

"Transition Services for Children with Disabilities Under IDEA 2004"

Parents' Place of Maryland Transition Teleconference Series

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Format

- Disability Rights Laws
 - IDEA (2004)
 - Section 504 of the Rehabilitation Act
 - The Americans with Disabilities Act of 1990
- Maryland Online IEP
- Public Agencies & Community Resources:
 - DORS
 - Abilities Network
 - ARC
 - DDA
- Questions & Answers

Disability Rights Laws

Federal Laws

- ***Individuals with Disabilities Education Act (IDEA)*** – an education act to provide federal financial assistance to state & local education agencies to guarantee special education & related services to eligible children with disabilities.
- ***Section 504 of the Rehabilitation Act (504)*** – a civil rights law to prohibit discrimination on the basis of disability to programs & services provided by entities that receive federal financial assistance.

Federal Laws, cont'd ...

- *Americans with Disabilities Act of 1990 (ADA)* – a civil rights law to protect people with disabilities from discrimination in the areas of employment, public services, public accommodations, and telecommunications.
 - ADA Title II – State & Local Gov't
 - ADA Title III – Public accommodations

Eligibility Under Federal Laws

- *IDEA* – a student must be determined eligible under one of the categories defined in the IDEA
 - Students are eligible from birth through 21
- *504* – any student w/a physical or mental impairment that substantially limits a major life activity or has a record of such impairment, or is regarded as having such impairment.
- *ADA* – same as 504, but adds protections against associated discrimination if excluded or denied access to any services, program, or activity.

IDEA

IDEA 2004

- President Bush signed IDEA 2004 into law on December 3, 2004 and the law became effective on July 1, 2005.
- The final federal regulations were published in the Federal Register on August 14, 2006 to implement the changes in IDEA 2004.
 - The document contained minor technical errors, which were corrected as of October 30, 2007.
- The Code of Maryland Regulations (COMAR) became effective May 7, 2007.

IDEA

- The transition plan is a formalized part of the student's IEP and serves as a guide in the development of the IEP and the course of study.
- The transition plan should facilitate the development of independent living skills & connect families with community resources.
- The student should be an active participant in transition planning.
- The process involves moving from an entitlement service to an eligibility service.

IDEA, cont'd ...

- In Maryland, a student with a disability who is receiving special education services is entitled to educational services through the end of the school year in which the student turns 21, or the student has met the requirements for a Maryland high school diploma.
- Once the student exits the school system, s/he must meet eligibility criteria & funding availability to receive services from adult service agencies. Each agency has its own criteria.

Transition Services Under Federal & State Regulations

- **Federal regulations** – Beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP team.
- **State regulations** – Beginning not later than the first IEP to be in effect when the child turns 14, or younger if appropriate.
 - Note: COMAR provides greater protections to children with disabilities than the federal regulations.

Transition Services

- The term "**transition services**" means a coordinated set of activities for a child with a disability that –
 - (A) is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of a child with a disability to facilitate the child's movement from school to post-school activities, including post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;

Transition Services, cont'd...

- (B) is based on the individual child's needs, taking into account the child's strengths, preferences, and interests; and
- (C) includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation.

20 U.S.C. § 1401 (34)

Essential Elements for Transition Services

- Student's needs – taking into account preferences, interests & age appropriate transition assessments;
- Special education & related services - to be provided and agency linkages & responsibilities (e.g., small groups, role playing, outside agencies); and
- Goals & objectives (if appropriate) – to help the student benefit from his or her education.

Planning for Transition Services

- **Persons with special knowledge** - parents may invite anyone with special knowledge or expertise to be on the IEP team.
- **Behavior that impedes learning** - the IEP team should consider the use of positive behavioral interventions.
- **Limited language proficiency** – the IEP team should consider the language needs.
- **Blind or visually impaired** – use of Braille.
- **Deaf or hard of hearing** – communication needs.
- **Assistive technology** – devices & services.

MSDE Division of Special Education

- The IEP team must discuss & document the the following in determining participation & graduation:
 - How the student will participate & progress in the general education curriculum with nondisabled peers;
 - Performance & participation in Statewide & district assessments; and
 - Status of completing graduation requirements.

