



# Family Guide to Transition Services in Vermont





## Dear Families and Youth/Young Adults with Disabilities:

Vermont Family Network (VFN) is pleased to provide you with this *Family Guide to Transition Services in Vermont*. Transition from high school can be a complicated time. By providing one cohesive document on the transition process, services, and supports, we hope to make the journey easier for everyone. This Guide can answer your questions and help you plan for a successful transition to life after high school.

We would like to thank the Massachusetts Federation for Children with Special Needs for their contribution to the development of this Guide. VFN regularly collaborates with other federally-funded Parent Centers in the United States to further our efforts to positively impact families and youth/young adults with disabilities.

Thanks to the Vermont Agency of Education for funding the printing of this Guide.



# Family Guide to Transition Services in Vermont



Vermont Family Network empowers and supports all Vermont families of children, youth, and families, especially those with disabilities or special needs. We do this by Giving a Strong Start, Lifting Family Voices, and Advancing Inclusive Communities.

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## What is Transition?

Vermont students with disabilities who receive special education services are entitled under federal and state laws to receive appropriate transition services to support their movement beyond school, beginning no later than age 16 or earlier, if appropriate. Vermont has a long tradition of providing transition planning for students to access appropriate adult services. This *Family Guide* is intended to help parents, students, and the professionals who serve them better understand these requirements and improve their access to appropriate transition services.

Transition is the time when a student with disabilities and/or special health needs moves on from high school to adult life.

## What are Transition Services?

“Transition services” are a coordinated set of activities designed as part of a results or outcome-oriented process; this process focuses 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.” These include postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services (including adult health care), independent living, and community participation. Results or outcomes-oriented processes start with the desired end result or outcomes in mind, and then identify the knowledge, skills, services, and supports needed to achieve those desired results or outcomes.

Services must be based on the youth’s needs, taking into account their strengths, preferences, and interests. Transition services include instruction, related services, community experiences, the development of employment and other post-school adult living objectives and, if appropriate, the acquisition of daily living skills and a functional vocational evaluation.

Transition services must be provided in the “least restrictive environment (LRE).” LRE is likely to be the “real world”— the community in which the student will live and work after high school graduation. A student’s transition goals may include learning to ride a bus, shop for groceries, access community-based recreational activities, handle money, partner with health care providers, and apply for a job.





## **Who is Eligible for Transition Services?**

In Vermont, students between the ages of 16 and 21 who receive special education services and have an Individualized Education Program (IEP) are eligible for transition services up until their 22nd birthday.

In Vermont, transition planning begins no later than the school year in which a student turns 16. At that time, the IEP must include a statement of the graduation requirements that the student is expected to meet. In addition, it must include a statement of the student's strengths, interests, and preferences, along with a course of study and related strategies and activities designed to help the student develop or attain postsecondary goals and/or employment.



## What does IDEA 2004 say about Transition?

The federal special education law known as the Individuals with Disabilities Education Act (IDEA) defines transition services as “a coordinated set of activities for a student, designed within a results-oriented process, which promotes movement from school to post-school activities, including:

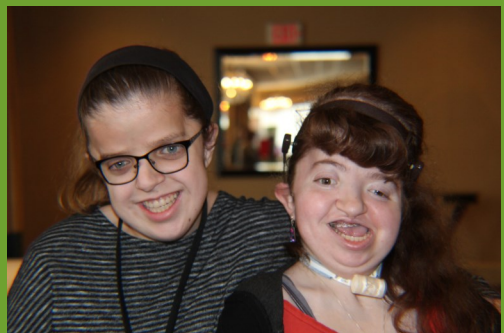
- Postsecondary education
- Vocational training
- Integrated employment (including supported employment)
- Continuing and adult education
- Adult services
- Independent living
- Community participation

These activities are based on the student’s needs, taking into account the student’s strengths, preferences, interests, and vision for adult life.”



## What does the Rehabilitation Act say about Transition?

The federal Rehabilitation Act defines transition services similarly, using an outcome-oriented approach with a focus on career development, competitive employment in the integrated labor market, and self-sufficiency of the individual. The coordinated set of activities “shall include instruction, community experiences, the development of employment and other post-school adult living objectives and, when appropriate, acquisition of daily living skills and a functional vocational evaluation.”



## What are the Special Education Rules in Vermont?

IDEA provides children with disabilities a free and appropriate public education (FAPE) that meets their unique needs. For students eligible for special education, an Individualized Education Program (IEP) is developed by a team that includes several parties. VT Special Education Rules are located at [www.education.vermont.gov/documents/state-board-rules-series-2360](http://www.education.vermont.gov/documents/state-board-rules-series-2360).

### Members of the IEP team are as follows:

- The parent(s)/guardian(s)
- The student (no later than age 16 and earlier if appropriate)
- School personnel: at least one general education teacher, someone qualified to provide or supervise special education, someone who can interpret evaluation results, and someone who can make commitments on behalf of the district

### The team may also include other agencies and organizations such as:

- Designated Agency (DA) or Specialized Service Agency (SSA)
- Vermont Council for Independent Living (VCIL)
- Vermont Department of Mental Health (VDMH)
- Vermont Department for the Blind and Visually Impaired (DBVI)
- HireAbility Vermont (formerly known as Vocational Rehabilitation)

The team may also include any individuals invited by the parent, student or school district. For transition-age students, this includes representatives of any involved adult agencies provided the parent/guardian or student has given consent for their attendance.

The student must be invited to any meeting in which transition will be discussed. The student may choose not to attend, but it is *highly recommended* that they do. This is critical both for the IEP to reflect the student's interests and preferences and to build their advocacy skills.

The IEP for a student who is 16 must include a statement of graduation requirements that they are expected to meet. In Vermont, students graduate by meeting Proficiency-Based Graduation Requirements (PBGRs) and having an opportunity to access meaningful transition planning.

