



FEDERATION FOR CHILDREN  
WITH SPECIAL NEEDS

## **Basic Rights: Transition Planning** Parent Training and Information Center



INFORMING, EDUCATING, EMPOWERING FAMILIES

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FEDERATION FOR CHILDREN  
WITH SPECIAL NEEDS

The Federation for Children with Special Needs promotes quality education, parent participation and access to quality health care services for all children, especially those with disabilities.

The Parent Training and Information Center is a project of the Federation. It provides free information, support, technical assistance and affordable workshops to families who have children with disabilities and the professionals who work with them.

PTiC

LiNK CENTER  
FEDERATION FOR CHILDREN WITH SPECIAL NEEDS



Workshop contents were developed under a grant from the US Department of Education. However, the contents do not necessarily represent the policy of US Department of Education; you should not assume endorsement by the federal government.



# Workshop Objectives

Participants will be able to:

- Summarize the legal rights to transition services
- Utilize the transition planning process to identify student's vision
- Participate in developing a transition plan with the IEP team
- Outline potential services and supports needed after graduation



## ***A Guiding Principle***

“The purpose of IDEA is to ensure that all children with disabilities have available to them a free and appropriate public education that emphasizes special education and related services **designed to meet their unique needs and prepare them for further education, employment and independent living...**”

20 USC § 1400(d)(1)(A)



# ***A Legal Basis for Transition Planning***

## **IDEA 2004**

Beginning in 1990, the Individuals with Disabilities Education Act (IDEA) required transition services for all children with disabilities- 20 USC §1400 (d)(1)(A)

## **M.G.L. c.71B – MA Special Education Law**

## **M.G.L. c.688 – “Turning 22” Law**

## **Rehabilitation Act of 1973** (Amended in 1992 and 1998)

Creates the framework for a nationwide service system intended to support the transition from school to work - 29 USC §1701

## **Workforce Innovation and Opportunity Act of 2014 (WIOA)**



# *Who is Eligible for Transition Services?*

In Massachusetts, students

- ✓ between the ages of 14-22  
(or younger if determined appropriate  
by the IEP Team)
- ✓ who receive special  
education services (IEP)
- ✓ of all disability types



# What is Transition Planning?

Transition is about *Planning for Life after* high school, and the IEP team should consider:

- Academic and non-academic courses
- Employment and related training opportunities
- Independent and community living



# ***Academic and Non-Academic Courses***

- Students in the first 4 years of high school *should* pursue an academic course load to be able to graduate with a regular high school diploma.
- Students should use electives to pursue interests such cooking, technology, etc.
- Not every student will complete the districts local requirements in 4 year.
  - *Tip: read your local high school handbook for information on district requirements for graduation.*





# ***Employment and Training***

For students ages 14-22 the team should discuss employment objectives:

- Talk about work – students should understand what knowledge, skills, and training is needed for employment.
- Students should consider internships and volunteering.
- Soft skills, interviewing, applications, resume should be worked on while in school.
  - *Tip: work on self-determination and disability disclosure early!*



# ***Independent and Community Living***

- Students should work on social skills development in school.
- Learn to independently access community resources – library, YMCA, Independent Living Center, etc.
- Financial literacy – debit card!
- Understanding healthcare needs – doctor, prescriptions, daily exercise, etc.
- Transportation – T, bus, Lyft/Uber
- Recreational opportunities – social life!
- Safety skills – in the community and online.
  - *Tip: students should understand their social media footprint.*



# *Why is Transition Important?*

## Graduation Rate Trend

| MA 4-year Graduation Rate |              |                    |         |
|---------------------------|--------------|--------------------|---------|
|                           | All Students | Students with IEPs | Gap     |
| 2016                      | 87.5%        | 71.8%              | - 15.7% |
| 2015                      | 87.3%        | 69.9%              | -17.4%  |
| 2014                      | 86.1%        | 69.1%              | -17.0%  |
| 2013                      | 85.0%        | 67.8%              | -17.2%  |
| 2012                      | 84.7%        | 68.6%              | -16.1%  |

Information from MA DESE 2016



# ***Why is Transition Important?***

## **MA & U.S. Employment For Individuals With Disabilities** (age 18-64, living in the community)

| 2016 | # With Disability | # With Disability & Employed | % With Disability Who are Employed |
|------|-------------------|------------------------------|------------------------------------|
| MA   | 390,729           | 150,647                      | 38.6% (+3.5%% from 2015)           |
| U.S. | 20,761,092        | 7,461,001                    | 35.9% (+1.0% from 2015)            |

## **MA & U.S. Employment For Individuals Without Disabilities** (age 18-64, living in the community)

| 2016 | # Without Disability | # Without Disability & Employed | % Without Disability Who are Employed |
|------|----------------------|---------------------------------|---------------------------------------|
| MA   | 3,933,973            | 3,148,274                       | 80.0% (+0.5% from 2015)               |
| U.S. | 176,005,194          | 135,089,199                     | 76.8% (+0.8% from 2015)               |

- Employment rates for individuals with disabilities lag far behind those for individuals without disabilities.

