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# Welcome!

**Community Support Network Transition Institute 2022** 

### **ACTION! EFFECTIVE PRACTICES IN TRANSITION**



### Dan Habib

Filmmaker, Parent Advocate Project Director, Westchester Institute for Human Development

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Dan Habib is the director and producer of documentaries such as *Including Samuel, Who Cares About Kelsey?* and *Intelligent Lives*. Habib's films have been used as catalysts for inclusive education across the country and internationally.

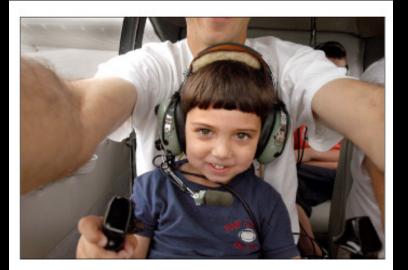
In 2012, Habib received the Champion of Human and Civil Rights Award from the National Education Association, and in 2013 he received the Justice for All Grassroots Award from the American Association of People with Disabilities.

He served on the President's Committee for People with Intellectual Disabilities from 2014-2017. He lives in Concord, NH, with his wife Betsy McNamara. They have two sons: Samuel, 22, and Isaiah, 25.

What personal or professional role brought you here today? Questions and comments are welcome at ANY time in the chat or Q&A



### Back then: belonging and self-determination.











A DOCUMENTARY BY DAN HABIB



These days...college



Career.



Navigating challenges.

### Thursday 4 p.m. – 5 p.m. EST Samuel Habib Keynote Disability Road Map preview screening and Self Advocates Panel Discussion

### « THE DISABILITY ROAD MAP » (working title

a documentary by DAN & SAMUEL HABIB

Westchester Institute for Human Development

Samuel Habib, a young man with complex disabilities, navigates the path to work, college, relationships, and moving out of his family home, while he seeks out wisdom from a diverse mix of remarkable people across the country.

### Samuel is representative of the research:

Included\* kids are more likely to have:

- Better Communication Skills
- Higher Academic Achievement
- Wider Social Networks
- Fewer Behavior Problems
- More opportunities for higher education
- Meaningful employment as adults

Browder, Hudson, & Wood, 2014; Causton & Theoharis, 2014; Courtade, Jimenez, & Delano, 2014; Florian & Rouse, 2014; Jackson, Ryndak, & Wehmeyer, 2008–2009; Kleinert et al., 2015; McDonnell et al., 2003; Nota, Soresi, & Ferrari, 2014; Oh-Young & Filler, 2015; Peetsma, Vergeer, Roeleveld, & Karsten, 2001

\*80% of a student's time is spent in a regular school, in gen ed class



## Transition doesn't look the same for everyone

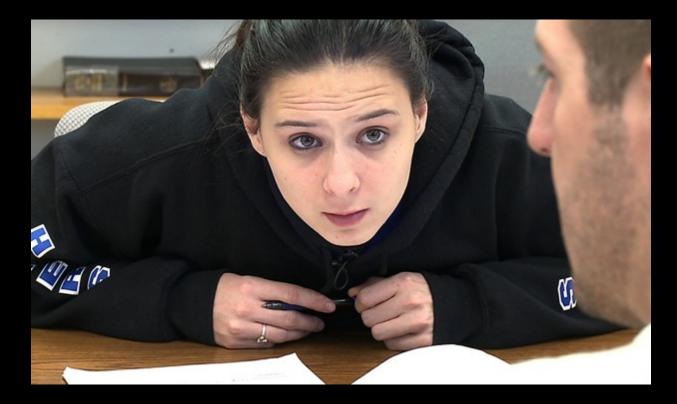
### Effective practices in transition:

- Inclusive education
- Promoting self-determination
- Creating leadership opportunities (student-led IEPs)
- Paid work and entrepreneurship development
- Interagency collaboration between schools, vocational rehabilitation, area agencies, post-secondary schools
- Community based experiences such as extended learning opportunities, internships, & apprenticeships
- Regular diploma track

### Effective practices in transition:

- Person-centered planning
- Providing in-school supports such as career development activities and college/career counseling
- Effective access to assistive technology and mainstream technology
- Higher education opportunities and supports
- Cultural and linguistic responsiveness embedded into all transition services
- Fostering family involvement and high expectations

# Only 35% of students with emotional/behavioral disabilities are included.



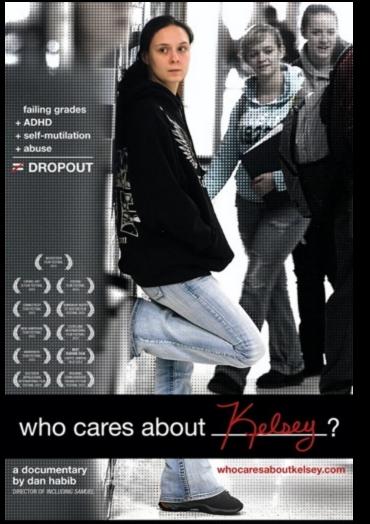


[=] NCIE National Conter on Inclusive Education with Internet Incident Statements of Net Handley

### As you watch and listen, type in the chat:

# What do you see in Kelsey's story that represents effective transition practices?

### What worked for Kelsey?



NCIE Notional Center on Inclusive Education Ande Lances on Faculty, Linnard, other Canada

## What worked for Kelsey?

- Person-centered planning
- High expectations
- Positive behavioral supports
- Mentorship and peer support
- Extended learning opportunities
- Self-determination (meds)
- Not suspended/expelled (breaking the school-to-prison pipeline)



 NCIE Noticeal Center on Inclusive Education Activity and Includes

# 17% of students with intellectual disability are included.



40% graduation rate. 15% employment rate. What are the greatest obstacles for youth with disabilities being included and transitioning to adulthood?

### Perceptions of intelligence:

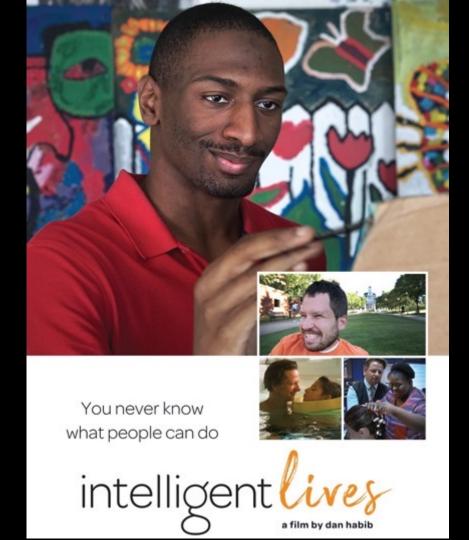
## Presuming Incompetence





# The paradigm shifters







Pine Ridge Indian Reservation High School has launched a nationallyrecognized entrepreneurial initiative enabling students with disabilities to learn business startup skills by managing and staffing an in-school coffee shop.

Dream Out Loud Discussion Guide

### **Garrett Shows: I'm in Charge**



ConVal Regional High School supports postsecondary transition through internships, Unified Sports, inclusive education, student-led IEP meetings, family engagement and a regular diploma track for students like Garrett with intellectual disabilities.

Garrett Shows: I'm In Charge Discussion Guide

### **Jamia and Peyton: I Can Work**



In Fayetteville, Arkansas, and dozens of other communities across the country, the PROMISE federal grant is enabling youth with disabilities like Jamia Davis and Peyton Denzer to obtain paid summer employment starting at age 14.

### Untapped



At the Medtronic Corporation in Tempe, Arizona, and the city government in Rochester, New York, executives and supervisors describe how mentoring and hiring young people with disabilities has a positive impact on their corporate efficiency and culture.



### "Garrett Shows: I'm in Charge"

## As you watch and listen, type in the chat:

What are some elements of Garrett's experience that represent effective transition practices?

