

## Transition Information: Texas

### **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 and families should gather information regarding the strengths and preferences of the student and the possible paths that the student can take towards a specific long-term goal.
  - The IEP should include what activities and courses the student is planning on taking to gain the knowledge and experience necessary to complete the goal set out in their IEP.
- *By the age of 16:*
  - The IEP will go into effect by the time the student turns 16 years old. It should include a statement of needed transition services.
  - The student should begin to participate in the transition IEP meetings.
  - Assessments should now be conducted annually to determine the current skill set the student has in terms of both academic and functional living skills.
  - The student should begin the Vocational Rehabilitation application process.
- *Before the age of 17:*
  - The guardianship/conservatorship process should begin. (The age of majority in Texas is 18)
    - 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.
    - A statement of informed consent of the transfer of rights should also be included in the student's IEP by their 17<sup>th</sup> birthday. This statement should signify that the student understands that they will be making their own decisions when they turn 18 years old.
  - 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.
- *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 Services:**

The IEP goes into effect when the student turns 16 years old. This means that the transition planning process should begin when the student turns 14 years old. The IEP should include what activities the student is planning on taking to gain community involvement experience, the parental involvement and also the involvement of any other providers. It should be as detailed and specific as possible about the student's post-secondary goals, especially in terms of independent living, employment, and future education.

The process should begin with the assembling of a transition team who will help create the most appropriate plan for the student's transition into adulthood. It should include the student when they turn 16 years old, the parents, teachers, therapists and any other representatives from any external agencies that are either currently being used or will be used in the future to help the student achieve their post-secondary goals. Also, assessments should be conducted to determine the current skill set the student has in terms of both academic and functional living skills. The IEP should include information about the student's vocational goals and future course work. IEP meetings should occur annually where the team reviews the student's short-term goals and assesses the student's progress. Then, they should appropriately alter the student's long-term IEP goals to match the level of progress the student is making.

## **Education:**

The IEP should include a detailed course of study for the student throughout their high school career. It should include not only a list of courses that the student should take to achieve their IEP goals, but also when they will be completing those courses. This will help to provide the school with the curriculum that they need to implement that will most benefit the student. The IEP should also include any courses or instruction that the student will be taking outside of school. It should include information about post-secondary education, if applicable. If the student is planning on going to college, it is important to include when the student will be taking the required standardized tests and completing their applications. Also, it should include what diploma option the student wants and also a prospective graduation date.

They are allowed to receive a regular high school diploma if they successfully complete their IEP requirements, the minimum graduation requirements, and either have a full-time job or have mastered some specific employment skills. If they are still receiving services and are not prepared to enter the job market, they can continue on at that school until they turn 22 years old, which is when FAPE ends.

The state of Texas provides minimum requirements and LEAs can add to those requirements if they believe it to be necessary. They allow for students to either receive the regular high school diploma or an honors diploma. While all allowances for those graduation requirements need to be approved and be included in the IEP, the state does permit disabled students to take alternate courses to earn the required course credits.

There is a state exit exam to get the standard diploma, but that is only for students without disabilities. However, students with disabilities can opt to take the exam as well. They will have the same passing score and test as all the other students. If they fail the exam, they will be permitted to retake the same exam three times.

## **Guardianship:**

The age of majority is 18 years old, which means that at this age, the student will receive all the rights to make their own decisions from their parents. They will be making decisions about their welfare, like medical, financial and educational decisions. The student and their family should be informed of this transfer at the latest by the student's 17<sup>th</sup> birthday. They should spend the next following year preparing the student for the transfer and teaching the student on how to make those kinds of those decisions and the possible consequences of making the wrong decisions. A statement of informed consent of the transfer should also be included in the student's IEP by their 17<sup>th</sup> birthday. This statement should signify that the student understands that they will be making their own decisions when they turn 18 years old.

If the student feels uncomfortable making those decisions on their own, or if the family feels that the student's disability strongly impedes the student from making those decisions, they can petition at a local probate court for guardianship. This is often a lengthy process and should best be started by the student's 17<sup>th</sup> birthday. This requires that a petition be filed at the local district court for guardianship by a prospective guardian. Then, an attorney will be appointed by the court for the disabled individual and the other side should also appoint an attorney. This is because there are many forms that need to be completed by an attorney and cannot be completed by the prospective guardian. The court will be presented evidence of the student's disability and depending on the level of the disability, the judge will decide what kind of guardianship is appropriate and also what the terms of the guardianship will be. Also, they will decide who the most appropriate person is to be a guardian for the individual in question. There are less lengthy, less restrictive and less expensive alternatives including powers of attorney and trusts for property and money.

## **Vocational Rehabilitation:**

The student and their VR counselor will develop an employment goal and a program for vocational rehabilitation services to achieve that goal. Some of the services that are provided by the Division of Rehabilitative Services are evaluations to determine the degree of the disability and their current skill level, job counseling and guidance, training, assistive technology and industry-specific training. They also help with job placement and training students on how to keep their jobs once they are employed. They can also help with independent living skills and technology assistance.

To locate the nearest office: [www.dars.state.tx.us/drs/offices/OfficeLocator.aspx](http://www.dars.state.tx.us/drs/offices/OfficeLocator.aspx)

## **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:**

Texas Public Housing Agency Contact Information:

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

US Department of Housing and Urban Development: HUD in Texas

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

Disability.gov Guide to Housing:

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

# Texas Resources

## **Special Education in Texas**

Texas Education Agency

(512) 463-9414

[http://tea.texas.gov/Curriculum and Instructional Programs/Special Education/](http://tea.texas.gov/Curriculum_and_Instructional_Programs/Special_Education/)

*Secondary Transition Guidance:* <http://tea.texas.gov/index2.aspx?id=2147496883>

## **Transition in Texas**

Texas Secondary Transition/Post-School Results Network

*A Leadership Function of the Texas Education Agency*

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

## **Vocational Rehabilitation for Persons with Mental and Physical Disabilities**

Department of Assistive and Rehabilitative Services

(800) 628-5115

[www.dars.state.tx.us/drs/vr.shtml](http://www.dars.state.tx.us/drs/vr.shtml)

*A Guide for Vocational Rehabilitation Services in Texas:*

[www.dars.state.tx.us/publications/pdf/01856.pdf](http://www.dars.state.tx.us/publications/pdf/01856.pdf)

## **Texas Council for Developmental Disabilities**

(512) 437-5432

(800) 262-0334

[tcdd@tcdd.texas.gov](mailto:tcdd@tcdd.texas.gov)

[tcdd.texas.gov](http://tcdd.texas.gov)