For more information, visit the Vermont Agency of Education website: [www.education.vermont.gov/student-learning/proficiency-based-learning](http://www.education.vermont.gov/student-learning/proficiency-based-learning)

One year prior to a student reaching the age of majority (age 18), the IEP team must meet with the student and their parents and provide information to them about their rights. Students become their own decision-makers upon reaching age 18, unless decided otherwise under State law. Parents who believe their child will need assistance should consider supported decision-making and alternatives to guardianship before their student turns 18.



No later than one year prior to graduation, students should register with HireAbility Vermont to determine eligibility for adult services. A student who receives Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) is automatically eligible for HireAbility services.



# Workforce Innovation Opportunity Act (WIOA)

The Workforce Innovation Opportunity Act (WIOA) became effective in 2014 and the regulations were issued in 2016. WIOA provides for Pre-Employment Transition Services (Pre-ETS) to students with disabilities who are eligible or potentially eligible for HireAbility Vermont (formerly known as Vocational Rehabilitation) services. These services begin during the school year that a student turns 16 years old.

There are five activities available under Pre-ETS:

- Job exploration counseling
- Work-based learning experiences, which may include in-school or community-based opportunities
- Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs
- Workplace readiness training to develop social skills and independent living
- Instruction in self-advocacy, including peer mentoring

The Pre-ETS that are provided by HireAbility to a student who is eligible for special education need to be coordinated with other transition services provided by the school district and others, since Pre-ETS are not meant to replace the transition services in a student's IEP, but rather to enhance them. Each Local Education Agency (LEA) needs to collaborate with HireAbility to ensure that the provision of Pre-ETS is complementary to the transition services being provided.

The IEP team must also consider the need for consultation from other agencies beginning when the student turns 16 or younger if appropriate. Students who are eligible for a 504 Plan are also entitled to Pre-ETS.



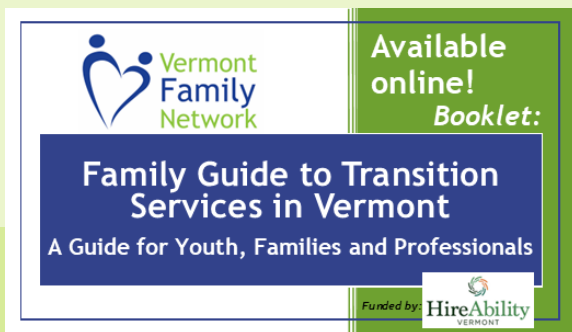
## What is the Parent's Role in Transition Planning?

Parents play a key role in preparing their child for the transition from school to adult life. Hopefully, the process was already started when the student was in elementary and middle school, and the student has begun to learn about different jobs and participate in community and school activities. Parents need to provide increasing opportunities for their child to develop the skills needed to become as independent as possible in areas such as performing household chores, taking care of hygiene needs, making choices, and advocating for themselves and their own needs in school and the community.

The best advice for parents beginning the transition process is to *START EARLY!* There is a lot of information available about the transition process and the youth's rights under special education laws as well as about post-school options and adult agencies. It can all seem overwhelming, especially at the beginning, but help and support are available from a variety of places: schools, state agencies, community and family organizations like Vermont Family Network, and other families who have been through this process.

The Transition Toolkit for Youth with Disabilities, located at the bottom of VFN's homepage,

[www.VermontFamilyNetwork.org](http://www.VermontFamilyNetwork.org) contains a wealth of resources which can help educate parents and youth about transition.



Parents have so much to share about their child's strengths, needs, interests, and dreams. This is important information to discuss at annual IEP meetings and to use in designing appropriate transition services.

Parents are essential partners with the school district throughout the entire special education process; this is especially true during transition planning. A parent's most important role in the transition process is to ensure that the student's *voice* is heard and that all team members listen and support the student in developing the skills they need to live an adult life that is as independent and meaningful as possible.

## What is the Youth's Role in Transition Planning?

Youth are at the center of the transition planning process and need to be encouraged and supported to take an active role in this process. This can be done through activities such as:

- Participating in, or even leading, their own IEP meetings
- Developing their own Personalized Learning Plan
- Identifying career options that match their interests and skills
- Taking courses in school to prepare them for postsecondary life
- Participating in extracurricular activities relevant to their interests

A great tool to aid in this planning is the Transition Assessment Planning form found in the VFN Transition Toolkit for Youth with Disabilities located on [www.VermontFamilyNetwork.org](http://www.VermontFamilyNetwork.org).



Creating opportunities for choices and preferences at an early age encourages decision-making skills. Early participation in the IEP process prepares students for their expected participation at age 18, when they will be a decision-making member of the IEP team.

Students need to begin exploring post-school options while still in school. This may include developing a portfolio of interests and

experiences, visiting college programs, volunteering, job-shadowing at a worksite, or contacting an adult agency to apply for services.

One of the most helpful activities that students can pursue while still in school is gaining work experience, e.g. a summer job, an internship, or a volunteer position.

Research shows that students who have work experience during high school are more likely to get and keep a job after high school and will earn more money after they leave school. This is where networking with family, friends, neighbors, teachers, and local businesses can help with locating job possibilities in the community. The student will have the opportunity to learn work habits and new skills as well as develop self-confidence and friends in the workplace.



## What is a Self-Advocate?

An effective self-advocate is someone who is good at letting other people know what they think, feel, and need. Sometimes self-advocacy means asking lots of questions and continuing to ask them until you really understand the answers. It can also mean helping other people understand what is important to you. Sometimes it means asking for help when you really need it.

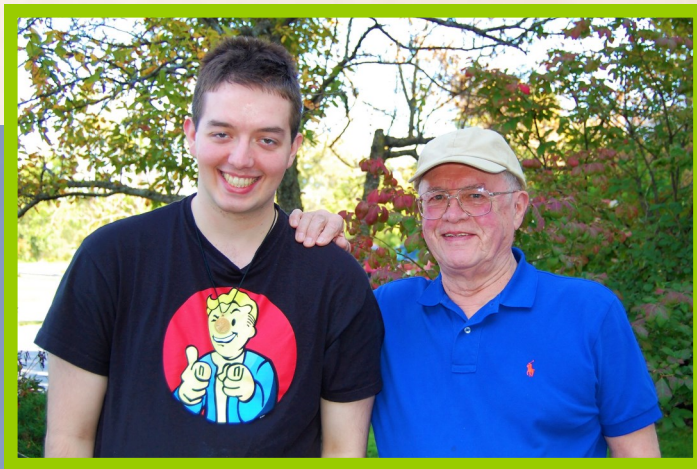
Self-advocacy does not mean you will always get exactly what you want exactly how you want it, but having the skills and confidence to communicate your strengths, wants, and needs is an important first step in reaching your goals.



