

## Transition Information: Louisiana

### **Timeline**

- *By the age of 16:*
  - Transition services must be included in the IEP and the transition IEP must go into effect by 16 years of age. The IEP must include post-secondary goals, including information related to independent living, employment, future education and other related services.
- *Before the age of 17:*
  - The guardianship/conservatorship process should begin. (The age of majority in Louisiana is 18)
    - The individual must be made aware of this transfer of rights before his or her 18<sup>th</sup> birthday.
    - 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.
  - The vocational rehabilitation process should begin at least 2 years prior to high school graduation.
- *Before the age of 18:*
  - 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.
  - 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.
- *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 services must be included in the IEP and the transition IEP must go into effect by 16 years of age. The IEP must include post-secondary goals, including information related to independent living, employment, future education and other related services. The IEP will be reviewed annually and therefore, annual goals to ensure a specific pace of progress are established so that the students can attain certain goals within a shorter period of time to build up to their long-term goals. Assessments should be done to assess the skill set of the students, including their strengths and weaknesses and also what they want in their futures. Also, if external agencies will be involved in the transition process, consent is required by both the student and his or her parents, and they must have a representative present at their IEP meetings.

## **Education:**

The post-secondary goals of a student that are discussed in the IEP include a structured list of future course work, which indicates what the student will be doing in high school and in college if that path is considered the appropriate path. The IEP should also include what diploma the student will be getting and if they are graduating high school at the age of 18 or later.

In terms of graduation, Louisiana sets a mandatory set of requirements that the student needs to complete to graduate high school, which LEAs cannot change based upon individual cases. The options for diplomas are: a regular standard high school diploma or a certificate of achievement. There are no allowances made to students with disabilities, except a waiver for one section of the exit exam if it is impacted by the disability and if the student was able to take the graduation exit exam in the past.

Louisiana also requires all students to complete the state exit exam before they graduate. The state sets the same test and same passing scores for all students, regardless of disability. If they fail the exam, they can petition for an exemption or retake the same exam. However, that exemption is available for only one part of the test and if the child is following a special education curriculum.

## **Guardianship/Conservatorship:**

The age of majority in Louisiana is 18 years old. This means that at this age all rights to make decisions pertaining to the welfare of the disabled individual transfer from their families/guardians to themselves. They must be made aware of this transfer before their 18<sup>th</sup> birthday and also need to be prepared to make responsible decisions. However, if they are viewed as being incapable of making certain decisions, such as legal, medical or financial decisions, the court can appoint someone to be their legal

guardian and make their decisions for them, after the guardian has made a petition for that course of action to take place at their local district court.

The individual has to be declared incompetent by the court before someone becomes his or her guardian after the person turns 18 years old. If the person is capable of naming someone as his or her guardian in court, then the judge will usually rule in that person's favor. However, if the person is unable to name a guardian, the state court will go through a hearing to determine who would be most appropriate guardian for the disabled individual. Also, if the person is clear-minded enough to make certain decisions, he or she can give a power of attorney to someone, which will allow another individual to be responsible for certain specified decisions and not all decisions related to the individual. This is a less strict process and the powers are given voluntarily by the individual to another person. The full guardianship process is often expensive and long since it relinquishes all rights of the disabled individual into someone else's hands. Therefore, the individual is often represented by another lawyer during the hearing so that his or her needs are represented in court.

### **Vocational Rehabilitation:**

Vocational Rehabilitation, the flagship program of Louisiana Rehabilitation Services, is a one-stop career development program that offers individuals with disabilities a wide range of services designed to provide them with the skills, resources, attitudes, and expectations needed to compete in the interview process, get the job, keep the job, and develop a lifetime career.

A person becomes eligible for VR services when he or she reaches the minimum age of legal employability. To be eligible, individuals must have a physical or mental disability that impedes employment, they must be able to benefit from the VR services, and the services must be required by their IEP to gain full employment.

Find local counselor: [www.laworks.net/WorkforceDev/LRS/LRS\\_RegionalOffices.asp](http://www.laworks.net/WorkforceDev/LRS/LRS_RegionalOffices.asp)

VR offices offer career counseling, an evaluation of rehabilitation potential, assistive technology services, job placement, transportation to access any VR services, personal assistance services, transition from school to work programs, and enterprise education. These services help build the students toward achieving a higher level of employment, and transitioning smoothly from school to other post-secondary outcomes, specifically through employment. VR counselors provide the students with the skills needed to survive in the job market and in maintaining employment.

### **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:**

Louisiana Public Housing Agency Contact Information:

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

US Department of Housing and Urban Development: HUD in Louisiana

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

Disability.gov Guide to Housing:

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

## Louisiana Resources

### **Louisiana Department of Education Programs for Students with Disabilities**

Baton Rouge, LA  
(877) 453-2721

[www.louisianabelieves.com/academics/students-with-disabilities](http://www.louisianabelieves.com/academics/students-with-disabilities)

### **Louisiana Vocational Rehabilitation**

Louisiana Rehabilitation Services  
(225) 219-2225

[http://wwwprd.doa.louisiana.gov/laservices/publicpages/servicedetail.cfm?service\\_id=2857](http://wwwprd.doa.louisiana.gov/laservices/publicpages/servicedetail.cfm?service_id=2857)

*Find your regional office:* [www.laworks.net/WorkforceDev/LRS/LRS\\_RegionalOffices.asp](http://www.laworks.net/WorkforceDev/LRS/LRS_RegionalOffices.asp)

### **Louisiana Transition Services**

Department of Education

<http://transition.doe.louisiana.gov>

### **Louisiana Office for Citizens with Developmental Disabilities**

(225) 342-0095  
(866) 783-5553

<http://new.dhh.louisiana.gov/index.cfm/subhome/11/n/8>

### **Law Help: Louisiana's Online Guide to Free Legal Help**

<http://louisianalawhelp.org>