

Who Gets Invited to the Party?
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Who: Who Does or Can Support Your Child's Goals
and Who Recognize Their Strengths!

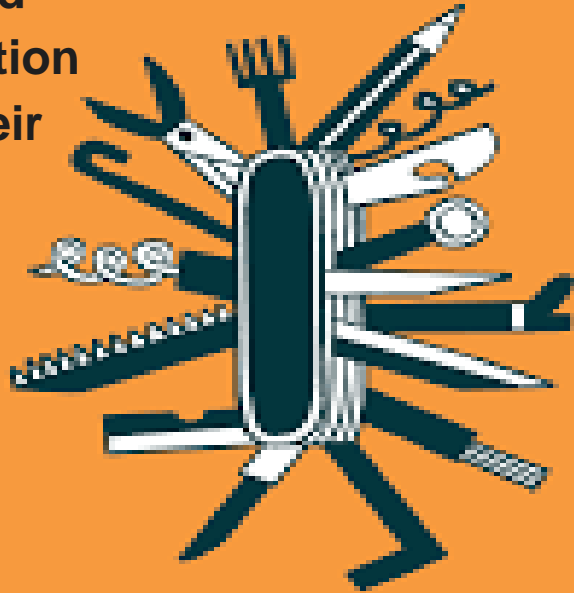
When: As soon as possible!

Where: School, Home, and Community

Why: For a Meaningful Life. It's imperative for
independent/interdependent living, community
engagement; and competitive work

Who Needs Transition Services?

ALL students being served under IDEA require transition planning regardless of their support needs.



Students have diverse skills, strengths, challenges, and support needs. Even if on grade level, they need a plan.

The logo consists of a large blue circle with the text "allmeansall" written across it in a white, lowercase, sans-serif font. The text is centered horizontally within the circle.

allmeansall

[h](#)

Workforce Innovation and Opportunity Act

- WIOA provisions emphasise all youth, including youth with the most complex support needs.
- Underlying presumption is all disabled people can work with the right supports.
- Disabled youth can no longer be automatically “tracked” into sub-minimum wage work
- Promotes a greater emphasis on youth through the provision of **pre-employment transition** services
- Also provides for increased coordination between families, schools, other agencies, and VR and THAT impacts who gets invited

Examples of Creative and Purposeful Employment



<https://purelypatrick.com/>

What are schools, VR, and other agencies expected to do under WIOA and IDEA?

- Partner together to provide transition planning and coordination in IEP and IPE development
- Provide disabled youth access to services
- **Provide Pre-ETS to eligible youth**
- Limit access to sub-minimum wage
- Prioritize competitive, integrated employment (CIE)

VR is strongly encouraged to **tailor customized employment services** to meet the unique strengths, needs, interests, and **informed choice of the individual**

WIOA defines youth with disabilities as individuals aged 14-24 who meet the above criteria.

Age When Transition Must Be Addressed and When It Should Begin

“Beginning with the first IEP to be in effect when a student turns 16, or younger if determined appropriate by the IEP Team, and updated annually thereafter, each student’s IEP must include:

- (i) appropriate measurable postsecondary goals based upon age - appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills; and**
- (ii) the transition services (including courses of study) needed to assist the student in reaching those goals.”**

20 U.S.C. § 1414(d)(1)(A)(i)(VIII) and 34 C.F.R. §§ 300.320(b); see also 34 C.F.R. §300.321(b). 19 TAC §89.1055(g)(1-9)

Age When Transition Must Be Addressed

TEC 29.0111 BEGINNING OF TRANSITION PLANNING. Appropriate state transition planning under the procedure adopted under Section 29.011 must begin for a student not later than when the student reaches 14 years of age.

There are inconsistencies between the law and TEA guidance

TEA states that 16 is when it has to formally be addressed in the IEP. BUT TEA also states that transition should be addressed as early as possible.