**Self-advocacy skills need to be taught and practiced at home, in school, and in the community as early as possible so that students have the opportunity to learn how to problem-solve, make choices, and advocate for themselves.**

VFN has several resources to help families and young adults understand the importance of self-advocacy and self-determination:

[www.VermontFamilyNetwork.org/make-a-difference/take-action/](http://www.VermontFamilyNetwork.org/make-a-difference/take-action/)



## What is the Student's Vision for the Future?

Because it is sometimes difficult for students to determine what they want to do “when they grow up,” a good starting point can be a discussion about their interests, strengths, and dreams. At this stage, age-appropriate transition assessments can be helpful for developing measurable postsecondary goals.

For example, there may be a need to do career exploration through Career Interest Inventories before it is possible for a student to identify potential jobs in which they may be interested. It may also be helpful to use a process called “Person-Centered Planning” to help develop the student’s vision. With the help of a facilitator, this process gives the student an opportunity to share their hopes and dreams for the future with the important people in their life, who then work together to develop an **action plan** to help move the student toward their vision.

**Visit the Resource Section of the Transition Toolkit for Youth with Disabilities for more information.**

# Graduation Requirements



## Proficiency-Based Graduation Requirements Replace Multi Year Plans

In Vermont, each high school is required to have one diploma for graduation that is issued to all students. Per Vermont's Education Quality Standards (EQS), adopted in 2014, all students graduating in 2020 must meet requirements for graduation by demonstrating evidence of proficiency, aligned to state standards, in the curriculum. It is critical when developing and refining Proficiency-Based Graduation Requirements (PBGRs) that all students have access to the curriculum and are able to demonstrate proficiency in an equitable manner. The PBGRs should be overarching, representative of the school, and accessible to all students. It is essential that PBGRs and expectations for proficiency are transparent and readily available to students, families, and community members.

The shift to a proficiency-based system for meeting graduation requirements means that changes need to be made to the Multi Year Plan. This plan was historically used for students with intensive needs to meet graduation requirements.

**Contact the VT Agency of Education about the Proficiency-Based Graduation Requirements Access Plan**

[www.education.vermont.gov/student-learning/proficiency-based-learning/proficiency-based-graduation-requirements](http://www.education.vermont.gov/student-learning/proficiency-based-learning/proficiency-based-graduation-requirements)



## The Transition Plan will document the transition planning discussion and includes the following sections:



**Postsecondary Vision:** Reflecting the student's strengths, preferences and interests, and desired outcomes for postsecondary education/training, employment, and adult living.

**Disability-Related Needs:** Documenting the skills that students need to develop or improve in order to achieve their postsecondary and employment goals and that require special education and/or related services. IEP goals/objectives need to be developed for these skill areas. For example, the student may need to develop skills in the area of travel training, resume writing, or health care decision-making.



**Action Plan:** Outlining how the student will develop self-determination skills and be prepared both academically and functionally to transition to post-school activities in order to achieve their postsecondary vision.



### Specific Areas to Be Addressed in the Transition Plan:

- **Instructional Needs:** Specific courses or a course of study in high school that enables the student to reach postsecondary goals
- **Employment:** Providing work opportunities and skill development in activities such as resume writing, interviewing, and other “soft skills”
- **Community Experiences/Post-School Adult Living:** A list of the roles and actions of school personnel, family members, adult service providers, peers, and others in the community who can help the student develop necessary living and social skills



Transition planning is an ongoing process throughout the high school years, and all IEP goals/objectives should be reviewed and updated or changed on at least an annual basis.



## What are Postsecondary Goals?

Postsecondary goals are measurable goals that focus on three specific areas:

1. **Postsecondary Education/Training:** Where and how is the student going to continue to learn new skills after graduation?
2. **Employment:** Where is the student going to work or engage in productive activities after graduation?
3. **Independent Living:** Where is the student going to live, and how are they going to access adult services and participate in community activities and civic engagement, including voting and adult health care?