### What worked for Garrett?

## What worked for Garrett?

- Inclusive education
- Inclusive sports/extra-curricular
- Student-led IEP meeting
- Strength based approaches
- Family engagement
- Paid employment
- Internship/extended learning opportunity
- Awareness of his disability
- Transition coordinator
- Diploma track

Type in the chat:

What is a practice or strategy you've seen or heard today that you'd like to implement or strengthen in your family/school/community? Resources Shop Contact

**Resource Library** 

Multimedia

Screening & Outreach Kit

# intelligent lives

a film by dan habib

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**View The Trailer** 

**Host A Screening** 

# Questions or thoughts?



scalaring he strengths and challenges. Generic's support instants including he persons, headward, and related service cuiders-meetic make suit that the EP's focused on General's goals.

batwitisms are a normal part of reveryone's In As students, we transition from one rade or school to the next. As oblicy students nd adults, we also experience transitions as or entire the workflorer, change durings, more ca new brution, and when major family tustions or relationship changes occur. The Individuals with Doublities duration Act monthestantics requires addition must be in place by the student's 6th hirthday. Approximately half of states sparse that transition planning begin

Transition planning is about connecting an individual's strengths and interests to future optimization and endorstary beyond high school and should be guided by the individual Remetionry this leadership role meeds to be taught, mud-led, and developed over time. Individualized Education Program (HP) teams can begin involving the student in goal planning and self-monitoring as early as elementary or middle wheat Record years of involvement in collaborative planning increases a student's alidity to make devisions and experience better autoomes in higher



### Accommodations and Modifications: Clearing up the Confusion



reprocesses in accesses class. "I takes me langer to frish a secon, "he says in the firm, "but school gives me more time. as much as insert?

a an ideal world, all instruction would be misonally designed that is, all materials would be available in multiple formate; students would have options for how they work with information and share their understanding; and student engagement would be haved on individual interests and tabouts. Nince we don't live in that ideal world, educators must plan for and provale individualized supports related to the customi of instruction failed students are taught and reported to learn), instructional methods thow students are taught), the materials used

a tost) and technology. Because there are many terms used to describe these supports including "adaptations," "accommodations, and 'multifestions,' and hermose IDEA. doesn't define these torms, educators are often confused about what they mean and the susceinted implications for grading and graduation requirements. This information brief will charify the differences between these terms and provide examples of them. Adaptation is a general term that describes some change in the regular

instruction and assessment take placel, time

these long students have to learn or take



### **Facilitating Social Relationships**



sense of belonging is a percentry foundation for the achievement of selfactualization. Prople with doublities and how blacks to be a past of the community. Is imagine that people with disabilities could have a full hit surrounded only by pealessionals is to categoriar them as "others" other than to understand their common humanity. We need only plot our own circle would be if we only interacted with our donizing, our disting our plander, and our hose It has become popular in mount years to support the development of students' social elationships by ostablishing friendship clube is he members of these clubs, such as Bost Dadden, in eachange for academic or



In Sering the Churade What We Need to **Do and Chalo to Make Prinstabijos Mappen** Tashis, Shapiry Barnard, and Rossetta (2000) argue that there are seemingly imponetrable harriers that present students with and without doubilities from becoming biomds. and that we must address these barriers



### What Does the Individuals With Disabilities Education Act Say About IQ Testing?



Above and bottom right, how take intelligence-succient, SQ, teem. G teering is shift and in 46 of 50 mms as one of the value to determine if a child will be determined to be a child will interfect us deathing for the purposes of OEA. Every family has the legal right to make an informaci decision about whether or not their child will take an informati The impact of that declaran can very state to state and dennet to detroit.

here are 12 rategories under which a student can be identified as a "child with a disability" for the purposes of heing slights for special schemation services ader the Individuals with Disabilities Education Int (ENLA). Intellectual deadhility is one of these categories and is delated in the HDEA Regulation 300.8 as "significanth subavorage general intellectual functions existing concurrently with deficits in aloptive behavior and manifested during the developmental period, that adversely affects a child's observational post-serve



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### Promoting Self-Determination



When we think about self-determination, we usually think of people who are completely independent and who make their own igned) deviations. What alread the skills and operiturities that every person needs to hears and practice at they can effectively mated their own lices? The National Parent Conter on Transition and Employment says. "fault descentionations) is about being in charge but is not necessarily the same thing as selfrufficiency or independence." Soft-determination of the include writing

grads, self-advocating problem solving, selfwaterstea, and add regulation skills. As we not in the Job Eigens' Lives descentionizers, in anoffectual and developmental disabilities. could not our should not control their cars. lives, and so they were not provided with

self-determination-skills. Imagine not having a choice abaset where son line, the lands over rait, and what you get to do-every day and with whom. People with intellectual and developmental disabilities are capable of deciding how they want to live their lives. They may need help to achieve their goals. but these goals are attainable when will determination skills are cultivated dails.

Self-determination shifts improve academic and post secondary estimates such as obtaining and rotaining employment, living independently, financial security, engoging activities, and organized a better quality of into Additionally, manach has shown that students with siving self-determination shifts are more likely to be included in their

### intelligent lives DOORS Inclusive Standards-Based IEPs



**OPENING** 

Pang for Sporters is to have friends, not "special line island, when acts with her hierds, she communicates more, learns more, and help a sense of belonging 1

g its increasing accountability for with the second trams are recoveraged to write standardshased IRPs. The indicators of an inclusive andards-based HIP are depicted in Figure 1. This brief doutrilles four key sections of entry student's IEP that can be written to seconds inclusion and hold students with intellectual disability to high standards.

enough so that an unfamiliar person knows and his family. There int's a template for a vision statement, but it should contain a brief description of what the student's educational program and experience should bok like in the current whoil tout as well-describe what Writing a vision statement that goes on a the student's life after high school might look.

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the future. A vision statement should come

from the heart; however, it should be specific

are leading to, not interfiring with, the



# The Power of Employment: 75/25

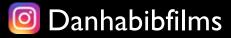
### Connect!

Email: dhabib@wihd.org

Website: www.IntelligentLives.org

✓ @\_danhabib and @intelligencedoc

f /IntelligentLives







Postsecondary Transition Companion Film:

# Garrett Shows: I'm in Charge Discussion Guide



Garrett Shows, 18, leads his Individualized Education Plan (IEP) meeting at ConVal High School in Peterborough, New Hampshire. "I feel like, obviously, it's all about me and it's my IEP meeting," Garrett says in the film. "I'm in charge of it."

his film focuses on Garrett Shows, 18, a sophomore at ConVal Regional High School in Peterborough, New Hampshire. ConVal has put in place a number of effective transition strategies for Garrett and other students with disabilities—such as internships and extended learning opportunities, Unified Sports, inclusive education,



in Charge.

student-led IEP meetings, paid work opportunities, a welcoming environment for families, and a a high school diploma pathway for students with intellectual disability. Student directed transition planning

"Obviously, it's all about me and it's my IEP meeting. I'm in charge of it."

—Garrett Shows, ConVal High School Sophomore

- What helped Garrett to plan his long- and short-term future goals? Who was involved in providing Garrett with information he needed? How was that information provided?
- If Garrett was not in a leadership role in his transition planning, do you think his goals would be the same? Why or why not?
- How would it make you feel if other people were in charge of deciding your future?
- · If you had a team supporting your decision-

making, who would you want to be on the team and why?

• How does your school support studentdirected futures planning?

### Inclusive education

"Tve known him since he's a fourth grader. He was always popular with the kids because he has charisma and he's actually a natural leader."

- —Tod Silegy, Physical Education Teacher and mentor for Garrett's internship
- How has Garrett benefitted from being fully included in his school community?
- How about his classmates, teachers, and the whole school community? Do you think they benefited? If so, how?
- Do you think that being included in the general education curriculum, classes, and school culture has an impact on planning for the future? Why or why not?
- What strategies did you see in Garrett's school that supported a sense of welcoming and belonging for all students?
- What are the lessons being learned when students with and without disabilities grow up living, learning, and playing in the same places? What lessons are learned when students with disabilities are not being included?
- What is your school or community doing to promote positive connections and a sense of belonging for all students?
- What are some of the reasons your school may not be as inclusive of students with disabilities as ConVal Regional High School? What are some strategies to overcome those reasons?

### Friendships and social relationships

"I play on the Unified Basketball team. It's kids with and without disabilities playing together. It's definitely fun and you get to, like, interact and make friendships." —Garrett Shows



**Top:** Garrett looks through a microscope at dissected flower leaves during a science lab. **Bottom:** Garrett plays on multiple Unified Sports teams at ConVal. "It's kids with and without disabilities playing together," Garrett says. "It's definitely fun and you get to interact and make friendships which is huge for me."