**\*The information above is take from the 2016 Disability Statistics Compendium, developed by the Rehabilitation Research and Training Center on Disability Statistics and Demographics at UNH.**

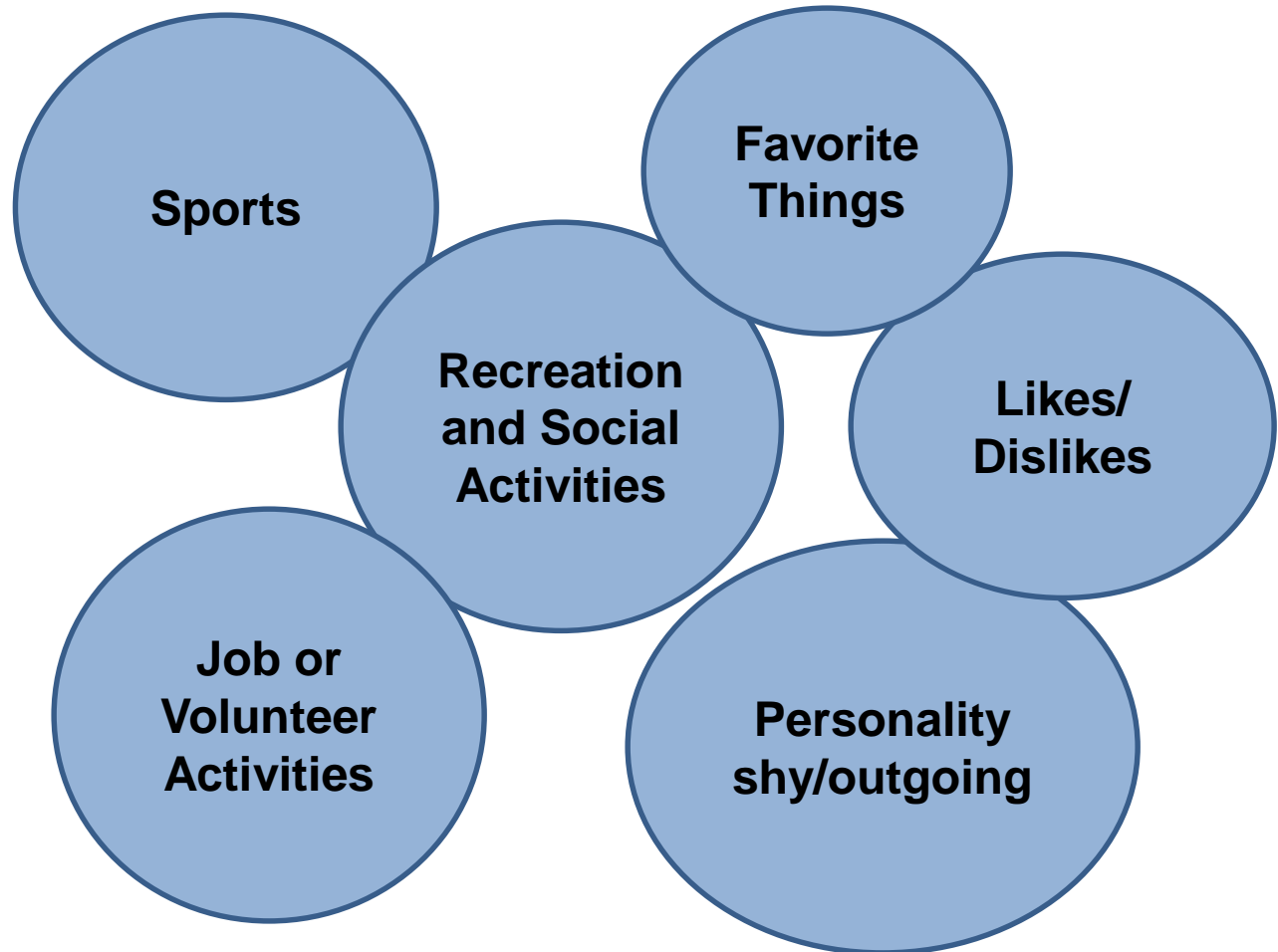


# *Transition Planning is Driven by the **Students' Vision***

*What do you  
want to be  
when you  
grow up?*

*Where are  
you going to  
live?*

*What do you  
want to do  
for fun?*



# ***Family Discussions before age 22***

What will they do all day?