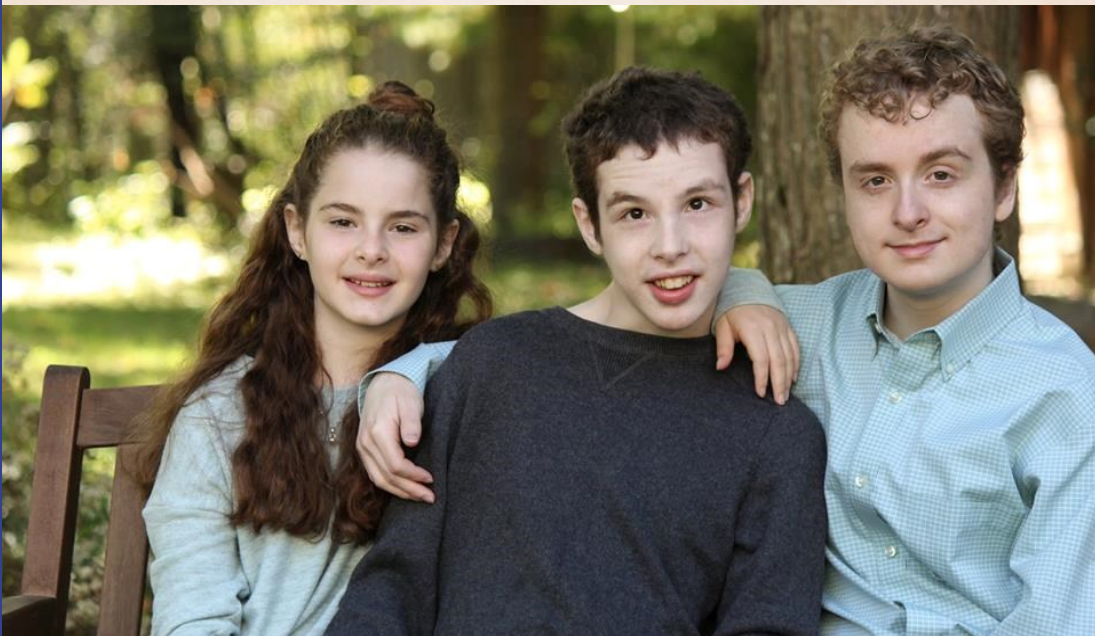
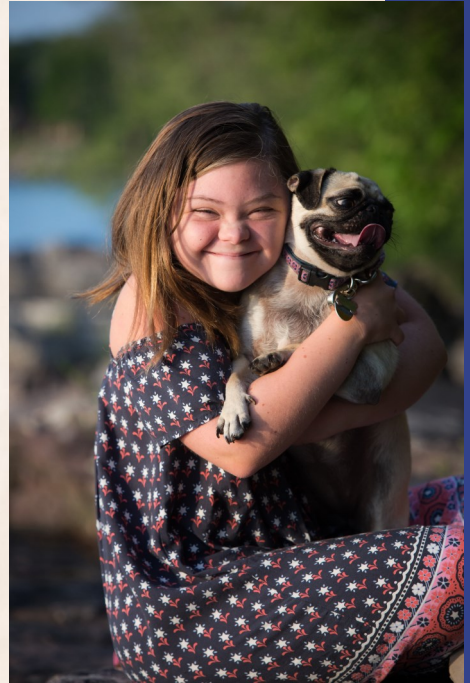
These are long-term goals that the student hopes to achieve after leaving high school. They need to be appropriate to the student's needs and based on age-appropriate transition assessments. The IEP team must be able to measure progress toward these goals, which are part of a student's IEP beginning at age 16 and need to be reviewed annually until the student graduates or turns 22.

## What are Transition Assessments?

Transition assessments are used in the process of collecting data on the individual's needs, preferences, and interests as they relate to the demands of current and future working, educational, living, and personal and social environments. Assessment data serve as the common thread in the transition process and form the basis for defining goals and services to be included in the IEP.

The results of age-appropriate transition assessments provide the student, parents, and other members of the IEP team with information about how the student is currently functioning. They form the basis for the development of measurable postsecondary goals and the transition services needed to help the student achieve them.

Transition assessments should be individualized based on the student's strengths, preferences, interests, needs, and desired post-school outcomes. It is often helpful to use multiple assessments rather than a single test to ensure that the assessment(s) support the student's learning style. Like other assessments, the request for transition assessments should be put in writing by the parent(s)/guardian(s) or youth to the school district.





# Transition Timeline: Things to Consider

## Prior to Transition (Birth-12 years old)

1. Envision a future for your child as an adult. Have a conversation with your child about what they envision for themselves.
2. Consider what skills it will be necessary to develop to help make your child more independent.
3. Seek out opportunities for skill building. Encourage your child's interests and build on strengths. Give your child responsibilities/chores as much as possible at home (opportunities for success).
4. Encourage social engagement outside of school.
5. Look for volunteer opportunities.



## Ages 13-14

1. Identify personal learning styles and the necessary accommodations to help your youth become a successful learner and worker.
2. Identify career interests and skills, complete interest and career inventories, and identify additional education or training requirements.
3. Explore options for postsecondary education and admission criteria.
4. Identify interests and options for future living arrangements, including supports.
5. Learn to effectively communicate interests, preferences, and needs.
6. Be able to explain the disability and the needed accommodations.
7. Learn/practice informed decision-making skills.
8. Investigate assistive technology tools that can increase community involvement and employment opportunities.
9. Broaden experiences with community activities and expand friendships.
10. Pursue and use local transportation options outside of the family.
11. Investigate money management and identify necessary skills.
12. Acquire identification card and develop the ability to communicate personal information.
13. Identify and begin learning skills necessary for independent living.
14. Learn and practice personal health care.



## **Ages 15-16**

1. Identify community support services and programs (HireAbility Vermont, Centers for Independent Living, etc.).
2. Invite adult service providers and/or peers to the IEP transition meeting.
3. Match career interests and skills with vocational course work and community work experiences.
4. Gather more information on postsecondary programs and the support services offered, and make arrangements for accommodations to take college entrance exams.
5. Identify health care providers and become informed about sexuality and family planning issues.
6. Determine the need for financial support (Supplemental Security Income (SSI), state financial supplemental programs, Medicare, etc.).
7. Begin a resume and update it as needed.
8. Learn and practice appropriate interpersonal, communication, and social skills for different settings (employment, school, recreation, with peers, etc.).
9. Explore legal status with regard to decision-making both prior to and once having reached the age of majority (age 18).
10. Practice independent living skills (budgeting, shopping, cooking, housekeeping, etc.).
11. Identify needed personal assistant services and, if appropriate, learn to direct and manage these services.

## **One Year before Leaving the School District**

1. Apply for financial support and other programs (SSI, independent living services, HireAbility VT, personal assistant services, ABLE accounts, etc.) as appropriate.
2. Identify public transportation options and apply as needed.
3. Identify and apply for appropriate postsecondary education options, and arrange for needed accommodations.
4. Practice effective communication by developing interview skills, asking for help, and identifying necessary accommodations in postsecondary and work environments.
5. Specify desired job and obtain paid employment with supports as needed.
6. Take responsibility for arriving on time to work, appointments, and social activities.
7. Identify health insurance coverage options and apply for Medicaid if applicable.
8. Assume responsibility for health care needs (making appointments, filling and taking prescriptions, etc.).
9. Register to vote and, if male, register for Selective Service.
10. Consider using the Vermont Graduation Readiness Tool for IEP teams, developed by the VT Agency of Education.

# Vermont Graduation Readiness Tool for IEP teams

Student engagement in the transition planning process has been identified as a predictor of success after high school.

\*Instructions: IEP team members should award 0-2 points for each component.