- Think about your time in high school. What memories stand out for you? How did the social and emotional experience of high school influence the person you are today?
- How do Garrett's friendships and social relationships influence his sense of self and decision-making?
- What impact do you think friendships and meaningful social relationships have on student learning and planning for the future?
- Garrett's school participates in <u>Unified</u> <u>Sports</u>. What do you think are the benefits of inclusive sports programs for athletes with and without disabilities?
- If Garrett expressed interest in joining the school's regular basketball team, how would you recommend this request be addressed?



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After leading his IEP meeting, Garrett takes a photo of the "Action Plan" his team developed as part of his transition planning. "I really want to be independent," Garrett says in the film. "I want to have a relationship of my own. I want to live in my own house, not under my parents' roof—to do what I want, when I want, where I want. I think that's every kid's dream."

- Do you think programs like Special Olympics and Unified Sports let typical sports and recreation teams "off the hook" for figuring out how to design and support teams that welcome everyone? Why or why not?
- Some schools have clubs like "Best Buddies" that aim to create friendships between students with and without disabilities. What are the benefits of these type of programs? What are the pitfalls?

# Family support and student-directed futures planning

"You know, I really want to be independent. Obviously, my mom, my dad wants me to be independent, as well. I want to have a relationship of my own. I want to live in my own house, not under my parents' roof—to do what I want, when I want, where I want. I think that's every kid's dream."

—Garrett Shows

- In what ways have Garrett's family supported his dreams?
- What specific influence do his mother, father and brother each have on Garrett?
- What supports and information might Garrett's family have accessed throughout his life to poise them with high expectations for Garrett? What kinds of supports and information are provided to families in your school or community? What happens for some families if information regarding possibilities for positive futures is not available or encouraged?
- What might be some of the challenges Garrett's family is experiencing supporting him to direct his future? Think about how these challenges might be the same or different for kids without disabilities.
- Should school-based transition planning include discussion of long-term, non-



academic/non-vocational goals like marriage and home ownership?

### **Diplomas and Graduation**

"I really want my diploma. I really want my name to be announced and get my high school diploma. And I am going to work toward it every step of the way no matter what I have to do."

—Garrett Shows

- What is the value of a high school diploma on a young person's future?
- What is the difference between a "certificate of attendance" (or other non-traditional exit documents) and a regular high school diploma?
- Some students with disabilities stay in the high school building full-time to continue to receive educational and transition planning supports until they are 21 years old. What do you think about this?
- What other ways might students receive educational supports until (in most states) age 21?
- Are you familiar with the graduation requirements and diploma options in your state? (You can find out more through your state department of education or your school district administration offices. You can find out what is happening in other states through the <u>National Center for</u> <u>Educational Outcomes</u> or the <u>National</u> <u>Center for Education Statistics</u>.)

### Employment and internships

"Tve never been late to Shaws. Either early or exactly on time. Never late. Ever. Ever. And I don't ever intend to do that." —Garrett Shows

• What are the lessons being learned by Garrett as a Shaws Supermarket employee? What lessons is the Peterborough community learning by shopping and working alongside Garrett?



Garrett sorts carts at his job at Shaws Supermarket in Peterborough, NH. "I've never been late to Shaws," Garrett says. "And I don't ever intend to do that."

- Do you think students with disabilities should be able to participate in communitybased work or internships during the school day? Should students without disabilities have that option?
- When, where and how can students with disabilities learn employment skills?
   When, where, and how do students without disabilities learn these skills?
- What skills was Garrett learning through the internship in the middle school physical education class? What were the students learning from Garrett?
- With specific documentation of efforts to provide an individual with career planning supports and self-advocacy training, employers may legally employ an individual with a disability in a position for subminimum wage pay. What do you think of this?

### Postsecondary education

"You know, every kid's dream is to work to earn money, and I really want to go to UNH. So I went on the computer and I typed up, "How much money do you have to save in order to go to UNH?" So I wrote down that amount of money and I am saving it." —Garrett Shows

4





Garrett works with classmates on a poster during drama class. He has always been on track for a regular diploma. "I really want my name to be announced and get my high school diploma," Garrett says. "And I am going to work toward it every step of the way no matter what I have to do."

- Garrett's dream is to go to college. Do you think that is possible or likely?
- What types of supports might Garrett need to be successful in college?
- How could Garrett's school team support his dream of going to college? How about his family?
- Are there other agencies/organizations you are familiar with who could offer support for students with disabilities attending college? What are they?
- Should Garrett's team encourage him to visit and apply to a four-year college, a community college, or one of the <u>"Think College"</u> programs for students with intellectual disabilities? Or all of the above? Explain your rationale.

### **IQ** testing

"When Garrett was in elementary school, they brought in a MR representative—a mental retardation specialist—because they had to give him an IQ test. He scored in the MR category and they were trying to put that label on him. It was very hard for me to swallow."

—Arlene Shows, Garrett's mother

- Why was Garrett's mother concerned about labeling Garrett with mental retardation?
- The label mental retardation has been changed to intellectual disability. Do you think this change makes a difference in how people with the label are perceived? Why or why not?
- Do you think IQ testing and labeling impact a student's educational and career opportunities? Why or why not?

### Writer

Mary Schuh, Ph.D., Center on Inclusive Education, Institute on Disability at UNH

### Contributor

Catherine Fowler, Ph.D., National Technical Assistance Center on Transition









# Accommodations and Modifications: Clearing up the Confusion



Garrett Shows, who is featured in the short postsecondary transition film <u>Garrett Shows: I'm in Charge</u>, looks through a microscope in science class. "It takes me longer to finish a lesson," he says in the film. "But school gives me more time... as much as I need."

n an ideal world, all instruction would be universally designed: that is, all materials would be available in multiple formats; students would have options for how they work with information and share their understanding; and student engagement would be based on individual interests and talents. Since we don't live in that ideal world, educators must plan for and provide individualized supports related to the content of instruction (what students are taught and expected to learn), instructional methods (how students are taught), the materials used in instruction and assessment, setting (where instruction and assessment take place), time (how long students have to learn or take a test), and technology. Because there are many terms used to describe these supports including "adaptations," "accommodations," and "modifications," and because IDEA doesn't define these terms, educators are often confused about what they mean and the associated implications for grading and graduation requirements. This information brief will clarify the differences between these terms and provide examples of them.

Adaptation is a general term that describes some change in the regular

materials, tools, instruction, environment, or assessment provided to students without disabilities, and encompasses both accommodations and modifications. Because different school districts and states use different Individualized Education Program (IEP) forms, these supports may be listed under a category called "Accommodations & Modifications" or another category called "Supplementary Aids and Services."

### Accommodations

Accommodations are adaptations that change how a student learns the material or demonstrates her learning. Accommodations do not change the learning objective or standard, so the student with a disability is expected to learn the same information and skills as students without disabilities. In order to ensure a Free and Appropriate Public Education (FAPE), all students, with and without disabilities, should have the same instructional access to the general education content. At the same time, some students with disabilities may be expected to learn only part of the content.

Some examples of accommodations are:

- If a student has reading difficulties, she might listen to an audio recording of a text in science or social studies. Using this accommodation ensures that the student is able to acquire the content knowledge in these subjects and not be disadvantaged by her reading skills. Examples of Text to Speech technology include <u>Natural</u> <u>Reader</u> and <u>Kurzweil</u>. Text to Speech software or apps enable students to comprehend at or beyond their independent reading proficiency levels, and with some applications, complete writing assignments and tests more independently.
- Giving students extra time to complete assignments or take tests qualifies as an accommodation, as does allowing a student to take a test in a quiet environment with a familiar adult.



Educators must plan for and provide individualized supports related to the content of instruction, instructional methods, the materials used in instruction and assessment, time, and technology.

• In some cases, shortening an assignment may be an accommodation if completing a shorter assignment will still show that the student has mastered the standard. For example, a student may be assigned five math problems instead of 10 if those five problems address the skills that all students must master. Assigning a student to write five paragraphs instead of five pages might also be considered an accommodation if those five paragraphs contain all of the information that students are required to know.

### **Modifications**

Modifications are adaptations that change what a student is expected to learn and imply a reduction in depth, breadth, or complexity of a learning objective or standard. A modification—to curriculum, instruction, or assessment standards changes the difficulty of the learning objective. Students whose IEP goals reflect learning objectives below the grade level standards may need modifications in order to be successful in a general education class.