Where will they live?

How will they get around?



What government assistance do they qualify for?

Who will pay for their expenses?

What will happen when I can no longer care for them?



# ***How do you answer these questions?***

## ***- You May Need to Collect Data on Student Skills***

The IEP must include

“...appropriate measurable post-secondary goals based upon age appropriate transition assessments related to training, education, employment and where appropriate, independent living skills; ...”

[20 U.S.C. §1414 (d)(1)(A)(i)(VIII)]



# Sample Questions that Drive Assessment:



- Can my student learn to drive?
- Can he work more than 4 hours during an average work day?
- Can she write an 5 paragraph essay for a college application?
- Can she navigate on the bus to the gym independently using her phone?
- Can he work in a group?
- Can she follow multi-step directions?





# ***How to Prepare for the Transition Planning Meeting***

**TIPS: Transition  
Information for Parents  
and Students with IEPs**

(Ages 14-22)



**The Transition Planning Form  
(TPF)**

A series of brochures produced by  
The LINK Center - a project of the  
Federation for Children with Special Needs,  
and the Massachusetts Department of  
Elementary and Secondary Education (ESE)

1. Review the Transition Planning Form.
2. Discuss what interests your student has, what further education or jobs they might be interested in.
3. Talk to student about how they will participate.
4. Make a list of questions.
5. Ask about transition assessments done by the school.
6. Learn about graduation requirements.



# *Transition Planning Form (TPF)*

The Team should discuss and complete the TPF before completing the IEP Form.

1. **Post-Secondary Vision** considers the student's preferences, interests and the desired outcomes for education/training, employment and adult living.
2. **Disability Related Needs** addresses disability-related skills that require IEP goals and/or related services.
3. **Action Plan** outlines how student can develop skills to be prepared both academically and functionally to meet their vision for the future and who will support them.



# *Parent's Role in Transition Planning*

- Provide opportunities to help student develop skills needed to become independent
- Assist student in developing a vision of what student wants to do in life



EXAMPLES– visit places in the community where student could volunteer, support extra-curricula activities and clubs, use professional connections to help youth identify real world career opportunities, practice soft skills with youth



# ***Student's Role in Transition Planning***

- Participate in IEP Meeting at age 14 or earlier
- Develop their own vision statement to share at the IEP meeting
- Identify their strengths, preferences and interests
- Take courses to prepare them for postsecondary goals
- Identify career options that match their interests and strengths/skills
- Set goals, aim high – sustain motivation



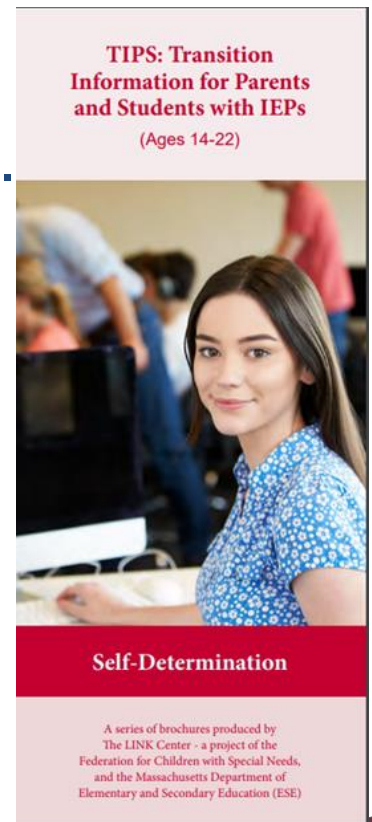
# ***Self-Determination and Self-Advocacy***

Making choices and decisions based on own preferences and interests is self-determination.

Self-advocacy is giving a voice to those choices. These skills need to be taught and practiced

- in school
- at home, and
- in the community

Need opportunity to problem-solve, make mistakes and advocate for oneself.