Early transition planning unfortunately rarely happens and when it does, it is not in depth nor coordinated. Look at language of federal law as it states it can be earlier if determined appropriate by the IEP team. You will find this under the Content of an IEP at 34 CFR 300.320(b)

<https://tea.texas.gov/academics/special-student-populations/special-education/programs-and-services/state-guidance/secondary-transition-guidance>

Exceptions: Autism and VI/DB eligibility

At the very least – Who must be invited? See IDEA Regs 34 C.F.R. §[300.321](#) IEP Transition Team

- (a) [\(6\)](#) At the discretion of the parent or the agency, ***other individuals who have knowledge or special expertise regarding the child***, including related services personnel as appropriate
- [\(b\)](#) **Transition services participants.**
- [\(1\)](#) In accordance with paragraph (a)(7) of this section, the public agency **must** invite a child with a disability to attend the child's IEP Team meeting if a purpose of the meeting will be the consideration of the postsecondary goals for the child and the transition services needed to assist the child in reaching those goals under [§300.320\(b\)](#).
- [\(2\)](#) If the child does not attend the IEP Team meeting, the public agency **must** take other steps to ensure that the child's preferences and interests are considered.
- [\(3\)](#) To the extent appropriate, with the consent of the parents or a child who has reached the age of majority, in implementing the requirements of paragraph (b)(1) of this section, ***the public agency must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.***

Nothing **about** me, without **me**

- ❖ ALL STUDENTS must have meaningful input into the design and planning of the transition IEP.
- ❖ Different strokes for different folks **(That input may look different for each student, but most students can participate when creativity is tapped into and when there is an authentic desire to make this a truly person-centered process.)**
- ❖ The student must be invited to the IEP team meeting and if they choose not to, then their input must be sought in a meaningful way

[Example of student playing “Don’t Stop Me Now” in the school auditorium]

IDEA Is Clear That The Student is at the Heart of Transition Planning- Person Centered Planning

This is the one area where the student's interests, preferences, needs, and strengths must be built upon.

- Not only must the student be invited when post-secondary goals are devised and transition services to attain those goals are discussed under 34 CFR 300.320(b), and
- The IEP must take other steps to ensure that the student's preferences and interests are authentically considered if they cannot attend. 34 CFR 300.321(b)

IDEA Regs 34 C.F.R. §300.43 Transition services

(a) Transition services means a **coordinated set of activities** for a child with a disability that— **[This means it cannot be ad hoc]**

(1) Is **designed** to be within a **results-oriented process**, that is **focused on improving the academic and functional achievement** of the child with a disability to facilitate the child's movement from school to post-school activities, including postsecondary **education**, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, **independent living**, or **community participation**; [

“Design” requires intentionality and planning, not simply thrown together. “Results-oriented” means there needs to be a real goal you are working towards and that this needs to be continuously monitored through Person-Centered Planning

IDEA Regs 34 C.F.R. §300.43 Transition services (con't)

2) Is based on the individual child's needs, **taking into account the child's strengths, preferences, and interests**; and includes— **This is imperative. We MUST focus on the unique strengths, preferences, and interests of the student and build on that. We must reframe the false impression that students with significant disabilities are not capable. Demonstrates what they are able to do when ingenuity, creativity, and authenticity in the belief that they can do things is infused into the planning. Remember PURELY PATRICK and Student with Beads**

(i) **Instruction**; [Academics does not have to end]

(ii) **Related services**;

(iii) **Community experiences**;