Examples of modifications include:

 Reducing the breadth of information upon which a student is assessed. For instance, typical students in a biology class might



be required to define and label 20 parts of a cell, while a student with a disability who needs modified learning objectives might be asked to define and label five parts of a cell.

- Reducing the complexity level, the student is expected to perform. Using Webb's Depth of Knowledge or Bloom's Taxonomy, most of the students may be assessed at a higher level of rigor (e.g., collecting data and analyzing trends), while some students may be assessed at a lower level (e.g., using already collected data to answer basic "How many?" questions).
- Reducing the depth, breadth, and complexity of information in which a student is instructed and assessed. A typical high school math standard might be: "Explain why the x coordinates of the points where the graphs of the equations y = f(x) and y = g(x) intersect are the solutions of the equation f(x) = g(x); find the solutions approximately, e.g., using technology to graph the functions, make tables of values, or find successive approximations. Include cases where f(x)and/or g(x) are linear, polynomial, rational, absolute value, exponential, and logarithmic functions." In contrast, a modified objective in this same math domain might be: "Interpret the meaning of a point on the graph of a line. For example, on a graph of shirt purchases, trace the graph to a point and calculate the number of shirts purchased, as well as the total cost of the shirts." Although the depth, breadth, and complexity of the learning objective are changed, the essential elements of the standard are maintained.

Regardless of whether students need accommodations or modifications, IDEA specifically states that, "A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum."

# OTHER EXAMPLES OF ACCOMMODATIONS AND MODIFICATIONS

### Accommodations

- Enlarge text or change font.
- Create more white space between letters or words.
- Add pictures/symbols to text when reading is not the skill being tested.
- Change format of tests (e.g., fill-in-the-blank to multiple choice to matching).
- Provide adapted equipment for cooking or art class.
- Allow a student to use her wheelchair to "run" laps in gym.

### Modifications

- Adapt text to lower reading level.
- Assign fewer or lower-grade spelling words.
- Simplify diagrams to have fewer parts (e.g., cell, skeleton).
- Work on lower-than-grade-level skills using grade-level math problems (e.g., if the problem is 2x + 7y/43 have the student with the disability add all of the numbers).
- Assign student to learn three facts about a state rather than 20.

intelligent lives OPENING

### Writer

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### Contributors

Deborah Taub, Ph.D., OTL Education Solutions

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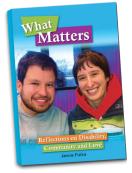
# Inclusion Includes Belonging: How to Create and Sustain a Circle of Support

By Emma Fialka Feldman, Micah Fialka Feldman, and Janice Fialka



Micah Fialka-Feldman leads a meeting of his "Circle of Support" at Syracuse University. The group helps Micah make plans and decisions around his education, employment, social life, and more.

Note: A scene from Intelligent Lives shows Micah leading a meeting of his "Circle of Support" at Syracuse. Micah's Circle meetings started in elementary school, and in this article he and his family offer suggestions on starting and



maintaining a Circle of Support (also called Circles of Friends or Connections). For more information about Circles and Micah's story, read What Matters: Reflections on Disability, Community and Love (2016) by Janice Fialka and visit www.danceofpartnership.com and www.throughthesamedoor.com.

### A Few Thoughts From Micah

My Circle of Friends started when I was in third grade. I'm now 33 years old. I still have a Circle of Support. When I want to do new things, have fun, or need help or a ride. or want to try skiing, or yoga, or just want to hang out with my friends, I know my Circle is there to plan with me or support me. Sometimes I have to make important decisions, like choosing a new roommate or thinking about my future goals. I'm more confident because I know I can talk it over with my Circle. I help them too. We help each other. We do it together. We meet once a month. A couple of years ago, I wanted to start dating. I was excited and kind of scared. I talked it over with my Circle. They helped me do "practice dating." I got less scared and started dating.

I always tell parents who have young kids with disabilities, "Start a Circle of Friends." I tell my adult friends with disabilities, "Start a Circle of Friends." In my Circle, we laugh a lot, eat pizza, and talk about things that I want to talk about. Sometimes they help me think about things that I haven't thought about. My Circle is one of the best things I have in my life.

When to start a Circle: There is no set grade or age to start a Circle. Some Circles start in any grade, K-12. Some start when the person with the disability is an adult of any age. The main issue is to know that Circles can dramatically change the quality of a person's life and strengthen relationships for ALL of the members. It's never too late to start a Circle.

Who initiates: In K-12 grades, Circles are often initiated by family members working collaboratively with school staff, such as a social worker, speech therapist, counselor or teacher, etc. Adults with disabilities who want to build a Circle can find a skilled facilitator, social worker, or experienced friend to facilitate the gatherings. (Note: we did not use the word "meeting." Circle "gatherings" are not typical meetings but are grounded in fun and conversation. Think of Circles as "a party with a purpose.")

### Steps to Creating and Maintaining Circles of Support

•

Seek out someone to talk to about Circles. Some people can dive right into building a Circle, but most of us need to think it through and build our comfort and confidence to invite support. Check out resources (www.inclusion.com), and/or talk to someone who has been in a Circle. Grow your comfort with the idea of Circles. Learn how Circles work, etc. Find out why Micah and others say, "Circles are one of the best things in my life."

# THE 4 I'S TO CIRCLES

### 1. Intentional:

Some relationships evolve more naturally. Circles are intended to connect people together in fun, meaningful, ongoing ways. Intentionality can result in genuine belonging and friendships.

### 2. Invitation:

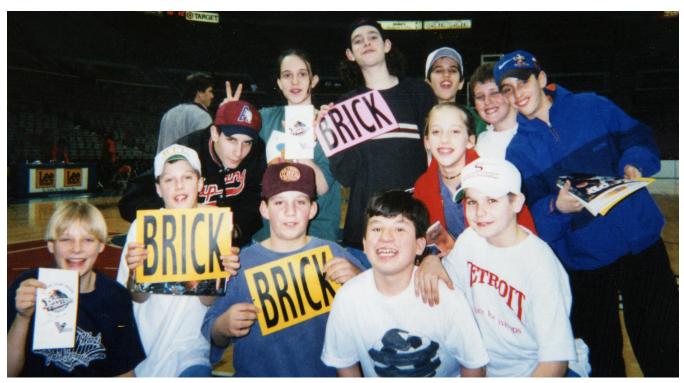
Involvement often takes an invite to join or become familiar with the Circle. Most people won't come into a Circle if they are not invited.

### 3. Interests:

Building a Circle around the interests or growing interests of the person with the disability often results in new opportunities and deeper connections. The interests can be hobbies, talents, sports, politics, current events, spiritual or religious groups, or may be something totally new and unexpected. Think of it as a "Circle of Connections."

4. Individual with disability : Build on the hopes, dreams, desires, gifts, etc. of the person with the disability. Support their active involvement and growth. Learn with and from the person.

intelligent lives OPENING



Micah first created his Circle of Support in elementary school, with the help of his parents Janice Fialka and Rich Feldman. The Circle met regularly throughout his entire school career, and he created a new Circle of Support when he moved to Syracuse.

- Make a list of people to invite. Potential Circle members do not all need to be friends of the self-advocate. Use networks that build on the self-advocate's passions and interests: people from local businesses, faith-based settings, sports, community centers, art, social media, technology, and/or special interests groups. Think outside the box. Intentionally include some same-age peers.
- Initial Invitations. In K-12 settings, teachers, family members, and the student (depending on their age) can talk to a few students or parents about Circles. Parents, teachers, and the student can co-write a letter explaining Circles (see Sample Letter) and invite students to join. After high school and into adulthood, share a letter or flyer of invitation to potential members. Consider an initial phone call or face-to-face conversation to create a comfortable and casual connection. The Circle can consist of a variety of people, but it is essential that

many of the members are peers. Actively engage the person with the disability to identify people to invite.

- Plan an initial meeting. Explain the basics of the Circle in an initial meeting. Not all people will necessarily join. Some might become involved in other ways. Consider doing a MAP (Making Action Plan, [see inclusion.com]) or some fun way to share the story, hopes, dreams, and gifts of the person during the first Circle gathering. Serve food and create a welcoming atmosphere.
- Keep the person with the disability at the center. Encourage and support the active participation of the person with a disability in the Circle gatherings, i.e. in welcoming people, planning the agenda, co-facilitating, etc. Support their growth in facilitating while honoring what they are most comfortable doing.



