

Transition Information: Tennessee

Timeline

- *By the age of 14:*
 - The transition planning should begin by the time the student turns 14 years old. A transition team should be assembled.
 - The student should meet with the school's guidance counselor and their family to prepare a basic four-year plan of focused high school study.
 - At this point, the IEP should include appropriate post-secondary goals that are based on their current level of skill and expected level of skill, which is assessed at the beginning of the transition process. The assessments should be related to both their academic skills and independent living skills, including employment skills.
 - The IEP will go into effect at age 14.
- *By the age of 16:*
 - The IEP should include a statement of needed transition services, as well as information about future instruction and community experiences that will be involved in helping the student achieve their post-secondary goals.
 - The IEP should be revised annually starting at age 16 depending on the student's progress, skills, and interests.
- *Before the age of 17:*
 - The guardianship/conservatorship process should begin. (The age of majority in Tennessee is 18)
 - The student should be informed of this transfer as early as his or her 17th birthday so that the family can prepare the student to make those kinds of decisions or consult those who can help them.
 - 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 18th 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.
- *At age 21:*
 - Special education programs are terminated once the student fulfills their IEP goals or when they turn 21 years old.

Starting the Transition Process:

The IEP should be started by the time the student is 14 years old at the latest. At this point, the IEP should include appropriate post-secondary goals that are based on their current level of skill and expected level of skill, which is assessed at the beginning of the transition process. The assessments should be related to both their academic skills and functional living skills, including employment and independent living skills.

A transition team should be assembled to help the student and his or her family determine what goals would be appropriate for the student and what the best course of action is to achieve those goals. The IEP team should include the student's parents or guardians, their teachers, their therapists, possibly physicians and psychologists (or those who have a better understanding of the current level of skill of the student) and if any external agency is currently or in the future being used, a representative from that agency should be present at the IEP meetings. At these meetings, it is best to discuss what the student's wishes are, which is best done if the student is able to attend their meetings. If they cannot attend the meetings, then someone needs to be present at the meeting that will advocate the student's wishes and understands the student's strengths and weaknesses.

The annual meetings should assess the student's progress and the student's completion of their short-term goals. By doing this, the team can decide whether the long-term IEP goals are still practical and alter them as necessary.

Education:

Since the IEP will go into effect when the student turns 14 years old, it is best to include a detailed course of study in the IEP at that time. This should include any coursework either for academics or other skills and at what level of their studies they will be taking those classes. By the time the student is in 8th grade (14 years old), the student should meet with the school's guidance counselor and their family to prepare a basic four-year plan of focused high school study. The plan should be revised when the student is in 10th grade (16 years old) so that the course of study can be refocused as per the student's wishes and post-secondary goals. This course of study should either ease the student through the transition between high school and the job market or post-secondary education. The IEP should also include what diploma option the student plans to take and a prospective graduation date. Also, it is important to include if the student is planning on taking any version of post-secondary education, such as college. If the student is hoping to go to college, the IEP should include the times the student wishes to take the required standardized tests and also the times when they will complete their applications.

The state of Tennessee provides a set of requirements that must be followed and LEAs cannot change those requirements. There are a variety of diploma options available for the student: the honors diploma, the regular high school diploma, the IEP/Special education diploma or a certificate of attendance. The transition certificate will be

awarded to a student with disability at the end of their fourth years of high school and who were unable to complete the 22-credit requirement for the standard diploma, but have completed their IEP goals. The student can still attend school after they get that certificate so that they can get the standard diploma. FAPE is provided until the student is 22 years old. This certificate will be awarded to the student who has completed their IEP goals, completed a portfolio, and have satisfactory records of attendance and conduct. Any allowances for the student's requirements in getting the standard diploma must be addressed and approved within the student's IEP. The state of Tennessee does require ALL students to complete the state exit exam to get the standard high school diploma.