MSDE Division of Special Education, cont'd ...

- MD High School Certificate of Program Completion rather than a MD High School Diploma:
 - State regulations state that "the decision to award a student with a disability a MD High School Certificate of Program Completion will not be made until after the beginning of the last year in high school UNLESS the student is participating in the ALT-MSA."
- A student with a significant cognitive disability will only participate in the ALT-MSA if he or she meets six criteria.

Maryland Online IEP

Maryland Online IEP

- As of July 1, 2007, all IEPs must comply with the Maryland Online IEP in form & format.
- The "*transition*" section must include:
 - Student's preferences & interests
 - Post-secondary goals:
 - Training
 - Education
 - Employment (required)
 - Independent living (if appropriate)
 - Course of study
 - Projected date & category of exit
 - Agency linkage:
 - DORS, DDA, MHA

Maryland Online IEP, cont'd...

- The "*transition activities*" must include:
 - Academic
 - Employment training
 - Activities of daily living
 - Independent living
 - Transportation
- The responsible party must be listed under each category.

Maryland Online IEP, cont'd ...

- **"Anticipated Services for Transition"** - services you anticipate a student 14 years & older will need w/in one year of exiting the agency. The adult services recommended in this section are anticipated services NOT entitlement services:

Maryland Online IEP, cont'd ...

- General Services:
 - No services needed
 - Public income maintenance (e.g., SSI or SSDI)
 - Transportation (e.g., paratransit)
- Further Education/Training:
 - Continuing & Adult Education (e.g., GED)
 - Higher Education Support Services
 - Career School Support Services (e.g., Job Corps)
- Division of Rehabilitation Services (DORS)
- Developmental Disabilities Administration (DDA)
- Mental Hygiene Administration (MHA)

Approximate Timeline for Transition

- **Age 14:**
 - Attend transition nights or programs
 - Complete DDA application
 - Apply for Social Security benefits
- **Age 16:**
 - Apply for a driver's license or identification card through MVA
 - Apply to the Division of Rehabilitation Services (DORS)
 - Begin planning for future needs (e.g., special needs trusts, living arrangements, health benefits)

Timeline, cont'd ...

- **Age 17:**
 - Explore post-secondary education options
 - Investigate high school to college transition programs
 - Contact DORS counselor
 - Create a support network
 - Create social connections that may continue after school
- **Age 18:**
 - Apply for SSI
 - Investigate the need for guardianship or a less restrictive alternative

Timeline, cont'd ...

- Register to vote
- Register for selective service
- **Ages 18-21:**
 - Explore employment, transportation, and living options
 - Sign a release/request of records form (for school to share info. w/adult agencies)
 - If eligible for DDA, meet with Service Coordination & visit with adult service providers
 - Develop a schedule to transition into adult services

Recommended Components of Transition Planning

- **Guidelines for Transitional Planning**
 - Selecting & planning occupational choices
 - Exhibiting appropriate work behaviors
 - Seeking, securing, & maintaining employment
- **Postsecondary Educational Activities**
 - Learning effective study habits
 - Arranging for job try-outs
 - Making accommodations for college
 - Identifying post-secondary institutions
 - Applying for schools of choice

Recommended Components, cont'd ...

- **Independent Living**
 - Apartment w/roommate, group home, semi-independent living, board & supervision facilities, personal care facilities
 - Nursing homes & institutions
 - Home economics, money management, & daily living skills
 - Community-based curriculum

Recommended Components, cont'd ...

- **Eligibility for Adult Services**
 - DORS
 - Developmental Disability Council
 - Community Boards
 - Non-profit organizations
 - Advocacy groups
 - Local parent groups
- **Community Participation**
 - Leisure & recreation skills
 - Personal & social skills

Recommended Components, cont'd ...

- **Vocational Placement Options:**
 - Adult day programs;
 - Rehabilitation facilities;
 - Job placement in competitive employment;
 - Transitional employment;
 - Supported employment; or
 - Sheltered workshop.