<b>Graduation Readiness Key:</b> 0= Not addressed 1= Parts were addressed 2= Completely addressed	<b>Student Engagement Rating:</b> 0= Not engaged 1= Moderately Engaged 2= Very Engaged
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**Note:** Zeros are different than n/a

Student Name:	Points 0-2	Points 0-2
Graduation Readiness Tool	Graduation Readiness	Student Engagement
Student has met or will meet local general education requirements for graduation		
Student has an attendance rate that meets the graduation requirements of the school		
Student access to transition services via their IEP began at age 16		
Postsecondary transition plan in the IEP meets the 8 elements of Indicator 13 (federal reporting requirement)		
The Summary of Performance is complete or a plan is in place to have it completed prior to the student graduating		
If the student has a para-educator, the team is considering ways to fade para-educator support in order to increase student independence		
If the student has a developmental disability, the team is working with the local developmental services agency to start the intake process		
If appropriate, the transition plan calls for work experiences and access to them is provided		
Student is eligible for dual enrollment and access is provided (if student was interested)		

	Points 0-2	Points 0-2
<b>Graduation Readiness Tool</b> (continued)	<b>Graduation Readiness</b>	<b>Student Engagement</b>
For college-bound students, the student and family has plans to visit the student support office at the college		
For college-bound students, a plan is in place to get evaluations and the summary of performance to the student support office at the college (with student permission)		
If appropriate, as determined by transition assessment(s), the student has received training around independent living		
For students who will need services after high school, developmental services agencies, HireAbility VT, or others were included in the transition planning for after the student completes high school (with parent/guardian permission)		
Student's IEP team has had early (age 16) cross-system involvement and information exchange between education, HireAbility VT, and developmental services (if appropriate)		
Introduction of HireAbility services to the student and family in collaboration with a benefits counselor has occurred		
Supported decision-making/alternatives to guardianship have been considered (typically only relevant for students with developmental disabilities)		

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### Team Discussion:

- In what areas is the student on track for graduation?
- What areas does the team feel are lacking and what is the plan to address that?
- Does the team feel that the student is ready to graduate/exit high school?



# Planning Tips for Families

- Talk to your youth to get their thoughts on employment and volunteer opportunities that exist while in high school.
- Gather information about resources on postsecondary programs and employment opportunities. Learn about HireAbility VT.
- Provide opportunities to practice leading IEP or Section 504 meetings.
- Visit a college disability office. Most colleges have websites that include a separate page for the disability office, sometimes called the ADA (Americans with Disability Act) office or academic support services.
- Discuss the change in parental role with your youth and the requirement for their written consent in order for you to inquire about their academic program.
- Identify assistive technology needs and advocate for your youth to develop proficiency prior to leaving high school.
- If your youth has a developmental disability, contact the designated agency in your area and do intake for services a year before graduation to see about eligibility for services.



## Transition & Postsecondary Education Resources for Students with Intellectual Disabilities or Autism









See chart for details:

- Project SEARCH
- Howard Center SUCCEED Program
- Think College Vermont
- College Steps Program
- Mansfield Hall
- Global Campuses Foundation

Program
Primary Focus
Credential
Population Served
Length of Program
Housing
Age-Range
Locations

# Transition & Post-Secondary Education Resources for Students with Intellectual Disabilities or Autism

(Information provided by the Vermont Post-Secondary Consortium Initiative)

High School Transition	College Campus Programs				Life-Long Learning
<b><u>Project SEARCH</u></b> 	<b><u>Howard Center SUCCEED</u></b> 	<b><u>Think College Vermont</u></b> 	<b><u>College Steps</u></b> 	<b><u>Mansfield Hall</u></b> 	<b><u>Global Campuses Foundation</u></b> 
Vocational training & employment	Independent Living, academics & employment	Inclusive academics, transition services & employment	Inclusive academics transition services & employment	Residential, academic degree program	Life-long teaching & learning
High School Diploma	SUCCEED Certificate	UVM Certificate of College Studies	Certificate or Degree	College Degree	Participants receive a certificate each semester
High school students with intellectual & developmental disabilities	Students on autism spectrum & intellectual disabilities	Students with intellectual & developmental disabilities	Students living with social, communication or learning challenges	Students with disabilities who are matriculated in area colleges	High school students and adults with intellectual & developmental disabilities
1 year (final yr. of high school)	2-3 years	2 years	2-4 years	4 years	Participants attend as long as they wish
NO	YES	NO	NO	YES	NO
17-22	18-25	18 and up	16-26	18-26	All ages
<ul style="list-style-type: none"> <li>• Windsor County</li> <li>• Chittenden County</li> <li>• Rutland County</li> </ul>	Burlington area colleges	University of Vermont	<ul style="list-style-type: none"> <li>• Castleton University</li> <li>• Northern Vermont University</li> </ul>	Burlington area colleges	<ul style="list-style-type: none"> <li>• Newport</li> <li>• St. Johnsbury</li> <li>• Hardwick</li> <li>• Bradford</li> <li>• Randolph</li> <li>• Moretown</li> <li>• Springfield</li> <li>• Morrisville</li> <li>• Lebanon, NH</li> </ul>

For more information, contact Developmental Disabilities Services Division

## What is the Age of Majority?

The IEP team must meet with the student and their parents to provide them with information about their rights upon reaching age 18. Parents should understand that youth make their own IEP decisions once they turn 18. Parents can continue to participate with the consent of their adult child. Parents will retain IEP decision-making rights only if they have gained legal guardianship or have an Educational Power of Attorney of their son or daughter.

## Supported Decision-Making

Parents of children (and adults) with disabilities and self-advocates need to be aware that supported decision-making can be a preferred alternative to guardianship. While parents may have legitimate concerns about their youth/young adult's ability to make decisions about their own health care, education, finances, living situation, etc., youth and young adults with disabilities have the right to be involved in and make their own decisions about their lives. Supported decision-making may be the choice that best fits parents' needs and maximizes the dignity and independence of their youth/young adults with disabilities or special health needs.