# *Transition in the IEP*

1. Vision Statement (IEP 1)
2. PLEP A - General Curriculum (IEP 2)  
academic accommodations and specialized instruction
3. PLEP B - Other Educational Needs (IEP 3)  
Extra curriculum activities, Social/Emotional needs, Assistive Technology, Travel Training, Behavior, Nonacademic activities, Skill development related to vocational preparation
4. Measurable Annual Goals (IEP 4)  
Should align with student's post - secondary outcomes and disability related needs



**IEP is the legal document;  
nothing on TPF is mandated to occur,  
TPF is a planning tool**



# ***Additional Transition Issues to be considered by an IEP team***

## **5. Additional Information (IEP 8)**

**Include the following transition information:**

- the anticipated graduation date;
- the discussion of transfer of rights at least one year before age of majority;
- a statement of interagency responsibilities or needed linkages; and
- a recommendation for Chapter 688 Referral.

**Document efforts to obtain participation if a parent and if student did not attend meeting or provide input.**





# *Anticipated Graduation Date*

- Graduation = When student receives state standard diploma OR turns 22.
- To earn a state standard diploma, student must
  - Meet Competency Determination (Pass all 3 MCAS tests) AND
  - Meet all local requirements
- All students allowed to participate in high school graduation ceremonies and activities. M.G.L. c.71B §16



IEP & TPF Form  
both include:  
*Anticipated Date of  
Graduation*





# ***Chapter 688 Referral***

Massachusetts “Turning 22 law” enacted in 1984 to address transition planning needs of students with significant disabilities who will need adult services. (one referral per student)

- Unable to work more than 20 hours per week w/out supports
- Two year planning process
- School makes the referral to Adult Human Service Agency
- State Agency develops an Individualized Transition Plan (ITP)

## **688 is NOT:**

Continuation of Special Education  
Adult Eligibility Determination  
Entitlement to adult services



# ***Adult and Community Agencies***

Adult service agencies and community providers can have a role in transition planning, and can offer services that complement the transition services that the school provides.

- State agencies include:
  - Massachusetts Rehabilitation Commission (MRC)
  - Department of Developmental Services (DDS)
  - Department of Mental Health (DMH)
- Community agencies include:
  - Arc (regional)
  - Easterseals Massachusetts
  - Partners for Youth with Disabilities (PYD)
  - Independent Living Centers (regional)



# *Age of Majority*

## Law

- At least one year prior to the student reaching age 18 the student and the parent must be informed about the rights that will transfer from the parent to the student
- The IEP written when the student is 17 *must* include a statement that the student has been informed about the rights they will have when they turn 18

## Advisory: Age of Majority

[http://www.doe.mass.edu/sped/advisories/11\\_1.html](http://www.doe.mass.edu/sped/advisories/11_1.html)



# *Age of Majority – Transfer of Rights*

In the eyes of the law, at age 18, the student is presumed to have the capacity to make informed legal, financial and healthcare decisions.

At age 18, all of the decision-making rights in special education transfer to the adult student.

*At 18, youth can...*



# ***Supported Decision-Making and Guardianship***

***What are your students strengths and what supports to they need to live as independently as possible?***

Options of Supports from Least to Most Restrictive:

- Joint/Custodial Bank Accounts
- Trusts
- Representative Payee
- Durable Power of Attorney for Property
- Advocate
- Health Care Proxy
- Conservatorship
- Guardianship