- Value participation in different ways. Build a Circle (and grow the Circle) by recognizing the various ways people can contribute. One Circle member might get together to watch movies or go to a concert. Another member might be reliable for transportation to and from events. Another member might be great at networking and finding new members. Consider the talents of all in the Circle!
- Take Risks. All people grow when they take risks and step outside of their comfort zone, make mistakes, and reflect. Often people with intellectual disabilities have the fewest opportunities to take risks as our misunderstanding of safety is based on the idea of routine. Family members, in particular, must challenge their understanding of success and grow to become comfortable with the idea of some risk taking. The Circle is an excellent way to help families move out of the strong role of protector and move closer to being a guide. One Circle created a plan for how a young adult with intellectual disabilities would take a bus trip to see a friend in another city. Initially, her parents were concerned and were hesitatant. The Circle and the young woman identified each step and practiced how to take public transportation. A plan was put in place with the active involvement of the Circle. Family members are more able to step back when they know that other supports are stepping forward.
- Nudging: People won't come to what they are not invited to. Teachers can reach out to families whose children have connections with students that have a disability. Families of children who do not have a disability may feel uncertain about how to invite a student with a disability for a play date. Teachers can provide helpful ways to enhance their comfort. Children benefit from intentionally supporting an emerging friendship. When we invite others into the Circle, more is possible! Other examples include: the local business-owner of a



Micah Fialka-Feldman with his friend Mike Boyd.

Helping people "break the ice" about differences and learning how to respectfully talk about differences are skills needed at all ages.

comic store might be invited to the Circle of a child who loves comic books. The local community-center staff might be invited to the Circle to help facilitate participation of the student in sports or recreational activities. Nudging, sending more than one email, following up with phone calls, and taking individuals out to coffee helps people get involved, to follow through, and be part of the community.

• Adult guidance: Adults can support friendships by giving kids tools to engage in conversations and modeling how to talk with respect about issues or problems that might arise. At times, the most challenging aspect of peer relationships is simply not knowing what to say. Helping people "break the ice" about differences and learning how to respectfully talk about differences are skills needed at all ages. Adults frequently "tip-toe" around the idea of differences.





Micah with his sister Emma Fialka-Feldman when they were children. Emma, now an elementary school teacher in Boston, says in the film, "Micah and I live closer to each other than we do to our parents. And I don't know if anyone knew that that was going to be possible in his life. It's just these constant reminders that you don't know what people are going to do."

Learning to become comfortable with simply naming and honoring these awkward issues often helps them move into more comfortable ways of communicating.

- **Celebrate:** Plan gatherings where food, fun, and festivities are shared, such as an ice cream date, picnic, or field trip to a film with all or some of the Circle.
- **Take time to reflect:** On a regular basis, take time to think about how things are going, what is working, and what might be needed to sustain the Circle. ALL relationships go through various phases. Pay attention and honor the process.
- A Note about Circle of Friends in Schools: Teachers, staff, and families can collaborate to design both in-school and out-of-school experiences for the Circle. Students with disabilities often have many staff supporting them. Unintentionally,

foundation

LEAD SUPPORTER:

Take time to think about how things are going, what is working, and what might be needed to sustain the Circle.

these well-intentioned adults can create a "wall" around the student with a disability, making it hard for peers to interact in typical ways. The Circle can help to break down the the wall and offer many opportunities to be with the students in real ways. Some of Micah's friends helped him prepare for his IEP meetings by creating an "awesome" PowerPoint. They attended part of the meetings to support him and share ideas. They talked about what he was learning, what he wanted to learn more about, and what was helping him learn.





# Competitive Integrated Employment



Peyton Denzer, 17, puts a dog into a kennel at Dig My Dog kennel in Springdale, Arkansas. Denzer, who has an intellectual disability, was so successful in her summer employment at the kennel that she was offered a job during the school year.

# What is Competitive Integrated Employment (CIE)?

Individuals with disabilities can pursue jobs that provide the same benefits. opportunities, and outcomes as other employees receive. This includes: 1) earning the same wage as employees without disabilities who perform the same or similar work; 2) being in the same work locations and interacting with colleagues who do not have disabilities; and 3) having the same opportunities to advance and receive benefits as other employees.<sup>1</sup> Employment may be full- or part-time, and the individual can also work as an employee or through self-employment. When employment meets these criteria, it is called Competitive Integrated Employment (CIE).

# How does CIE benefit the person with a disability?

For most of us, work is a source of identity, feelings of normalcy, financial support, and socialization. The same is true for people with disabilities. However, the Bureau of Labor Statistics in 2017 found that only 17.9% of people with disabilities were employed.<sup>2</sup> Being unemployed puts people at risk for living in poverty, as well as limiting interactions with others—both of which negatively impact health and quality of life.<sup>3</sup>

# How does CIE benefit employers that hire people with disabilities?

Mirroring an inclusive society. Diversity brings unique solutions that benefit not only employees, but customers, too.

- Branding. Hiring people with disabilities fosters a reputation of warmth, inclusion, and diversity.<sup>4</sup>
- Capitalizing on an under-tapped resource. Having employees with disabilities creates innovation, improves productivity, and boosts profitability.<sup>5</sup> Employees with disabilities have lower rates of absenteeism and higher rates of retention than employees without disabilities, and they increase workforce morale and employee engagement.<sup>6</sup>

### How do you do it?

CIE is centered around the needs, strengths, and goals of the individual and is developed with the employer to meet the business' specific needs. CIE uses best practices in transition planning, including self-determination skills, person-centered planning activities, and collaboration with employment specialists (guidance and vocational counselors) and employers, ensuring that the best match is made between the employee with disabilities and the workplace.

Employers state that if a potential employee comes to them with "soft skills," they can easily be taught the skills to do a specific job. These soft skills include having polite, courteous, and friendly interpersonal communication skills, a good work ethic, being a team player, self-discipline and self-confidence, and knowing when and how to ask for help. For some people with disabilities, these skills need to be directly taught and practiced. In *Jamia and Peyton:* <u>I Can Work</u>, Jamia Davis learns soft skills as part of her on-the job experience, and in Untapped, Anthony Canty learns soft skills as part of classroom instruction. Building these soft skills is an essential foundation for any potential employee. Having work experiences while students are still in high school can help students build and practice these important soft skills. In fact,



Naomie Monplaisir learns how to set curlers with Empire Beauty School instructor Anthony Riggi in Warwick, R.I. Naomie, who has Down syndrome, interned at Empire and was then hired as a Project Assistant at \$12/hour.

one of the best predictors of a student with disabilities having a job once they graduate is if they have a job while still in school. For instance, Peyton, Garrett Shows, Alan Wagner and Mariah Romero (from the <u>transition films</u>) participate in paid jobs while still in high school.

Transition planning (which includes selfdetermination skills and person-centered planning) is another important part of successfully helping people with disabilities achieve CIE. Transition planning should begin with simple tasks that build selfdetermination when children are very young and then continue in more "formal" forums as students get older, such as taking a leadership role in special education planning meetings and/or participating in person-centered planning activities. Guidance counselors and vocational rehabilitation personnel should be involved in sessions like these as early as possible.

Person-centered planning helps lead to CIE that meets the individual's needs. In a scene from *Intelligent Lives*, Naomie Monplaisir works with her "social capital team" to find the best job match for her skills, interests, and availability of natural supports. Through this planning she finds a job that interests her and allows her to be successful. Partly through his "Circle of Support," person-centered planning meetings, and the use of natural supports, Micah Fialka-Feldman obtains a job as a teaching assistant that not only lets him use his unique skills and experiences, but capitalizes on those same skills and experiences for the benefit of other Syracuse students. CIE provides individuals with disabilities the opportunities to be economically and socially empowered.

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# **Facilitating Social Relationships**



Micah Fialka-Feldman and Nicole Schwartz walk down a hallway at Syracuse University between classes.

sense of belonging is a necessary foundation for the achievement of selfactualization. People with disabilities who do not have friends are lonely, isolated, and less likely to be a part of the community. To imagine that people with disabilities could have a full life surrounded only by professionals is to categorize them as "others" rather than to understand their common humanity. We need only plot our own circle of friends to realize how empty our lives would be if we only interacted with our dentist, our doctor, our plumber, and our boss.

