

Transition Information: Virginia

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.
 - Assessments should be conducted prior to the IEP going into effect to establish the current skill set of the student and help determine an expected level of skill at the end of the student's transition period or when they complete their IEP goals.
- *By the age of 16:*
 - The IEP will go into effect by the time the student turns 16 years old. It should include all possible information about the services that the student will need to have through the transition period to prepare them for adulthood.
 - Students should begin to look into Vocational Rehabilitation services.
- *Before the age of 17:*
 - The guardianship/conservatorship process should begin. (The age of majority in Virginia 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.
 - The student should be informed of the pending transfer of rights, and a statement of consent should be included in the IEP. The student should spend that year preparing for the transfer.
 - 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 goes into effect when the student turns 16 years old. They should begin the transition planning process when the student turns 14 years old. At 16, the individual must have a needed set of transition services included in the IEP. This should include all possible information about the services that the student will need to have through the transition period to prepare them for adulthood. At 16, the IEP should also include information about interagency responsibilities and any other external service linkages that the student will need.

The transition process should begin as early as the student's 14th birthday or when the student is in 8th grade so the team can prepare for high school. When the student begins the transition process, a transition team should be assembled that consists of the student (when they reach age 16), the parents, teachers, therapists, medical professionals and also representatives from any external service providers that are either currently or will provide services in the future to the student. Assessments should be conducted prior to the IEP going into effect to establish the current skill set of the student and help determine an expected level of skill at the end of the student's transition period or when they complete their IEP goals. These assessments include observations, interviews, inventories, situational assessments, and academic assessments.

The IEP should explain the student's post-secondary goals in relation to independent living, employment and also education. It should be in agreement with the student's preferences and therefore, if the student is unable to participate in their own IEP meetings, then, someone should be present at the meeting that will advocate their preferences. The IEP should include a summary of performance when they exit their secondary program to assess their achievements academically and functionally. IEP meetings should occur annually to assess the student's progress and their completion of any of their short-term objectives. By assessing the student's progress, the IEP team can decide if the long-term objective of the transition portion of the IEP is still practical and also alter the objectives to comply with the student's changing ideas.

Education:

At age 14, the IEP should include information about future coursework, and by the time the student turns 16 years old, there should be a detailed list of all the courses the student wants to take in high school and beyond if applicable. These courses should help the student achieve their post-secondary goals. Also, it is important to detail any future instructional or educational possibilities in the IEP and the course of study should provide a basic curriculum to the student's school, so they can decide what programs and services at school will be most beneficial to the student's progress and completion of their IEP goals. If the student plans to continue with schooling after they graduate

high school, such as getting admission into a college, the IEP should include when they will begin planning the college process, and integrating the times the student will be taking the required standardized tests and complete the necessary applications. Also, the IEP should include a prospective graduation date and the chosen diploma option.

The *Virginia Alternate Assessment Program (VAAP)* is designed to evaluate the performance of students with significant cognitive disabilities. The VAAP is available to students in grades 3 through 8 and students in grade 11 who are working on academic standards that have been reduced in complexity and depth. This content is derived from the Standards of Learning (SOL) and is referred to as the Aligned Standards of Learning (ASOLs). FAPE is provided until the student turns 22 years old if their birthday is on or before September 30th.

In terms of graduation, the state provides requirements that must be followed, which LEAs cannot add to. There are many diploma options for students with disabilities. This includes the honors diploma, the standard high school diploma, a modified standard diploma (for students who have a disability and are not likely to meet the requirements to get the standard diploma), the IEP/special education diploma or a certificate of program completion. The state does not allow many allowances for those requirements, but extensions can be granted to allow students more time to complete those requirements. There is a state exit exam for all students to achieve the regular high school diploma. All students take the same test and need the same passing score. If they fail, they can retake the same exam at least three times more.

Guardianship:

The age of majority is 18 years old. At this age, the rights to make all decisions related to the student's welfare transfer from the parent or guardian to the student. The student should be informed of this transfer at least a year before the transfer is set to occur, which means that the student should be informed of the transfer by their 17th birthday. Some statement of consent should be included in the IEP and the student should spend that year preparing for the transfer. This means that the parents should remind the student of the transfer and teach them how to make appropriate decisions, relating to their health, hygiene, finances and education.

If the student feels uncomfortable about handling that kind of responsibility, or if the family feels that the student's disability impedes their ability to make complicated decisions about their welfare, it is possible to petition for guardianship. As of 1998, guardianship does not permit guardians to have control over the individual's financial affairs. For financial affairs, a conservator must be appointed, which can be the same person. When the petition is filed with the district court, a hearing will take place. Attorneys should be appointed for both sides: the disabled individual and the prospective guardians. Evidence must be provided by medical professionals that the

student is truly incapable of making their own decisions. Once the judge understands the student's level of disability, they will decide if guardianship is necessary and if it is necessary, the judge will decide which form of guardianship is the best. Full guardianship takes away all rights from the student and transfers them to someone else, and thus, judges often prefer to grant limited guardianships or will suggest getting a power of attorney. If limited guardianship is granted, the judge will state the terms of the guardianship and the method of termination if it is necessary.

Transfer of Rights for Students with Disabilities Upon Reaching the Age of Majority in VA:

www.doe.virginia.gov/special_ed/regulations/state/transfer_rights_students_disabilities.pdf

Guardianship and Conservatorship in Virginia:

www.vda.virginia.gov/pdfdocs/Guardbook.pdf

Vocational Rehabilitation:

The employment services division helps people find and keep jobs by providing training and medical rehabilitation if necessary and offering residential programs to help integrate the education about employment into the student's daily life-style, known as the Woodrow Wilson Rehabilitation Center. They also involve community rehabilitation providers and offer assistive technology equipment to help them function in the working world. The Woodrow Wilson programs offer a variety of services, some of which is centered on the transition process. They are usually referred to this program by external agencies and schools and their transition programs often focus on preparing them for both employment, but also developing their interpersonal and independent living skills.

For example, the Postsecondary Education Rehabilitation Transition (PERT) Program, a collaborative program supported by the Virginia Departments of Education and administered through the Department of Rehabilitative Services at Woodrow Wilson Rehabilitation Center (WWRC), is a highly effective school-to-work transition initiative for eligible youth with disabilities available to all Virginia local school divisions. The student must be age sixteen at time of the assessment or 2.5 years from graduation or secondary school completion.

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:

Virginia Public Housing Agency Contact Information:

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

US Department of Housing and Urban Development: HUD in Virginia

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

Disability.gov Guide to Housing:

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

Virginia Resources

Special Education Services

Virginia Department of Education
(804) 225-3252

www.doe.virginia.gov/special_ed

Special Education Transition Services for Students with Disabilities:

http://www.doe.virginia.gov/special_ed/transition_svcs/index.shtml

Secondary Transition: Why It Is Important to Plan Early

www.doe.virginia.gov/special_ed/regulations/state/fast_facts/fast_fact_secondary_transition.pdf

Virginia Vocational Rehabilitation Program

Department of Rehabilitative Services
(800) 552-5019

<http://www.vadars.org/employment.htm>

Transition Services: www.vadrs.org/downloads/transitionservices.pdf

Virginia Department of Behavioral Health and Developmental Services

(804) 786-3921

www.dbhds.virginia.gov

Virginia Board for People with Disabilities

(800) 846-4464 (In VA)

(804) 786-0016 (V/TTY)

www.vaboard.org

Virginia Autism Council

www.autismtrainingva.vcu.edu