# When you have a conflict ...

## Procedural Safeguards and “Due Process” Rights

### Procedural Violations & Enforcement Issues

**PRS**  
Problem  
Resolution System  
781-338-3700

**OCR\***  
Office for  
Civil Rights  
1-800-421-3481

*\*if civil rights violation*

### Voluntary Alternative Dispute Resolution

**Facilitated IEP  
Meeting**  
617-626-7250

**Mediation**  
617-626-7291

### Due Process

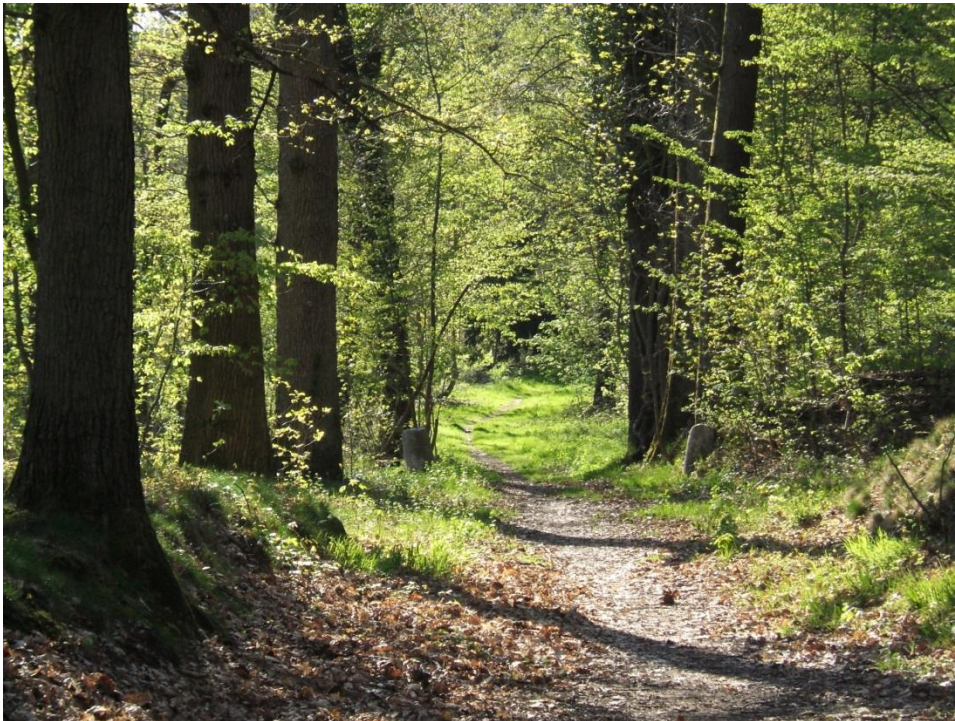
**BSEA  
Hearing**  
617-626-7250

**Resolution  
Meeting**





# *A Continuum of Options*



There is not one right pathway and with acquisition of skills, an individual can move into new opportunities.

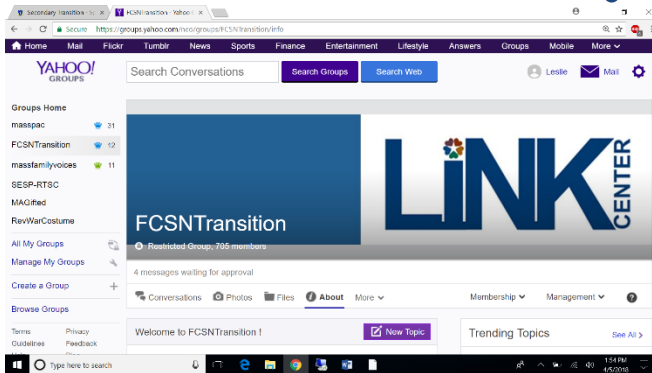


# Stay Informed about Transition

- **Join the Conversation!**

FCSNTransition Listserve – a free Yahoo group for parents and professionals

[fcsntransition-subscribe@yahoogroups.com](mailto:fcsntransition-subscribe@yahoogroups.com)



Facebook – Massachusetts Transition to Adulthood

- **Learn More!**

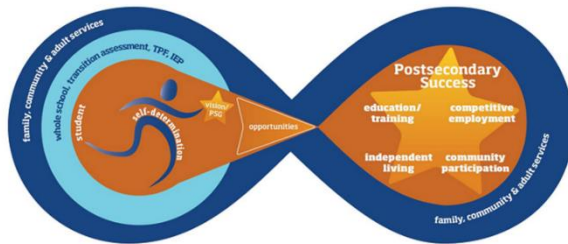
FCSN's The LINK Center website

[www.fcsn.org/linkcenter](http://www.fcsn.org/linkcenter)

DESE Secondary Transition website

<http://www.doe.mass.edu/sped/secondary-transition/>

Massachusetts Student-Driven Secondary Transition Model





# *Planning a Life*

Transition planning conference over two days with information and resources for families, educators and professionals.

Topics include:

- Creating a Vision for life beyond High School
- Understanding the Law
- MA DESE Transition Planning Form
- Transition Based IEP Goals
- Transition Assessments
- Employment: Let's Talk about Work!
- Next Steps: Connecting to Supports and Services as a Young Adult
- Community connections
- Family Involvement
- Graduation Issues: Diploma, MCAS, and more!!!