It has become popular in recent years to support the development of students' social relationships by establishing friendship clubs for students with and without disabilities. Students without disabilities are recruited to be members of these clubs, such as <u>Best Buddies</u>, in exchange for academic or community service credit. Adults schedule regular get-togethers for club members such as bowling or pizza parties. Although some genuine friendships may arise from these special friends groups, there are unintentional consequences. The most harmful of these is perpetuating the idea that students with disabilities are unable to make friends unless those friends are paid (i.e., given credit) to be with them.

### What We Need To Stop Doing

In Seeing the Charade: What We Need to Do and Undo to Make Friendships Happen, Tashie, Shapiro-Barnard, and Rossetti (2006) argue that there are seemingly impenetrable barriers that prevent students with and without disabilities from becoming friends, and that we must address these barriers before thinking about taking intentional steps to facilitate social relationships. The first barrier they identify is blaming a lack of friendships on certain characteristics of students with disabilities, such as the way they look, the way they talk, or the way they behave. They write:

Now just in case you are worried, this is not the time in the book for a discussion of all the things about Liana that make it harder for her to make friends. In fact, nowhere in this book or in anything else we have written, will there be any discussion of this topic. Sure, there are things all of us could do to make ourselves more interesting, appealing, and likeable to potential friends. But despite our many "faults," we all still have friends. So this is not about "fixing" Liana to make her more desirable. Liana... is fine just the way she is.

Other barriers include students with disabilities not being valued members of general education classes, making dangerous assumptions about students' intellectual capabilities, being over-reliant on one-on-one paraprofessionals, mistaking peer support as friendship, and tolerating a culture of prejudice. Although removing these barriers is often difficult, not doing so fails to address the real causes of a student's lack of friendships, and sets up the student and his family for disappointment.

#### When Facilitation is Necessary

If authentic social relationships do not emerge once we have removed barriers and implemented the essential considerations for friendship, then there is a role for careful facilitation. When students themselves are empowered to address the barriers to friendship that exist for their classmates, they are more likely to own the solutions that they develop, rather than if the ideas had come from adults. And after all, who are the real experts on friendship? One avenue for this intentional facilitation is establishing an individual student's circle of belonging and support. A circle is a group of people who

### ESSENTIAL CONSIDERATIONS FOR FRIENDSHIP

In addition to removing barriers, we need to put into place the essential considerations for friendship, including:

- 1. Seeing value and competence in students with disabilities
- 2. Giving students a way to communicate at all times about the same things as typical students
- 3. Fully including students in heterogeneous general education classes
- 4. Giving students access to age-appropriate materials and activities
- 5. Providing support in a way that encourages interdependence and independence
- 6. Forging partnerships between home and school to facilitate friendships and participation in social activities
- 7. Positioning students with disabilities to give back to their school and home communities so that they are not always on the receiving end of help

FOR MORE, read <u>Membership</u> and Participation: Defining Features of Inclusive Education.





Garrett Shows plays Unified Basketball in a scene from a scene from the postsecondary transition film <u>Garrett Shows:</u> <u>I'm in Charge</u>. "It's kids with and without disabilities playing together," Garrett says in the film. "It's definitely fun and you get to interact and make friendships which is huge for me."

are invited to get to know a student who is not socially connected in a meaningful way. As seen in <u>Intelligent</u> <u>Lives</u>, the invitation that Micah extended is not, "Would you please become friends with me?," but rather, "Would you like to join a group of people who are going to meet with me to figure out how I can get more connected with my classmates at Syracuse?"

Another example: When a student named

Anna returned to her neighborhood school after spending several years in an out-ofdistrict program for students with autism and behavior challenges, a group of other 6th graders were invited to be part of "Team Anna." Anna and her team met every Thursday after school to talk, eat snacks, and play computer games. Anna's paraeducator



### LEARN MORE

Click to read Inclusion Includes Belonging: How to Create and Sustain a Circle of Support. "Team Anna" met every Thursday after school to talk, eat snacks, and play computer games.

provided support to the kids as they tackled issues, such as Anna's difficulty participating in physical education class and the loneliness she experienced on weekends. During one of the meetings, paraeducator Sue asked the kids to talk about what they thought was standing in the way of Anna being just a regular kid in the school. There was not one student who mentioned her disabilities. They did point out, however, that because Anna rode the special education bus, she arrived later than her classmates, had a difficult time settling into the morning routine, and had to leave early at the end of the day, causing her to miss about 15 minutes of free time. After Sue spoke with Anna's parents about this



issue, they met with the principal and the Director of Student Transportation, and agreed that Anna could ride the regular bus as long as a harness seatbelt could be installed.

One idea that two of the group members came up with was for them to serve as Anna's "bridge builders" during the weekends. These students were part of "Team Anna." One student said that she was enrolled in a hip-hop dance group that operated out of a local community center. She asked Anna if she'd like to come to class the following Saturday and Anna enthusiastically said "yes." Another student said that she and a couple of friends were going to sell baked goods outside the local grocery story on Sunday to raise money for their "End of Sixth Grade" environmental camp experience. The group developed a plan for Anna to join them, and they all worked together during their remaining meeting time to create a poster promoting the cause.

Circles of belonging and support have to be organized for the right reasons, with the right attitude, and in most cases, facilitated by an adult. The group's facilitator role is to 1) work with the student and his or her family to issue the initial invitation to join; 2) support the group's organizational needs such as transportation, parent permissions,



Naomie Monplaisir hugs a co-worker at Empire Beauty School. An IEP vision statement for Naomie for her school years might have included this statement: "The most important thing for Naomie is to have friends, not 'special' buddies. When she is with her friends, she communicates more, learns more, and feels a sense of belonging."

and accessible meeting locations; and 3) help the group confront attitudes that stand in the way of friendship, such as peer pressure, prejudice, benevolence, and pity.

Facilitating social relationships isn't a matter of following a step-by-step guide or cookbook recipe. This is the hard work of inclusion that pays off not only in academic benefits, but in deeper social relationships than cannot be accomplished by a Best Buddies type of group alone.

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# Guardianship/Supported Decision-Making



**Above:** Micah Fialka-Feldman with his sister, Emma Fialka-Feldman (right) and his parents Janice Fialka and Richard Feldman. "I talk to my parents about...like big decisions and stuff," Micah says. "But it's my final decision of how I want to live my life." **Below:** Naieer Shaheed gets guidance from his history teacher, Matthew Reggiannini.

s children with disabilities enter their teenage years, we start to think about how they will navigate the responsibilities of adulthood (managing money, being in relationships, voting, selfadvocating, etc.) and legal rights (IDEA, Section 504, ADA, etc.). Who is going to make those decisions? Is it the person with disabilities by themselves? Their family members? Friends? Professionals? Some combination of all of these people?

When a person with significant intellectual or developmental disabilities approaches the age of 18 (the legal age of adulthood), families are often presented with only one option full guardianship, which gives the parent/ guardian legal decision-making power across all aspects of a person's life.

But there are many other options which preserve a person's self-determination



and control over aspects of their own life while continuing to provide supports and protections to help make decisions around education, employment, finances, housing, healthcare, and relationships.

### ALTERNATIVES TO FULL GUARDIANSHIP

Some alternatives to full guardianship that can preserve at least some of the legal decision-making rights of the person with a disability are:

	Education	Employment	Finances	Housing	Health Care	Relationships
Limited Guardianship	x	×	x	×	×	x
Supported Decision- Making	х	Х	×	Х	Х	Х
Health care proxy					Х	
Case management	x	x	x	х	х	x
Durable powers of attorney (individually determined)	X	X	X	х	Х	x
Joint checking accounts/ trusts	x		×	×	Х	

### **Enabling Self-determination**

Full guardianship should not be the first choice and is not the only choice for people with disabilities when they reach adulthood. If we believe that people with disabilities have hopes and dreams (like all of us), then taking away all their rights to make their own decisions leaves them at the mercy of what other people think their hopes and dreams should be. One of the hardest parts of maintaining an individual's rights to make decisions is it may feel like they are operating without a safety net (e.g., choosing to live independently rather than with a family member). But if we believe that people with disabilities should make their own life decisions, we can find ways to support them, possibly through limited guardianship options, even if we don't always agree with those decisions.

