

Transition Information: South Dakota

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 student should be invited to attend their own meetings as early as when they are fourteen years old
- *By the age of 16:*
 - A statement of needed transition services, including a detailed course of study, should be included in the student's IEP when the IEP goes into effect at **16**. It should also include any services or activities that the student will be using to improve their skills in independent living, employment, community participation, adult services, and post-secondary education.
- *Before the age of 17:*
 - The guardianship/conservatorship process should begin. (The age of majority in South Dakota is 18)
 - By the student's 17th birthday, the student and their family should be informed about the imminent transfer.
 - 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 transition IEP will go into effect when the student turns 16 years old so it is best to begin the transition planning process when the student turns 14 years old. This means that the student and their parent should assemble an IEP team. The student should be invited to attend their own meetings as early as when they are fourteen years old. These goals must agree with the desires and strengths of the student and therefore, if the student is incapable of attending their annual IEP meetings, someone should be present at the meeting to voice the student's wishes. 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 team should discuss what post-secondary goals are most suitable for the student's current level of skill and expected level of skill, which should be assessed at the start of the transition planning process. A statement of needed transition services, including a detailed course of study, should be included in the student's IEP when the IEP goes into effect at 16. It should also include any services or activities that the student will be using to improve their skills in independent living, employment, community participation, adult services, and post-secondary education.

It is best to also see what the eligibility criteria for future public education and adult services. In terms of adult services, the application must be completed at least one year before the desired start date of those services. Short-term annual goals should be included in the IEP which should be reviewed at the annual IEP meetings, where future goals are revised and altered as appropriate and also the student's progress is observed.

Education:

It is important that the IEP is as detailed as possible concerning the student's educational program. Based on the assessments that student should complete when the transition process begins, the education program should include information about any kind of future education or instruction that the student will get, both in relation to academics and also to employment or living skills education. The plan should be as detailed as possible so that the student's school can provide them with the necessary programs to help them benefit as much as possible from their educational experience in secondary school and post-secondary school if appropriate. It should include information about which courses the student should take and at what level of study

they should take each course. If the student plans to attend college, the IEP should include when the student will take the required standardized tests and also when they will complete their applications. Appropriate services should be included in the IEP to help the student through the college process. The IEP should also include what diploma program the student will pursue and a prospective graduation date.

The state of South Dakota provides their set of minimum requirements for graduating high school, which LEAs can add to on a case-by-case basis. The student can either get a high school standard diploma or if they do not complete the requirements in time, they will be awarded with some kind of certificate of completion when they do complete their IEP goals. The state does have some allowances for those requirements. This includes using alternate courses to earn the required credits, performance criteria can be lowered and any allowances must be listed and approved in the student's IEP. There is no state exit exam for graduation. Therefore, to graduate, the student needs to complete the appropriate requirements that are explained by the LEAs.

Guardianship:

The age of majority in South Dakota is 18 years old. By the student's 17th birthday, the student and their family should be informed about the imminent transfer. The transfer is the transfer of rights to make decisions from the student's parents or guardians to the student. This means that the student will be making their own decisions about their welfare, including financial, educational and medical decisions. When they are informed of this transfer, a signed statement of informed consent should be included in the student's IEP, stating that they understand what will happen when they turn 18 years old.

If the student feels uncomfortable in making those decisions or if the parents/guardians feel that the student is too incapacitated to make those decisions and look out for their best interests, they can petition for guardianship of the student. This process can be lengthy and expensive, which means that it is best to start this process as early as the student's 17th birthday, although it usually takes only months. If this process is thought about early on in the transition process, it is best if the guardianship process is included in the student's IEP.

South Dakota Guardianship Program: <http://dhs.sd.gov/qdn>

A hearing will take place between the student and their prospective guardians. The court will appoint an attorney to represent the student's interests and an attorney should be ascertained for the other side as well. There also needs to be some kind of proof that the student is incapable of making those decisions, which will also be if necessary done by a court-appointed medical professional. The judge or jury will decide if guardianship is necessary and also what level of guardianship is most

appropriate, such as limited guardianship, full guardianship or temporary guardianship. The judge will also specify what provisions the guardian has and also if needed, the method of termination. The court also has the power to choose the guardian that they feel is appropriate for the student's best interests.

If the family feels comfortable with the South Dakota Department of Human Services serving as the student's guardian, that is also a possibility. The student needs to be 18 years old and have proof of the developmental disability and also, they must be receiving services or financial assistance from the Department of Human Services. They also must have no other individual qualified or willing to act as their guardian. To go through this process, one must complete the following application:

Vocational Rehabilitation:

One can apply for Vocational Rehabilitation programs, starting when they are sixteen years old. The Division of Rehabilitation Services has many programs that help prepare students for future employment and also for the transition and adjustment process, as they move from school to work. For example, the "Project Skills" programs provide paid work experience for students within the VR program. Also, with this division, the students have access to adjustment training centers and resource coordinators who specialize in dealing with developmental disabilities.

After the application is completed, the family will be contacted by a VR counselor who will arrange a meeting to discuss the eligibility requirements of being part of the VR program. This will require the student to either utilize the Trial Work program or the Extended Evaluation program. The Trial Work program allows students to work on actual job sites. The other option is a VR counselor's written assessment of the applicant's ability to work. Together, the student and their VR counselor will create an Individualized plan of employment (IPE), based on the assessments of working skills that the student takes at the beginning of the process. There is an order of selection to be part of the program, which depends on the level of the student's disability.

They also provide programs in improving independent living skills.

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:

South Dakota Public Housing Agency Contact Information:

www.hud.gov/offices/pih/pha/contacts/states/sd.cfm

US Department of Housing and Urban Development: HUD in South Dakota

http://portal.hud.gov/portal/page/portal/HUD/states/south_dakota

Disability.gov Guide to Housing:

www.disability.gov/resource/disability-govs-guide-housing

South Dakota Resources

Special Education

South Dakota Department of Education

(605) 773-3134

<http://doe.sd.gov/oess/sped.aspx>

Division Vocational Rehabilitation Services

South Dakota Department of Human Services

dhs.sd.gov/drs/vocrehab/vr.aspx

Transition Services Liaison Project

Black Hills Special Services

(605) 224-5336

www.tslp.org

Division of Developmental Disabilities

South Dakota Department of Human Services

(800) 265-9684

(605) 773-3438

dhs.sd.gov/dd

To find a Transition Liaison office, visit <http://dhs.sd.gov/drs/transition/transition.aspx>.