For more information visit: [www.supporteddecisionmaking.org](http://www.supporteddecisionmaking.org)





## Reasons Parents Might Seek Guardianship

- Medical and health concerns, including seeking care and following medical advice
- Financial and legal (decision-making) concerns, including signing of contracts
- Educational concerns, including advocating to obtain services
- Self-care and safety concerns, including matters of sex/sexuality
- Program and placement matters, including accessing vocational/adult services and living arrangements
- Fear of the young adult's lack of decision-making capacity
- Misinformation that they “must” get guardianship
- Fear of what will happen when parents are no longer around

## Reasons Parents Might Want to Avoid Guardianship

- To not make a public declaration of incompetence
- To limit court involvement in their lives
- To promote independence, dignity, and freedom of choice



Parents should begin at an early age to help their child – regardless of the extent of their disability or special health needs – engage in decision-making about their own care and prepare them to make independent decisions as they become adults.

## Principles of Supported Decision-Making

- All individuals of legal age are persons before the law and have a right to self-determination and respect for their autonomy, irrespective of disability.
- All adults are entitled to the presumption of capacity and identity, irrespective of disability, and to the decision-making supports necessary to exercise capacity and reveal identity.
- Decisions made interdependently with family, friends, and trusted others chosen by the individual will be recognized and legally validated.
- All individuals have a will, and this will is capable of being interpreted and forming the basis for competent decision-making and identity.
- Individuals are entitled to the supports and services necessary for full participation and equality. The provision of such supports will lessen the need for legal intervention in decision-making.
- Third-party interests and liability concerns do not provide a valid justification for removing a person's decision-making rights.

**Shared decision-making** is one of the key concepts in health care. When patients and their families partner with health providers, they get better outcomes.

One of the six core outcomes the Maternal/Child Health Bureau highlights is the importance of shared decision-making: “Families of children and youth with special health care needs partner in decision-making at all levels and are satisfied with the services they receive.”

The **medical home** is based on the premise that health care needs must be patient- and family-centered.

To protect the civil rights and dignity of youth and young adults with disabilities and special health care needs, it is critical that parents consider supported decision-making as an alternative to guardianship for their young adults with disabilities or special health needs.

Even if parents decide that guardianship is the only alternative that will work for their family, it is important that they consider minimizing the extent of their guardianship and look at options such as limited guardianship so that their young adult with disabilities or special health needs can make as many of their own decisions as possible.

In terms of health care decision-making, an important alternative to guardianship is a Health Care Power of Attorney, which allows parents to participate in health care decision-making for their young adult with special needs without guardianship. Below are links to relevant forms, resources, and contacts.

## Forms

### Sample Health Care Power of Attorney & Advance Directive Forms

- ❶ **American Academy of Family Practitioners (AAFP):** Advance Directive/ Power of Attorney: [www.aafp.org/afp/2012/0301/p461.html](http://www.aafp.org/afp/2012/0301/p461.html)
- ❷ **Advanced Directives Vermont:** [www.healthvermont.gov/health-professionals-systems/advance-directives/create-and-register-advance-directive](http://www.healthvermont.gov/health-professionals-systems/advance-directives/create-and-register-advance-directive)
- ❸ **Disability Rights Idaho:** “Self Advocacy Guide to Guardianship”, see Chapter 2: [www.disabilityrightsidaho.org/images/content/docs/Self-Advocacy%20Guide%20to%20Guardianships.pdf](http://www.disabilityrightsidaho.org/images/content/docs/Self-Advocacy%20Guide%20to%20Guardianships.pdf)

## Resources

### Alternatives to Guardianship

- ❶ **Alternatives to Guardianship:** [ddsd.vermont.gov/programs/public-guardian/guardianship-petitions-laws-and-alternatives/alternatives-guardianship](http://ddsd.vermont.gov/programs/public-guardian/guardianship-petitions-laws-and-alternatives/alternatives-guardianship)
- ❷ **Guardianship:** [vtlawhelp.org/guardianship-adults](http://vtlawhelp.org/guardianship-adults)
- ❸ **Guardianship & Alternatives to Guardianship:** [ddsd.vermont.gov/programs/public-guardian/public-guardianship-adults-developmental-disabilities](http://ddsd.vermont.gov/programs/public-guardian/public-guardianship-adults-developmental-disabilities)
- ❹ **Supported Decision-Making:** [ddsd.vermont.gov/supported-decision-making](http://ddsd.vermont.gov/supported-decision-making)
- ❺ **Guardian’s Handbook:** [ddsd.vermont.gov/sites/ddsd/files/documents/OPG%20handbook%20April%202016.pdf](http://ddsd.vermont.gov/sites/ddsd/files/documents/OPG%20handbook%20April%202016.pdf)

## Helpful Contacts

- ❶ **Vermont Center for Independent Living:** [www.vcil.org](http://www.vcil.org)
- ❷ **Green Mountain Self-Advocates:** [www.gmsavt.org](http://www.gmsavt.org)



## What does “Health Care” Mean?

“Health care” is one of the life domains to be considered during the transition process along with postsecondary education, employment, and independent living. Health care for youth with disabilities includes things like managing their own health, financing health care and health insurance, interacting with health care providers, and advocating for their own health and health care.

Some young adults have been dealing with health problems for many years, and for them this time of transition may be even more complicated. They may feel like they are tired of dealing with health issues and would rather just think of other things, like going out with friends or finding a summer job. They may be nervous about leaving doctors they are familiar with and getting to know new ones.

## Addressing Health Care Needs and the Integration into the Transition IEP

It is important for youth with special health care needs to be able to understand their own condition and needed treatment, explain their condition and needed treatment to others, monitor their health status on an ongoing basis, and ask for guidance from adults, including health care providers.

Additionally, they should understand formal and informal advocacy services and learn about systems that will apply to them as adults (health insurance, social security, and a Health Care Power of Attorney.)

The IEP should address all health care needs within the **Present Levels of Academic Achievement and Functional Performance** and through measurable goals. Goals and objectives within the IEP should include as much self-care and independent management of health conditions as possible to optimize adulthood employment, independent living, and community participation.