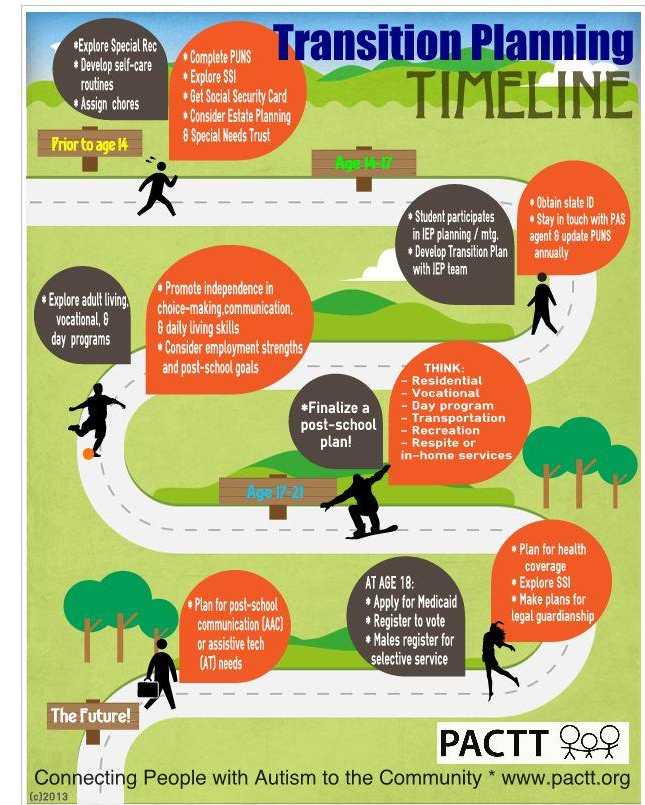
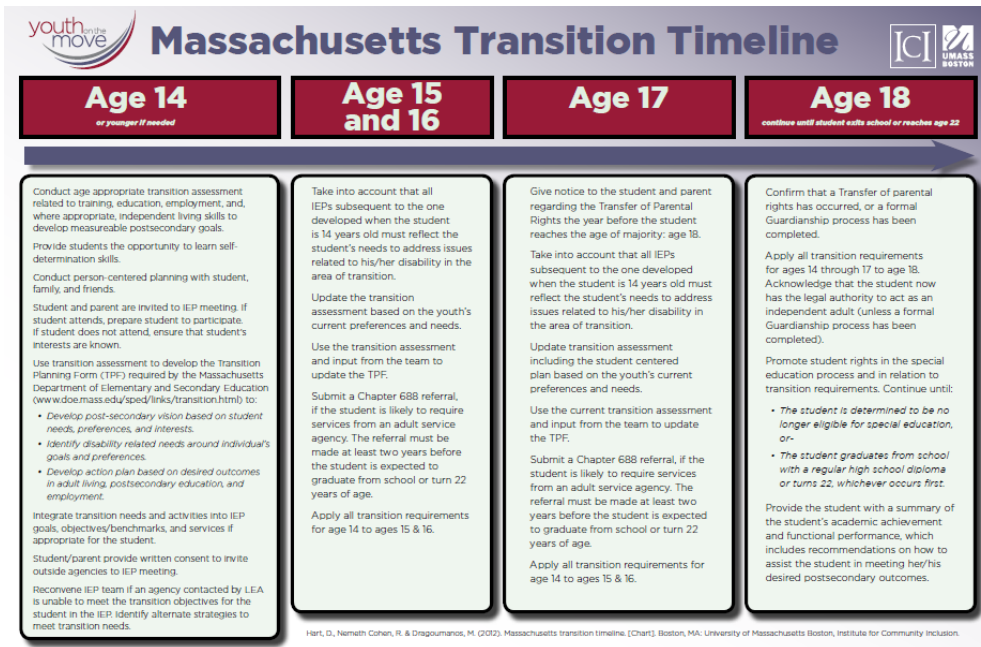
Conference is fee based - Registration is required as space is limited.

For current dates and more information -

<http://fcsn.org/linkcenter/pal>



# Timelines can be valuable planning tools



See also:

<http://thearcofmass.org/resources/transition/>



# ***More Transition Resources***

A Family Guide to Transition Services in Massachusetts

[http://fcsn.org/transition\\_guide/english.pdf](http://fcsn.org/transition_guide/english.pdf)

[http://fcsn.org/transition\\_guide/spanish.pdf](http://fcsn.org/transition_guide/spanish.pdf)

Transition Planning Form

<http://www.doe.mass.edu/sped/28MR/28m9.pdf>

DESE Technical Assistance SPED Advisories:

<http://www.doe.mass.edu/sped/advisories/?section=tech>



***How Can We Help You?***  
**Contact our Call Center**  
**617-236-7210**

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