Recommended Components, cont'd ...

3 Factors Critical to Successful Transition Planning

- Involvement of team members who are knowledgeable of the availability of community services;
- Process to ensure identification of all desired outcomes w/in the least restrictive environment; and
- Ability of community agencies to provide or pay for the needed services.

Components of an Assessment in Transition Planning

- ***Functional vocational*** – measures daily living activities, skills, behavioral performances, and environmental needs.
- ***Portfolio assessment*** – summaries of informal & functional assessments (e.g., videotapes, letters of reference, interviews, etc.).
- ***Achievement tests*** – info. about a student's skills in reading, math, & other subjects
- ***Psychometric tests*** – measure attributes of a student's interests, personality, & aptitudes.

Components of an Assessment, cont'd...

- ***Neuropsychological*** – profile of cognitive, sensorimotor, and affective domains
- ***Ecological*** – looks at the environment where the activity will take place through performance & steps involved in the activity
- ***Formal assessment*** – achievement tests, aptitude tests, interest inventories, adaptive behavior scales, & transition assessment instruments.
- ***Curriculum-Based Vocational Assessment (CBVA)*** – performance based procedures developed by teachers for their own curriculum.

Things to Remember

High School

- Mandatory, free
- Entitlement
- Identifies students
- Special programs
- Modified course
- Offers support
- Applies accommodations
- Monitors progress
- May have small classes
- Schedule is arranged
- Tests & quizzes

College/University

- Voluntary, expensive
- Eligibility
- Must self-identify
- Academic standards
- Academic standards
- Seek support
- Request accommodations
- Monitor own progress
- May have large classes
- Arrange own schedule
- Lengthy exams

Things to Remember, cont'd ...

High School

Applicable laws:

- IDEA 2004
- Section 504
- ADA

College/University

Applicable laws:

- Section 504
- ADA

DORS

Division of Rehabilitation Services (DORS)

- DORS is a part of the Maryland State Department of Education (MSDE).
- DORS offers programs & services to individuals with disabilities who want to work or become more independent in their homes & communities.
- DORS begins to serve students while they are in high school to help them move into higher education, vocational training, & employment.

DORS Programs & Services

- **Career decision-making, counseling, & referral** – explore training & job options;
- **Assistive technology** – technology services that help individuals get or keep a job;
- **Vocational training** – job-training programs & specialized training.
 - DORS may be able to assist income-eligible individuals with costs (e.g., books or tools).

DORS Programs & Services, cont'd ...

- **Independent living skills** – instruction on the basics of household & community living;
- **Job search, placement, & job-keeping services** – follow-up for 90 days after placement;
- **Supported employment/job coaching** – funding for job coaching services (e.g., work skills & behaviors);

DORS Programs & Services, cont'd ...

- **Medical rehabilitation services** – short-term counseling, visual aids, & prosthetics; and
- **Other support services** – assistance may be available for transportation, maintenance, and personal assistance services.

Eligibility for DORS

- Students with a wide variety of significant physical, emotional, cognitive & learning disabilities may qualify for services.
- Toward the end of high school, students with disabilities may seek services from a public rehabilitation program, such as DORS.

Eligibility, cont'd ...

- Students must meet certain criteria in order to be eligible for services.
 - Note: IDEA 2004 does not apply; rather, the Rehabilitation Act of 1973 applies to these students.
- Students with the most significant disabilities are served first.
 - Meaning, eligible students with less significant disabilities may not receive services.

Eligibility, cont'd ...

- Students who receive Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) are presumed eligible & to have a significant disability.

Payment for Services

- No payment - career guidance & counseling, or assessment & job placement;
- Sliding scale – most other services; and
- DORS counselors will help to look for other funding sources.

Vocational Rehabilitation Program

- DORS counselors work with the student's teachers, parents or guardians to help the student plan for the future.
- Counselors will: determine eligibility; help identify a student's interests & abilities; help develop & write an Individualized Plan for Employment (IPE); provide employment related services; & help students find a job.