Guardianship:

The age of majority is 18 years old. This means that at 18, the rights of making decisions about the student's welfare transfer from their parents or guardians to the student. This means that the student will have the power to make their own decisions about their education, their health and their finances. They should be informed of this transfer as early as their 17th birthday so that the family can prepare the student to make those kinds of decisions or consult those who can help them. If possible, some sort of statement of understanding of those rights should be included in the student's IEP.

If the family feels uncomfortable transferring the rights due to the level of the student's disability or if the student feels that they cannot handle those kinds of decisions, there are various forms of guardianship that the student can get that will allow others to make those decisions for them. There are other options for guardianship, including limited guardianship (where the court decides the terms of the guardianship), joint property ownership, conservatorship, representative payee, special needs trusts and a durable power of attorney that can help preserve the student's best interests. There are also guardianships and conservatorships that focus on a person's estate or the person themselves.

It is best to start the process as early as possible. First, the concerned individual should file a petition at the local district court. The court will appoint a guardian ad litem, which is an attorney that will represent the disabled individual during the hearing. The petition and the guardian ad litem do require high fees. Some sort of proof, such as a physician's letter or the physician themselves being present in court, of the student's disability needs to be given to the court. The judge will make the best decision based on the level of the student's disability. The judge will also state terms and a method of termination for the guardianship. Also, the court gets to decide who the best person is to be the student's guardian depending on the evidence that is presented to them. Once a guardian is appointed, they are responsible for reporting to the court on a regular basis so that the judge can ensure that the person is serving the disabled individual's best interests. If the judge feels that they are not doing their job, the judge has the power to terminate the guardianship whenever they feel necessary.

If public guardianship or conservatorship is an option, since the student does not have anyone else who is qualified or willing to be their guardian, then the Tennessee General Assembly can appoint someone to care of the disabled individual. They will be appointed by the local court, but there are fees for this kind of guardianship.

Public Guardianship: <http://www.tennessee.gov/comaging/guardianship.html>

Conservatorship and Alternatives to Conservatorship: A Guide for Families
www.thearctn.org/Assets/Docs/Conservatorship_Handbook.pdf

Vocational Rehabilitation:

To be eligible for VR services, one must have a physical or mental disability that impedes their ability to be employed, and as a result, require VR services to obtain or keep employment. Individuals are presumed eligible if they have Social Security Insurance. The VR offices and counselor will provide a diagnosis based on the assessments of working skills. The VR office will help provide counseling and guidance, treatment, job training and maintenance, transportation, transition services from school to work, independent living services, assistive technology and supported employment, job placement and post-employment services. An individual can be referred to this program or can apply individually.

Social Security:

Benefits should be applied for before the student's 18th birthday and then be re-evaluated after the student's 18th birthday. It is also important that the office be contacted well in advance before the student's 18th 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
- *Social Security Benefit Application:* www.socialsecurity.gov/disabilityonline
- *Social Security Benefits for People with Disabilities:* www.ssa.gov/disability
- *Social Security Office Locator:* <https://secure.ssa.gov/ICON/main.jsp>

Housing Resources:

Tennessee Public Housing Agency Contact Information:
www.hud.gov/offices/pih/pha/contacts/states/tn.cfm

US Department of Housing and Urban Development: HUD in Tennessee
<http://portal.hud.gov/portal/page/portal/HUD/states/tennessee>

Tennessee Resources

Tennessee Office of Special Education

Department of Education

(888) 212-3162

(615) 741-2851

<https://tn.gov/education/topic/special-education>

Special Education Secondary Transition: <https://tn.gov/education/article/special-education-secondary-transition>

Tennessee Vocational Rehabilitation Services

Department of Human Services

(615) 313-4891

www.tn.gov/humanservices/topic/vocational-rehabilitation

Department of Intellectual and Developmental Disabilities

(615) 253-2236

www.tn.gov/didd

The Secondary Transition Project

Arc of Tennessee

Funded by State of Tennessee, Department of Education

(615) 248-5878

www.thearctn.org/Education.php

Secondary Transition Handbook: www.thearctn.org/Assets/Docs/Secondary-Transition-Handbook.pdf