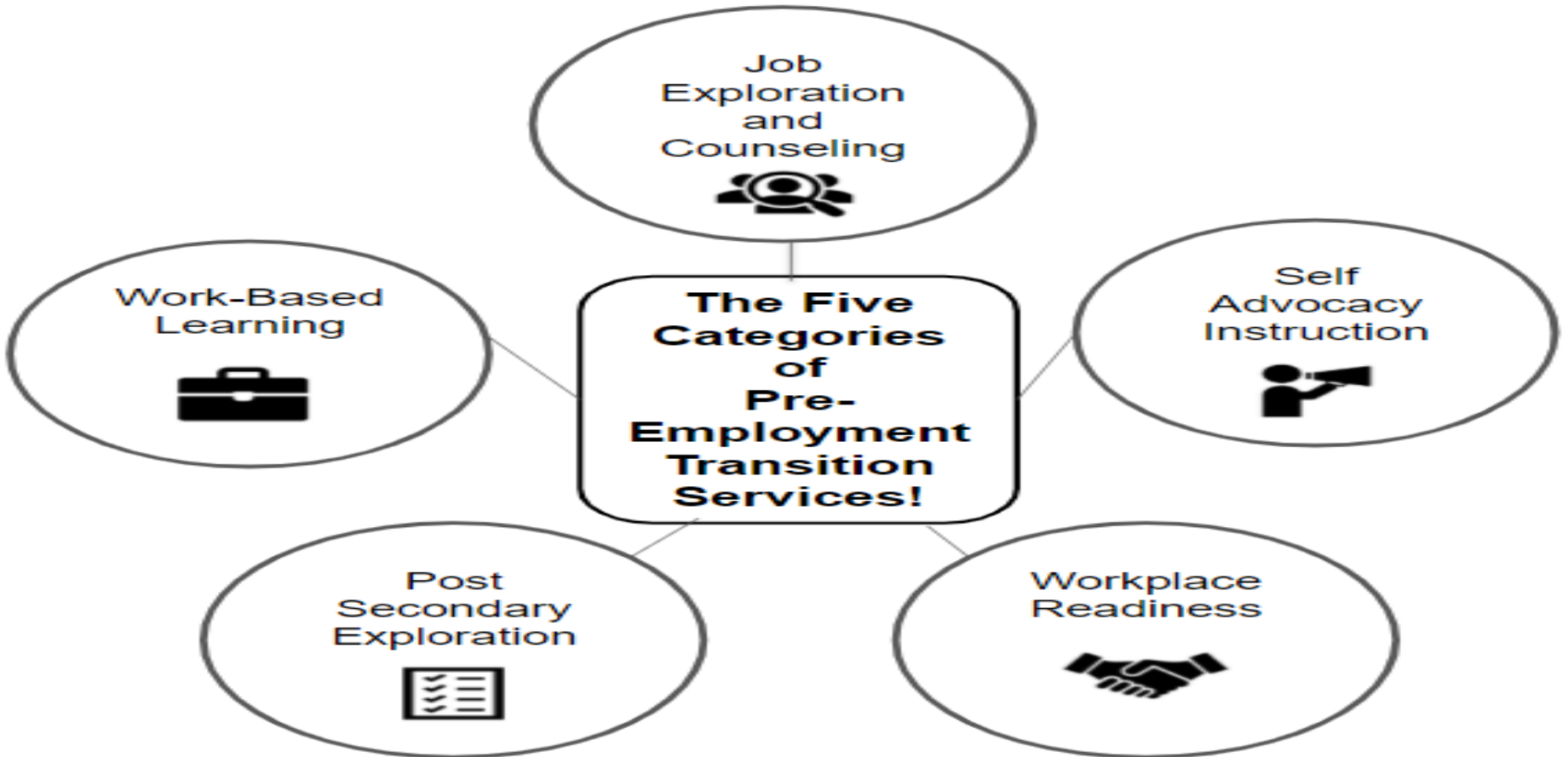
(iv) The development of employment and other post-school **adult living objectives**; and

(v) If appropriate, **acquisition of daily living skills** and provision of a **functional vocational evaluation**.

(b) Transition services for children with disabilities may be special education, if provided as specially designed instruction, or a related service, if required to assist a child with a disability to benefit from special education.

THINK ABOUT HOW ALL OF THIS IMPACTS WHO GETS INVITED

Pre-ETS Programming



Post-school Activities

- Post-secondary education - including dual enrollment,
- Vocational education - including dual enrollment,
- Integrated employment (including supported employment),
- Continuing and adult education,
- Recreation and leisure,
- Adult services,
- Independent living, or
- Community participation - This is a big one and encompasses a lot.

HOW DOES THIS IMPACT WHO GETS INVITED?

Who is “Likely to be Responsible for Providing or Paying for Transition Services?”