Individualized Plan for Employment (IPE)

- Helps guide the student toward employment & independent living goals.
- Review of educational, medical, & psychological reports, including the student's IEP and transition plan for students receiving special education.
- The student will complete the IPE (counselors, parents, or school personnel may assist).
- IPE must be in place prior to the student's exit from school.

IPE, cont'd ...

- IPE includes: employment goal & services needed; who will provide & pay for services; how the services will be evaluated; & when employment is expected to occur.
- IPE describes the responsibilities of the student & DORS.
- IPE must be approved by DORS.
- IPE will be reviewed each year (or sooner).

Independent Living Plan (ILP)

- If the student requests services to enhance independence, the student will also develop an ILP.
- Students develop ILPs at the same time they develop IPEs.
- DORS provides support to encourage independent living.

Referrals to DORS

- Usually occur during the next to last year of school.
- Students and families may refer themselves.
- Contact the nearest DORS office: 1-888-554-0334 to ask about office locations.
- Online referrals: www.dors.state.md.us.
- Forms can be mailed, faxed, or delivered.

Abilities Network

Abilities Network

- An organization serving persons with disabilities through a variety of divisions:
 - Project Act;
 - Healthy Families;
 - Support Services;
 - Community & Employment Partners;
 - Epilepsy Services; and
 - Autism Services

Abilities Network *Support Services*

- Support Services – available to adults & children who have a developmental disability and reside in a service area.
- Services include: information & resource referrals; advocacy in schools & the community; support groups, sibshops, assistance with accessing resources, etc.

Abilities Network *Community/Employment Partners*

- Community & Employment Partners – offers adults with disabilities connections to housing, communities, & potential employers.
- Services include: budget & banking; identifying & using community resources; planning & preparing meals; learning transportation skills; obtaining health & medical care; seeking recreational activities; & community connections.
- Associates serve as a liaison between individuals & participating employers.



ARC

ARC of Maryland

- The largest statewide advocacy organization assisting persons with cognitive & developmental disabilities.
- ARC assists with futures planning or special needs planning, which involves legal planning, financial planning, & life planning.
 - ARC can provide information regarding choosing an attorney, wills & direct inheritances, third-party special needs trust, guardianship, & handling money.
- For information contact: www.thearcmd.org or call 1-888-272-3449.



DDA

DDA Eligibility

- An individual is eligible for services if he/she has:
 - A developmental disability OR
 - A severe chronic disability caused by a physical or mental condition, other than a sole diagnosis of mental illness.
- Individuals **MUST** apply to be eligible.
- Contact DDA: www.ddamaryland.org or 1-877-4MD-DHMH.

Eligibility Determination

- DDA staff will review the application for eligibility for services.
- A service coordinator or case worker will be assigned to the case and schedule a home visit to determine eligibility.
- If eligible, an assignment will be made to one of the following categories:
 - Crisis resolution;
 - Crisis prevention; OR
 - Current request/future need

Types of Services

- Resource Coordination
- Day Services (e.g., day habilitation or supported employment)
- Individual/Family Support Services (ISS/FSS)
- Community Supported Living Arrangement (CSLA)
- Residential Services

Governor's Transitioning Youth Initiative (GTYI)

- Eligibility:
 - Turning 21 years of age
 - Developmental delays
 - In need of supported employment or day services after leaving school
- Application:
 - Must complete the DDA application first.
 - School teams will submit the names of students exiting at 21 to transition staff
 - DDA & Transition Coordinator will review the list to ensure that eligible 21-year-old students are identified

GTYI, cont'd ...

- Responsibility of student/family:
 - Work closely with the IEP team and local educational agency
 - Keep copies of all applications
 - Visit adult service agencies
 - Attend workshops
 - Apply for SSI
 - Apply for Medical Assistance
 - Follow the timeline for choosing adult services

GTYI, cont'd ...

- Timeline:
 - September/October – Transition Fair
 - December 3rd – Families select a provider
 - January 7th – Schools & providers give selection lists to DDA
 - January 31st – Match Day (i.e., final selections are made)
 - March 3rd – Budgets & plans are due to DDA
- Contact: Anna Marc (410) 902-4553 or amarc@dhhm.state.md.us

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