Being able to make your own decisions does not happen overnight and without practice. That's why it is so important to



start early by having young children make everyday decisions that are appropriate for their chronological age and then respecting those decisions. Sure-they will make mistakes, but everyone makes "bad" decisions sometimes; that is one way we all learn. However, it is never too late to support self-determination. Nor is there anyone who is "too disabled" to be able to have a say in their own lives. Be sure to read the *Intelligent* Lives brief on self-determination because selfdetermination is the basis of decision-making.

### Supported Decision Making

Using person-centered planning approaches like "circles of support," "MAPS," or other strategies to identify and use natural supports, individuals with disabilities can use "Supported Decision-Making" to be in charge of their own lives. Supported Decision-Making is a process in which people with disabilities still have all or some of the legal rights and power to make their own life decisions. Just as it is for all of us, those decisions may be made with input and help from supporters who may be trusted friends, family members or other relatives, and even professionals. These supporters help the person understand the decision, provide guidance, and assist the person to clearly communicate their decision.

Some things to help prepare for Supported **Decision-Making are:** 

- · Learn about the legal options available (they vary from state to state).
- Determine what supports are needed and how they can be made available.
- Create an agreement and map out how this would look to everyone involved.

The ACLU's tool How To Make A Supported Decision-Making Agreement helps explain supported decision-making. During Intelligent Lives, you see examples of Supported Decision-Making as Naieer considers his options after high school and as



sister Naomie. "I think Naomie could definitely live on her own if she had like a good set-up and had someone coming in, checking in on her," Steven says in the film. "You know, kind of putting a blueprint to her."

Supported Decision-Making is a process in which people with disabilities still have all or some of the legal rights and power to make their own life decisions.

Naomie and her support team have a meeting to talk about who is in her social capital circle(s) and the support they can provide across her life. Micah works with his supported decision-making team as he talks about his girlfriend, work, healthcare choices, and living arrangements. His journey of supported decision-making is further detailed in Janice Fialka's book, What Matters: Reflections on Disability, Community and Love.



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## Higher Education Options for Youth With Disabilities



Mariah Romero visits with a college counselor from Black Hills State University during a college and career fair at Pine Ridge High School on the Pine Ridge Indian Reservation in South Dakota. Mariah, a high school senior, is featured in the postsecondary transition film *Dream out Loud*.

# What do we mean when we say "access to higher education"?

"Higher education" may mean different experiences to different people, depending on their individual goals, interests, strengths, and support needs. There are a wide range of higher education opportunities, from earning a bachelor/associate degree or certificate, to simply taking credit or non-credit courses. Students may live on campus or not, and extracurricular activities vary from school to school.

### Why is higher education important?

Higher education is important for individuals with intellectual disabilities for the same reasons it is important to individuals without

disabilities; it provides an opportunity to explore interests, make friends, become more independent, and improve career opportunties. On average, college graduates earn twice as much money during their lifetimes as those without degrees. Additionally, attending a college or university often results in individuals making better choices, maintaining healthier lifestyles, and being less likely to be unemployed or underemployed. For example, Micah Fialka-Feldman, one of the central film subjects in Intelligent Lives, attends Syracuse University and is pursuing a certificate in disability studies. This leads him to not only make new friends and gain confidence and independence, but ultimately obtain a position at the university as a teaching assistant.

# **MOVING TOWARDS HIGHER EDUCATION**

The basic steps for accessing higher education opportunities are basically the same for individuals with and without disabilities:

- Let everyone know the goal of continuing education beyond high school. This includes getting help from the individual's formal and informal support networks, such as guidance counselors, teachers, and family.
- Make strategic decisions in high school, including taking regular education classes, increasing professional skills (like using computers and other technology), and staying on a path towards a regular diploma. In the film <u>Dream Out Loud</u>, set at the Pine Ridge Indian Reservation, both Mariah Romero and Alan Wagner use the services of their high school transition coordinator as they work toward postsecondary education, focusing on their career goals.
- Match career and personal enrichment goals to a preferred post-secondary education, keeping in mind that may include public, private, community, technical, trade, or even online college



Naieer Shaheed, a high school senior who is featured in *Intelligent Lives*, plans to continue his passion for art in college.

options. In *Intelligent Lives*, Naieer decides to pursue art classes, and visits different colleges to determine which would be best in helping him achieve this goal. Unlike his peers without disabilities, students like Naieer may need to set up accommodations and supports before arriving on campus. He may need to work with the college on alternative admission standards or a specialized program of study.

 Create a financial plan. Money needed to pay for post-secondary education can come from savings, work-study co-ops, grants, and loans. There may be special scholarships available for some individuals with specific disabilities.

# What supports and accommodations should be expected?

The safeguards under the Individuals with Disabilities Education Act (IDEA) do not apply once a person leaves high school. However, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) provide civil rights protection for people with disabilities. Unlike IDEA, which is an entitlement, these laws are meant to prevent discrimination, however, they do not mandate specific services. These laws put more responsibility on the individual to seek out supports and accommodations. Even though all colleges and universities must comply with the requirements of 504 and ADA, they may vary in what and how accommodations are provided.

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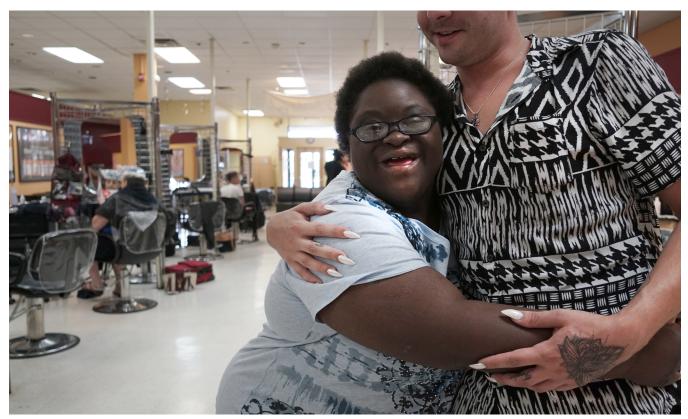
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## **Inclusive Standards-Based IEPs**



Naomie Monplaisir hugs a co-worker at Empire Beauty School. An IEP vision statement for Naomie for her school years might have included this statement: "The most important thing for Naomie is to have friends, not 'special' buddies. When she is with her friends, she communicates more, learns more, and feels a sense of belonging."

ith increasing accountability for improving the academic achievement of all students with disabilities, IEP teams are encouraged to write standardsbased IEPs. The indicators of an inclusive standards-based IEP are depicted in Figure 1. This brief describes four key sections of every student's IEP that can be written to promote inclusion and hold students with intellectual disability to high standards.

### **Parent Vision**

Writing a vision statement that goes on a student's IEP and articulating that vision in team meetings can help assure that the

myriad of small decisions made with and on behalf of a student with intellectual disability are leading to, not interfering with, the ultimate goals she and her family have for the future. A vision statement should come from the heart; however, it should be specific enough so that an unfamiliar person knows exactly what is important to the student and his family. There isn't a template for a vision statement, but it should contain a brief description of what the student's educational program and experience should look like in the current school year, as well describe what the student's life after high school might look like in regards to living arrangements, health and safety, post-secondary education,

employment, relationships, and leisure time. Depending on the age of the student, adult life may be very far in the future, such as in the case of a three-year-old; or it might describe the subsequent year, such as in the case of a 20-year-old.

Here are two examples of vision statements that could have been developed for people in the film earlier in their lives.

 We want Micah to have choices and opportunities in his life. Micah wants to be included in his school and neighborhood in meaningful ways, and have the same choices as his friends without disabilities. He wants to go to college and eventually live with friends. We want to support interdependence for Micah that opens up possibilities for him to work, socialize, and live within his community. In order to be successful, he needs to be comfortable working in a fastpaced and inclusive environment, have a good command of spoken and written English, have a well-rounded education, be able to manage his money responsibly, and increase his understanding of other people and cultures. Therefore, our vision for Micah's 10th grade education is that he be fully included in English, history, biology, PE, and pre-algebra; and that he join the cross-country and track teams.