- Texas Workforce Commission (TWC) & Texas Workforce Solutions (TWS)
- Local Intellectual and Developmental Disability Association (LIDDA) – Waiver and other services like case management, therapeutic recreation, respite, and residential
- The Blind Children’s Program
- Waiver Programs - if fortunate enough in Texas to be have one
- Centers for Independent Living
- District Transition and Employment Designee (TED)
- School college and career counselor
- Campus Transition Vocational Rehabilitation Counselor (TVRC)
- Representative from college/university Disability Services Office
- Department of Family and Child Protective Services, if and when appropriate
- Health and Human Services, if and when appropriate
- SSA
- Your School District or Local Education Agency (LEA)
- Any other Agency or individuals that may be responsible for input or delivery of plan services.
- Other linkages in the community based on individual student need (CRCG)

Potential Guests

- Other individuals and/or agencies may serve as a one-time consultant or provide ongoing consultations to the team.
- Invite anyone with particular expertise of your child or who may have insight into their unique strengths or preferences and that can help the team plan and make decisions.
- Community Leaders
- Postsecondary education providers
- Potential Employers
- Recreational Centers or Therapists
- Advocacy Organizations
- Drop-Out Prevention Representative
- Literacy Council Representative

The Buck Stops with the School

If the Transition Plan involves other agencies and they fail to deliver, the school must reconvene the IEP to “identify alternative strategies to meet the transition objectives....20 USC 1414 (d)(6)

Who Can Get Uninvited?



Transfer of Rights: Parents May No Longer Be Invited!

- The Individuals with Disabilities Education Act (IDEA) gives states the authority to **transfer educational decision-making rights** to students who receive special education services at the age of majority. In Texas, as in most states, that is the age of 18
- If you do not prepare for this, you can be uninvited to the IEP meeting. The school may include you, but it legally does not have to.
- 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 and responsibilities under IDEA.

What School District's Must Do and How You Can Remain Invited

In Texas, Local Education Agencies (LEA) are required, not later than one year before the 18th birthday of a student with a disability, to provide to the student and the student's parent:

1. Written notice regarding the transfer of rights
2. Information and resources regarding guardianship, alternatives to guardianship, including supported decision-making agreement and other supports and services that may enable the student to live independently; and
3. Ensure that the student's IEP includes a statement that the district provided written notice.

What does this Transfer of Rights Mean?

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 rights to:

- receive notice of and attend Individualized Education Program (IEP) meetings
- consent to reevaluation
- consent to change of 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)

What is the Risk?

- **What's the risk?** Reaching the age of majority can be a big milestone for many students.. However, transferring rights to young adults who are unable to make **informed** decisions or take responsibility for their choices carries many risks. Will the student:
 - Decide to drop out of high school?
 - Accept a quick diploma and become ineligible for much- needed transition services that could extend years in school to the age of 22

Many of the decisions young adults make affect their quality of life after high school.

Bring “that parent” to the meeting - polite, but assertive and inquisitive.

Vocational Rehabilitation Services

Vocational counseling, including counseling in job exploration and post-secondary training opportunities

Counseling on opportunities for post-secondary education such as college, vocational schools, etc.

Work-based learning experiences, including internships and on-the-job training

Training in workplace and employer expectations

Training in self-advocacy and social skills

Referrals for hearing, visual and other examinations

Assistance with medical appointments and treatment

Rehabilitation devices, including hearing aids, wheelchairs, artificial limbs and braces

Therapy to address a disability, including occupational or speech therapy and applied behavioral analysis

Physical restoration

Medical, psychological and vocational assessments

Assistive technologies, including screen reader software, computer equipment and other items

Job matching and placement services

Transportation assistance to and from your job, college or certification program, Referral to other state, federal and community agencies and organizations

Rehabilitation Teachers Services to help you learn Braille, orientation & mobility, and home and health management skills if you have a vision-related disability

Vocational adjustment training

Supported employment services

Results Oriented – IDEA Gives It To Us



- What result might that be?
- The Federal Government provides it. The result being sought can be found in the very first finding of Congress in IDEA, which refers to “our national policy of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities.” [20 U.S.C. 1400(c)(1)]
- Preparing children with disabilities to “lead productive and independent adult lives, to the maximum extent possible” is one of IDEA’s stated objectives. [20 U.S.C. 1400(c)(5)(A)(ii)]