Visit [www.GotTransition.org](http://www.GotTransition.org) for many helpful resources.

***Using a Health Care Transition Checklist is helpful for students with medical needs.***

Independent living skills should be addressed in the Transition Plan. These are skills or tasks that contribute to the successful independent functioning of an adult in the domains of leisure/recreation, home maintenance, personal care, and community participation.

## Health and Transition to Adulthood

Leaving school and creating an adult life present new opportunities and new challenges for everyone. How people respond to those opportunities and challenges depends on many things. Having a disability is just one factor of many that can have an impact on someone's transition to adulthood; a person's strengths and needs, likes and dislikes, the family's expectations of what adult life should look like, and where they live are all things that will help shape the choices a person makes.

There are ways, however, that having a disability can create unique challenges when someone is in the process of transitioning to adult life. For example, depending on the specifics of the disability, some young adults have had little experience doing things alone. In other cases, because they have needed specialized supports for many years, other young adults wonder if that means they will never really be “grown up.”



One thing to keep in mind is that no one is completely “independent.” The idea that adulthood means that people are able to do everything on their own is a myth. All people, regardless of whether or not they have a disability, need help reaching their goals. When we ask people we know and admire, they tell us they didn't achieve their successes without some help along the way. Just watch someone winning an Oscar or an athlete getting a big sports awards; they always spend time thanking those people who have helped them get to where they are.



At 18, most people have the legal right to make their own decisions about their health care. However, while taking responsibility for one's own health is a part of growing up, being 18, or being an adult of any age, doesn't mean a person suddenly understands everything they need to know. Nor does it mean they are expected to make big decisions all by themselves.

Many young adults choose to have their parents or another trusted adult provide at least some guidance when they are making medical decisions, especially if they are complicated. Some people have a guardian who has the legal responsibility of making certain decisions for them.

Understanding one's disability is an important step in growing up and taking responsibility for reaching the goals that matter to a person. The more a student understands themselves— strengths, interests, likes, dislikes, dreams for the future, as well as their disability and any health issues they might have — the easier it will be for them to meet new challenges successfully.

If young adults with disabilities do not understand what they need, it will be much harder for other people to understand and provide the supports and accommodations that will be most useful to them. Being a good self-advocate means knowing oneself best of all.

**For transition information on health care, go to:  
[www.GotTransition.org](http://www.GotTransition.org)**

## Talking with a Health Care Provider

All a child's young life, they have seen a pediatrician who is trained to care for children and their health care needs. When a child becomes an adult, they should see someone who is trained to care for adults.

Moving from pediatric to adult health care services for a young adult with special needs involves more than just switching to adult specialists (which can be difficult enough); it can also involve switching to new programs. Parents should not only continue to advocate on behalf of young adults, but must also help them speak up for themselves to the best of their ability.

There are many questions surrounding health care that a youth may have when it comes to seeing a doctor:

- ❶ How do I talk to a doctor about my health?
- ❷ How do I ask my doctor questions?
- ❸ How do I make doctor appointments?
- ❹ Do I understand the directions for taking my prescriptions?

It is important for a young adult to know that there are lots of different kinds of supports, and that the supports they choose will depend on their needs. Here's one way to think about the kinds of supports they may find helpful:

- ❶ "Natural" supports: family and friends;
- ❷ "Community" supports: resources that are there for everyone, with or without a disability, like libraries, YMCAs, and public transportation;
- ❸ "Disability-specific" supports: resources like Medicaid, Social Security, and para-transit; and
- ❹ Assistive technology supports: including wheelchairs, screen readers for the computer, and recording devices.

Depending on what a person needs, they may use one or a combination of these kinds of supports.

Planning ahead, learning what they need to do to stay healthy, and having a health care provider and people to support them will make it much easier for youth to transition to adulthood and a life in the community.



As students begin to plan for the future, they need to explore post-school options in the areas of postsecondary education, employment, and independent living while they are still in school. Transition planning in high school should include preparation in all three of the following areas:

## Postsecondary Education

Students with disabilities who are interested in postsecondary education and training may want to apply to a 2-year or 4-year college program or pursue specialized training at a vocational or technical school. Like all students, they will need to consult with their guidance counselor, visit college programs, learn about financial aid options, register for SATs or other entrance exams (with needed accommodations), and fill out college applications during high school. It will also be important for students and their parents to understand the important legal and programmatic differences between high school and college.

## There is No IEP/Special Education in College

While laws such as the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act provide access to accommodations, college-level students must meet admission criteria defined as “otherwise qualified.” These are *civil rights protections*, not entitlements to services.

At any institution of higher education, the student will be considered an adult who is expected to make their own decisions and to self-advocate when they move on to college. Learning these skills is essential in the transition planning process.

In college, services are based on eligibility. Students must disclose their disability and provide documentation to demonstrate their need to receive accommodations and supports in college. Deciding whether to disclose a disability is a personal decision. It is important for youth to know what their disability is and understand how it affects them. Youth must also learn how to communicate that information to their college Disability Services office or their employer’s Human Resources office.

A qualified student cannot be denied admission on the basis of a disability as long as the student is able to meet the academic and technical standards for participation in the program.

The college must also make necessary academic adjustments to provide equal access and the opportunity to participate to students with disabilities. In elementary and secondary education, the supports students with disabilities receive are often called “related services” or “accommodations” and “modifications.” In postsecondary education, these supports (such as a note-taker) are sometimes referred to as

“academic adjustments” or “auxiliary aids,” and they must be requested from the Disability Services office at the college.

Auxiliary aids should support the student to ensure that communication is as effective as it would be for students without disabilities. The college must provide an appropriate, but not necessarily the most sophisticated, aid or service that will provide equal opportunity and access for the student with a disability. Although the college should give primary consideration to the student’s preference, an effective alternative is permissible.

Colleges are not required to provide more general personal services — such as personal care attendants or assistive technology devices for personal home use to students with disabilities.

Students with intellectual and developmental disabilities who are interested in exploring college options can find information at [www.thinkcollege.net](http://www.thinkcollege.net).

