responsible (which can include outside agencies), and when services will begin, and whether the outcome will be achieved through a particular course of study listed in the instructional goals in the IEP. Remember, the goals should be based upon previously conducted transition assessments.

HOW CAN A TRANSITIONING CHILD BECOME MORE INVOLVED IN DEVELOPING THE TRANSITION PLAN?

The law requires that school districts invite children with disabilities to participate in transition planning for their IEPs, and children should be encouraged to attend. The child is in the best position to voice her needs, strengths, preferences and interests so that the IEP Team can develop good transition goals and services that will be interesting and appropriate for the child.

Parents, teachers and other members of the IEP Team can help the child become more involved in developing the transition plan by employing the principles of *self-determination*. This requires an understanding of, and commitment to, the following principles as a child selects from an array of potential transition goals and services: ***Choice***: Children have the right to choose how they will live their lives, including where they will live in the community and what post-school outcomes they will pursue. ***Relationships***: Those with whom children have the closest relationships are in the best position to provide the strength, assistance, and security necessary for the children to thrive in their adult lives, and those relationships must be treasured, nurtured, and protected. Children must also be permitted to develop new relationships as they attempt to expand their circles of support. ***Contribution and Community***: All children, regardless of the nature and

extent of their disabilities, can contribute to their community in a meaningful way and must be helped to develop a sense of community belonging and identity. **Roles and Responsibilities:** Children, as they take greater control over their lives and resources, must be permitted to assume greater responsibility for their decisions and actions. **Control:** Children must have the power to make important decisions and truly control their own lives. **Dreams:** All people have hopes and dreams, and children should be provided with opportunities that enable them to begin the journey towards their own dreams. **Dignity and Respect:** All people have an inherent right to be treated with dignity and respect, and children must be allowed to take risks and make mistakes. **Attitude:** Nothing is impossible. Children and their circles of support must replace "No, we can't" with "How can we?"

WHAT IS A "SUMMARY OF PERFORMANCE"?

When a child with an IEP exits from the school system through graduation or completion of the school year in which she turns 21, the school district must provide the child with a summary of her academic achievement and functional performance. The summary must also include recommendations on how to assist the child in meeting her post-school transition goals. See ELC's fact sheet, *Graduation Requirements for Children with Disabilities* at www.elc-pa.org.

If the school district, the family, and the student have successfully identified annual transition goals and services, conducted appropriate assessments, monitored the child's progress toward the transition goals, and collected progress data, the school district will be able to provide the child with the information needed to move forward towards her post-school goals. The Department of Education's Summary of Academic Achievement and Functional Performance annotated form is at <http://www.pattan.k12.pa.us/files/Forms/English/SoP-ANN070108.pdf>.

WHAT CAN YOU DO IF YOU DISAGREE WITH THE TRANSITION PLAN THE SCHOOL DISTRICT IS PROPOSING FOR YOUR CHILD?

As a child gets older, her interests may change, and new transition goals and activities may need to be determined. That is why the transition component of the

IEP must be updated annually. Transition goals should be realistic, but they should also be based on high expectations for the child.

If you believe that the transition outcomes and services the school district is proposing for your child's IEP are not appropriate (too low, too high, not enough, or the wrong kind of services) for your child, you can ask the school district to "mediate" the dispute or you can request a special education hearing. For more information on dispute resolution options, see ELC's Fact Sheet *How to Resolve Special Education Disputes*. This fact sheet and other ELC publications are available from our website or phone numbers listed below. **FOR MORE INFORMATION YOU MAY WANT TO TRY:**

Pennsylvania Training and Technical Assistance Network (PaTTAN)

<http://www.pattan.k12.pa.us/teachlead/SecondaryTransition.aspx>

National Secondary Transition Technical Assistance Center

<http://www.nsttac.org>

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Disability Rights Network of Pennsylvania (DRN), pursuant to the Developmentally Disabled Assistance and Bill of Rights Act, P.L. 101-496, and the P&A for Mentally Ill Individuals Act, P.L. 99-319. DRN is located at 1414 N. Cameron Street, Suite C, Harrisburg, PA 17103. Telephone: 800-692-7443 or 717-236-8110. Website: www.drnpa.org.

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