

Transition Information: West 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.
- *By the age of 16:*
 - 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.
 - The IEP will go into effect by the time the student turns 16 years old.
 - When the student turns 16 years old, the IEP should include appropriate post-secondary goals that are related to the student's future education, independent living and employment.
 - 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 West 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. The transition planning process should begin as early as the student's 14th birthday. When the student turns 16 years old, it should include appropriate post-secondary goals that are related to the student's future education, independent living and employment. 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. At the beginning of the process, the team should identify what the student's learning styles are and what accommodations they will need during the transition process, especially in school. They should be determined by the assessments that the student takes relating to both the level of their academic skills and their functional living skills.

The transition team should be assembled and it should consist 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. It is also important that the student expand their activities to include more community-involved activities so they can develop their social skills. IEP meetings should occur annually and at those meetings, the team should monitor the progress that the student is making on their short-term objectives and how practical their long-term goals still are.

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.

In terms of graduation, the state of West Virginia sets the graduation requirements and LEAs are not permitted to change the requirements. The state offers both the standard

high school diploma and a LEA-sponsored certificate or diploma when one completes their IEP goals or the graduation requirements. They do not offer many allowances, but alternate courses can be taken to earn the required course credits. There is no state exit exam.

Guardianship:

The age of majority in West Virginia 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. A 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. To file a petition, evidence of the incapacitation of the student must be available. The petition should include relevant information about the disability from the disabled individual's doctors. It should also include a plan by the guardian as to the disabled individual's residential plans and also a statement explaining why the petitioner should be the individual's guardian. It also should provide information about the background of the prospective guardian. A guardian ad litem will be appointed for the individual to ensure that during the hearing, the individual's best interests are considered. The judge will decide whether guardianship is appropriate and also what the terms of the guardianship should be, if it is limited guardianship, conservatorship or other alternatives to guardianship. The judge will specify any reasons for termination of the guardianship and will also decide who they think is the most appropriate guardian of the individual.

Age of Majority: Transfer of Rights for Exceptional Students in West Virginia
wvde.state.wv.us/osp/Transition/AgeofMajority2008.pdf

Vocational Rehabilitation:

It is best to begin the VR process in 10th grade by inviting a Vocational Rehabilitation counselor to the student's IEP meeting. Then, the student should be referred to the VR program by 11th grade and begin the evaluations with a VR counselor to determine what services would be appropriate for the student and what the end goal of the student is in terms of employment. After being referred and meeting with a VR counselor, an IPE will be created, which is an Individualized Plan for Employment. The employment services are provided and then once, full-term employment is secured, they will complete the

program to make sure that the student can keep the job for an extended period of time. Services include counseling and guidance, referral service, assistive technology and supported employment services, training and restoration services. They try and prepare the student to handle any obstacles that can occur during the employment process. The program has helped to increase average annual earnings by 257 %.

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:

West Virginia Public Housing Agency Contact Information:

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

US Department of Housing and Urban Development: HUD in West Virginia

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

Disability.gov Guide to Housing:

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

West Virginia Resources

Office of Special Education

West Virginia Department of Education

(304) 558-2696

wvde.state.wv.us/osp

Transition Services: wvde.state.wv.us/osp/Transition/Transition.html

(800) 642-8541

West Virginia Division of Rehabilitation Services

Department of Education and the Arts

(800) 642-8207

www.wvdrs.org

West Virginia Developmental Disabilities Council

(304) 558-0416 (Voice)

(304) 558-2376 (TDD)

(304) 558-0941 (Fax)

www.ddc.wv.gov

West Virginia Bureau for Behavioral Health and Health Facilities

Department of Health and Human Resources

(304) 356-4811

www.dhhr.wv.gov/bhhf