## Employment

After leaving high school, some students may choose to begin working right away. Hopefully, they have been provided with career exploration activities during high school to help them match their interests and skills with an appropriate job. A comprehensive vocational assessment may be necessary to assess the student’s current vocational skills and need for accommodations such as assistive technology.

If individuals have a physical, mental, emotional, or learning disability that interferes with their ability to work, they may be eligible for services from HireAbility VT. If eligible, the student may receive vocational counseling, evaluation, job placement, and/or job coaching to help them become competitively employed.

Another area to explore is how working will impact benefits from the Social Security Administration such as SSI or SSDI and health insurance from Medicaid and Medicare. It may be helpful to contact a benefits planning counselor at the Social Security Administration to obtain individualized help with these questions.

## Independent Living

A part of the transition planning process for students is thinking about where they want to live after they leave school and what residential supports, if any, they will need in order to live in their own apartment or in a supported-living situation.

The student needs to learn the skills necessary to live as independently as possible. Independent living skills include money management and paying bills, preparing meals, doing laundry, managing medications and health care, using public transportation, and much more.



## What is the Difference between Entitlement to Special Education Services and Adult Eligibility for Services?

Entitlement is a guarantee of access to services for everyone who qualifies. Under state and federal law, special education services are an entitlement. This entitlement to special education services in Vermont terminates when a student graduates with a high school diploma or completes the school year during which they turn 21, whichever comes first.

When students receiving special education services in Vermont graduate from high school and/or turn 21, their *entitlement* to special education ends. They may then be *eligible* for adult services if they meet the eligibility criteria for adult agencies and programs. It is important to understand the difference between **entitlement** to special education services and **eligibility** for adult services.

Adult eligibility for services is *not* necessarily an entitlement, so youth and young adults who are eligible for services from an adult agency are not guaranteed access to services. Unlike special education, human services for adults with disabilities are contingent upon program availability and funding. That's why it's important to start the application process for agency eligibility early.

If your child has been receiving children's services from an agency such as the Developmental Disabilities Services Division or Division of Children and Families (DCF), you will need to reapply because the criteria for adult services can be different from the criteria for children's services.

It is important for youth/young adults to start applying for adult services and programs before they turn 18 depending on the program/service. Parents should keep copies of health, education, and social services records (i.e., medical records, IEP, habilitation plan, etc.) handy, since they may be asked to submit them when applying for adult services.

In general, when applying for any programs or services, parents should remember to jot down the names and contact information of agency representatives and keep copies of any applications they submit. When mailing important documents, they should use a return receipt method and follow up, as they should get a letter stating eligibility status and/or start date.



It is strongly recommended that the eligibility process begin two years prior to the projected date of high school graduation or turning 21 to allow for sufficient planning and budgeting by the adult agency. Contact the appropriate agencies if there are questions about the eligibility process.

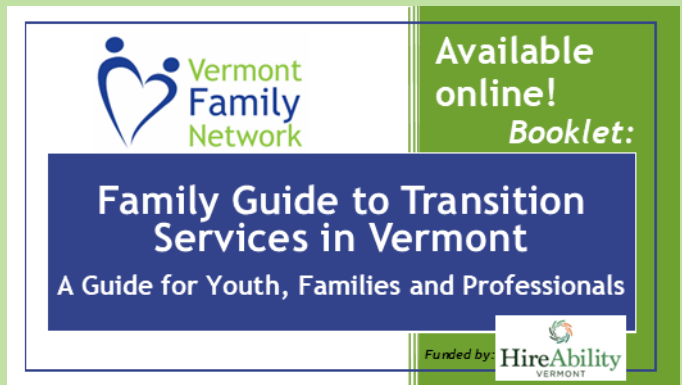


## What Other Community-Based Services are Available?

There are community-based services that can provide information, resources, and services for transition-age students. Here are two examples:

**One Stop Career Centers:** These centers at the Vermont Department of Labor (VDOL) provide assistance to anyone seeking employment, including people with disabilities, and offer job-search workshops, local job postings, and career counseling. They also offer job fairs with local employers and are a good resource for job information.

**Vermont Center for Independent Living (VCIL):** VCIL offers a range of services to people with disabilities including peer mentoring, skills training, information and referral, and advocacy. Young adults with disabilities can get help with housing, employment, transportation, equipment, and other transition-related issues.



## Helpful Vermont Family Network Links

**VFN Transition Toolkit for Youth with Disabilities:**  
[vermontfamilynetwork.org/what-we-do/family-support/transition-to-adulthood-toolkit/](http://vermontfamilynetwork.org/what-we-do/family-support/transition-to-adulthood-toolkit/)

**Basic Rights in Special Education:**  
[www.education.vermont.gov/documents/state-board-rules-series-2360](http://www.education.vermont.gov/documents/state-board-rules-series-2360)

## Vermont Agencies and Resources

Disability Law Project (DLP)

Governor's Committee on Employment  
of People with Disabilities (GCEPD)

Green Mountain Self Advocates (GMSA)

HireAbility Vermont (formerly known as  
VocRehab)

Impact Vermont (Resources for Youth in  
Chittenden County)

Jump on Board for Success Program  
(JOBS)

9 East Network Deaf and Hard of Hearing  
Program

Special Olympics Vermont

Ticket to Work Program

Vermont Agency of Education (VTAOE)

Vermont Association for the Blind and Visually Impaired (VABVI)

Vermont Association of Business and Rehabilitation (VABIR)

Vermont Association of People Supporting Employment First (APSE)  
Department of Health (VDH)

Vermont Department of Labor (VDOL)

Vermont Department of Mental Health (VDMH)

Vermont Family Network (VFN)

Vermont Federation of Families for Children's Mental Health  
(VFFCMH)



# Partners in Transition



<https://www.hireabilityvt.com>



[www.education.vermont.gov/](http://www.education.vermont.gov/)



Vermont Family Network empowers and supports all Vermont children, youth, and families, especially those with disabilities or special needs We do this by Giving a Strong Start, Lifting Family Voices, and Advancing Inclusive Communities.

[www.VermontFamilyNetwork.org](http://www.VermontFamilyNetwork.org)

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