

## Transition Information: Delaware

### Timeline

- *By the age of 14:*
  - Transition planning should begin well before the student becomes 14 years old. The transition IEP should include desired post-high school goals, including information on employment, community participation and post-secondary education and training.
  - It is important that all post-school objectives are discussed as early as eighth grade, detailing the students' strengths and weaknesses as well as the prospective courses and activities that the student will be doing in high school. In 8<sup>th</sup> grade, students are required to take the Delaware State Testing Program in all academic areas.
- *By the age of 16:*
  - The vocational rehabilitation process should begin at least 2 years prior to high school graduation.
  - The Division of Vocational Rehabilitation referral form should be completed at least two years before the student will exit high school, approximately around age 16.
- *Before the age of 17:*
  - The guardianship/conservatorship process should begin. (The age of majority in Delaware is 18)
    - The student must be informed of the transfer of rights and the guardianship options by age 17.
    - If families and students feel uncomfortable with the transfer of the decision-making abilities to the student, the prospective guardian needs to petition for guardianship at the local probate court.
- *Before the age of 18:*
  - Add your name to the waiting list for residential placements in the state. Regardless of future residential plans, it is good to be on the waitlist, as these lists can be extremely long, and it is easy to remove your name than it is to add it.
  - Apply for Social Security benefits, Social Security Disability Insurance and Medicaid.
    - If ineligible for Medicaid, look into other health insurance options, as it is likely the individual will no longer be covered by the parents plan after age 19 if not enrolled in college or covered by Medicaid.
- *At age 18:*
  - Register to vote.
  - Upon an individual's 18<sup>th</sup> birthday, he or she changes from a system of being entitled to certain rights and privileges to a system of eligibility.
  - Male students should register for the draft, no matter the level of functioning.
  - If applicable, individuals should apply to adult agencies for vocational and day programs, as well as for supported living.

## **Starting the Transition Process:**

Transition planning should begin well before the student becomes 14 years old. The transition IEP should include desired post-high school goals, including information on employment, community participation and post-secondary education and training. It should also include the present levels of educational performance and a statement of transition service needs, including a prospective course of study. It should also include a statement of needed transition services, such as vocational rehabilitation, post-school objectives and also an understanding of daily living skills. It should include annual and short-term goals as well.

## **Education:**

It is important that all post-school objectives are discussed as early as eighth grade, detailing the students' strengths and weaknesses as well as the prospective courses and activities that the student will be doing in high school. In 8<sup>th</sup> grade, students are required to take the Delaware State Testing Program in all academic areas. Throughout high school, it is important to recognize which path the student will follow. For example, if the student is going to college after they graduate, the appropriate standardized tests should be taken and any other college entrance exams, as well as establish a strong relationship with the school counselors and the rest of their transition team to help them achieve their IEP goals.

The state does provide minimum requirements for graduation, which the LEA is allowed to add to. They also limited the options for a single allowance to receive the standard diploma. They do allow allowances, which include the use of approved changes to the requirements decided within the IEPs of the individuals. They also allow accommodations for these individuals for courses and exit exams. The state allows disabled students to achieve an honors diploma, a regular standard diploma a certificate of attendance, a certificate of achievement or some alternate diploma, approved by the LEAs.

To achieve the standard diploma, the individual is required to pass the high school state exit exam, but they are given the same test and require the same passing score to get the diploma. Students are allowed to retake the exam if they fail.

## **Guardianship/Conservatorship:**

The age of majority in Delaware is 18, which means that a transfer of rights will occur upon the individual's 18<sup>th</sup> birthday. The individual must be informed and reminded to this upcoming transfer well before that point.

There are various types of consent that are permitted by the Delaware government. This includes: direct consent, substitute consent and concurrent consent.

Direct consent means that the person can make their own decisions. Substitute consent means that the individual will allow someone else to make their decisions for them, and this

individual must be legally ruled to be the person's guardian, after the individual must be ruled to be incompetent. Concurrent Consent is a combination of both direct and substitute consent. This means that a substitute can aid them in making difficult decisions that may involve risks to the individual's well-being, but otherwise can make simpler decisions on their own.

To become a guardian over a disabled person, a hearing must be held with the disabled individual and the judge must rule that the person is incapable of making their own decisions. Then, the judge will either appoint a guardian or grant limited guardianship to the petitioner who wishes to be the individual's guardian, after their 18<sup>th</sup> birthday.

### **Vocational Rehabilitation:**

The Division of Vocational Rehabilitation is the state's public program that helps people with physical and mental disabilities obtain or retain employment. Also, an Independent Living Program helps people with disabilities function in the community. DVR's commitment is to help people with disabilities increase independence through employment.

It is important to complete the referral form found on the Delaware DVR webpage (<http://dvr.delawareworks.com>). Find your local DVR office at <http://dvr.delawareworks.com/office-locations.php>.

The referral form should be completed at least two years before the student will exit high school, approximately around age 16. This form can be found with guidance counselors and nurses in schools or at the local DVR offices. They will schedule an appointment for the student and the DVR counselor.

### **Social Security:**

Benefits should be applied for before the student's 18<sup>th</sup> birthday and then be re-evaluated after the student's 18<sup>th</sup> birthday. It is also important that the office be contacted well in advance before the student's 18<sup>th</sup> birthday to understand that eligibility and application process.

Applicants may apply online or by contacting Social Security directly. Local Social Security offices can be found using SSA's office locator or by calling 800-772-1213.

- *Social Security Administration:* [www.socialsecurity.gov](http://www.socialsecurity.gov)
- *Social Security Benefit Application:* [www.socialsecurity.gov/disabilityonline](http://www.socialsecurity.gov/disabilityonline)
- *Social Security Benefits for People with Disabilities:* [www.ssa.gov/disability](http://www.ssa.gov/disability)
- *Social Security Office Locator:* <https://secure.ssa.gov/ICON/main.jsp>

## **Housing Resources:**

Delaware Public Housing Agency Contact Information:

[www.hud.gov/offices/pih/pha/contacts/states/de.cfm](http://www.hud.gov/offices/pih/pha/contacts/states/de.cfm)

US Department of Housing and Urban Development: HUD in Delaware

<http://portal.hud.gov/portal/page/portal/HUD/states/delaware>

Disability.gov Guide to Housing:

[www.disability.gov/resource/disability-govs-guide-housing](http://www.disability.gov/resource/disability-govs-guide-housing)

## Delaware Resources

### **Delaware Department of Special Education**

(302) 735-4000

<http://www.doe.k12.de.us/domain/78>

### **Delaware Transition Services**

Department of Education

<http://www.doe.k12.de.us/Page/2342>

*Operating the Transition Process: A Guide for Students and Families*

<http://www.doe.k12.de.us/cms/lib09/DE01922744/Centricity/Domain/78/TheWho.revisedforDelawarefinal.pdf>

### **The Parent Information Center of Delaware:**

*Transition 14+ Toolkit*

<http://www.picofdel.org/information-resources/toolkits/115-transition-14-toolkit.html>

### **Delaware Division of Vocational Rehabilitation**

Delaware Department of Labor

[dvr.delawareworks.com](http://dvr.delawareworks.com)

### **Division of Developmental Disabilities Services**

Delaware Health and Social Services

[dhss.delaware.gov/ddds](http://dhss.delaware.gov/ddds)