Naomie's vision statement may have many of the same elements as Micah's, although it contains a greater focus on social relationships.

The most important thing for us is for Naomie to have friends, not "special" buddies. Naomie loves her friends, but rarely has opportunities to be with them outside of school. When she is with her friends, she communicates more, learns more, and feels a sense of belonging. Yes, academics are very important, too, but without friends, Naomie's school experience and her adult life will be filled with loneliness. We want Naomie to be involved in all of the same classes and extracurricular activities as other sixth graders.



A childhood photo of Micah Fialka-Feldman (right) with his sister Emma Fialka-Feldman and parents Richard Feldman and Janice Fialka. An IEP vision statement for Micah might have included "We want to support interdependence for Micah that opens up possibilities for him to work, socialize, and live within his community."

### Student Profile

The student profile section of the IEP should describe the student's interests, strengths, achievements in and outside of school; academic and functional areas of need; supports that maximize the student's performance; and personality. It should describe the impact of the student's disability on her ability to access the general education curriculum, and should reflect the perspectives of the student herself, her friends (particularly if she is unable to communicate effectively), her parents, and other members of her educational team. Below is a portion of a sample profile for a student named Allie.

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- Allie is a confident and outgoing young woman. She loves school and takes an active part in the high school social scene. She is kind to others and quick to offer a comforting or encouraging word. She is generally laid back and not flustered by unforeseen events, with the exception of fire drills. She is very close to her two sisters and older brother, and enjoys the support of both parents. Allie has many of the same interests as her classmates without disabilities, such as pop music, celebrities, and the high school sports teams. She has been on the swim team since middle school and practices several times a week. Participation in extracurricular activities, service learning opportunities, and sports are essential for Allie to develop age-appropriate and functional skills such as self-determination, following the unwritten rules of social interaction. problem-solving, life-long fitness, navigating around the community, and developing career and independent living skills.
- Allie's long-term memory is optimized by assuring that all text and other instructional materials are presented, during both instruction and assessment, at her reading and comprehension level. They are also supplemented with pictures, graphic representations, and semantic maps or schema. Allie's recall difficulties may be due to language retrieval problems, rather than the absence of knowledge or conceptual understanding. She benefits from supports such as word banks, giving her a choice of several answers, re-stating questions using familiar vocabulary. making connections to her background knowledge, and analogies. If Allie is distracted by noise, movement, or changes in routine, the least intrusive prompts should be used. Structures that support her following classroom routines include task cards, encouraging her to follow what her classmates are doing, using her iPad reminder app, and chunking academic tasks into smaller steps.

When describing the impact of the student's disability on her ability to make progress in the general education curriculum, it's important to be specific and to consider the foundation of Universal Design for Learning: the student is not the barrier-the curriculum, instruction, and materials are the barriers to learning. Don't write: "Allie's intellectual disability affects her ability to access 10th grade learning standards and curriculum." Do write: "Allie needs options and supports for receptive understanding and expressive demonstration of knowledge. She benefits from reminders, graphic organizers, and other tools that provide reminders and break tasks into small steps."

It's important to be specific and to consider the foundation of Universal Design for Learning: the student is not the barrier—the curriculum, instruction, and materials are the barriers to learning.

### Annual Goals

Annual goals represent knowledge and skills that the IEP team projects the student can reasonably achieve within one year, or the term of the IEP. These goals do not represent everything that the team hopes the student will achieve in a year, but rather the highest priority goals that will help the student access and make progress towards achieving grade level standards, as well as other functional skills or developmental milestones. IEPs that contain 50 goals are invariably not implementable.

Measurable annual goals contain the following elements describing what the student will do.





A sample annual goal for an AAC user that is closely aligned with the general education curriculum and can best be implemented in a general education class could be: "During class with modeling from non-disabled peers, Anna will use her AAC system to describe the author's purpose."

### Student:

- 1. Will do what...(demonstrated skill/behavior)
- 2. To what level or degree...(criterion percent/number of opportunities/number of points, etc.)
- 3. Under what conditions...(conditions)
- 4. In what length of time...(time frame)
- 5. As measured by .... (performance measure)

Sample annual goals that are closely aligned with the general education curriculum and can best be implemented in a general education class include:

- During class with modeling from nondisabled peers, Anna will use her AAC system to describe the author's purpose, scoring 3 out of 4 on an evaluation rubric.
- When provided with text written at her reading and comprehension level, graphic organizers, pictures and symbols, schema, and Read & Write supports on a computer or iPad, Marisol will master one enduring

understanding/big idea, five vocabulary words/terms, and three facts/concepts/skills within each unit of the curriculum, scoring 75% on teacher-made end-of-unit tests.

- During guided reading, Suri will verbally provide answers to questions about story sequence when provided with four wordpicture choices with a latency range of 1–15 seconds, 90% of the time, in 3 out of 4 opportunities daily.
- During buddy reading, Jacob will participate in turn-taking with nondisabled peers by pressing a switch that plays a pre-recorded portion of the text 90% of the time, out of 10 trials during each week of the spring semester.
- After visiting two college campuses and meeting with staff from Admissions and the Student Services Office, Selena will demonstrate knowledge of two post-secondary educational opportunities by doing a PowerPoint presentation in her Advisory class at the end of the fall semester, providing five facts with 100% accuracy.



# FIGURE 1 INCLUSIVE STANDARDS-BASED IEP INDICATORS

- Defines the family's vision for their child as a valued and fully-participating member of general education classes and inclusive extra-curricular activities
- Portrays the student's strengths as well as needs
- Describes the student's present levels of performance relative to general education curriculum standards, as well as reports their performance in functional domains
- Describes the results of assessments in the context of the student's prior opportunities to learn, whether he has been taught using evidence-based instructional practices, and the limits of his current communication abilities
- Presumes the student's competence to communicate and learn
- Bases the IEP on the long-term goals of post-secondary education, communitybased integrated employment and community living, and satisfying social relationships
- Uses chronological grade-level academic achievement standards as a guide for determining annual goals
- Annual goals and short-term objectives or benchmarks are measurable
- Identifies supports necessary for the student to achieve IEP goals
- Contains goals that can best be implemented and achieved in a general education classroom
- Specifies that special education and

related services are delivered primarily in the general education classroom

- Specifies that a student is in an inclusive learning environment nearly 100% of the day
- May also address communication, prosocial behavior, technology skills, social relationships and skills, participation in extracurricular activities, work and community living skills, executive function, and health and fitness
- Describes the supports that the team needs on behalf of the student, such as common planning time, time to adapt materials, and professional development
- Checks the box that indicates the student's need for accessible instructional materials
- Indicates that the student will ride the regular school bus (with supports if necessary)
- Describes inclusive extended-year services (if the student needs them)
- Matches the accommodations available on large scale assessments to the accommodations the student receives during instruction
- Clearly recognizes the differences between accommodations and modifications
- By the student's 16th birthday (or younger if the team decides it is necessary), describes post-secondary goals, IEP goals and objectives related to those goals; transition services related to meeting the goals; and the student's projected course of study for the remainder of high school



# FIGURE 2 SPECIAL EDUCATION AND RELATED SERVICES

When a student with an intellectual disability is included in a general education class, his service grid looks very different from that of a student in a substantially separate classroom. James—who is a full-time member of a general education classroom—receives services during the regular school year according to the schedule depicted below.

Service Provider	Type and Location of Service	Length of Service	Frequency of Service
Inclusion Facilitator	Instructional planning meeting/Conference room	60 minutes	Weekly
Inclusion Facilitator	Direct /General education classroom	40 minutes	Daily x 5 times per week
Inclusion Facilitator	Indirect/Preparation of adapted materials	60 minutes	Daily x 5 days per week
Paraeducator	Direct/General education classroom and other school environments	6.5 hours	Daily x 5 days per week
All team members	Instructional planning/ Conference room	60 minutes	1 time per week
SLP	Direct/General education classroom	60 minutes	3 times per week
SLP	Consultation with OT/ Conference room or general education classroom	40 minutes	1 time per week
SLP	Indirect/Programming AAC device	60 minutes	1 time per week
ОТ	Direct support in general education classroom	60 minutes	1 time per week
OT	Consultation with SLP/Conference room or general education classroom	40 minutes	1 time per week
PT	Direct support in P.E.	40 minutes	1 time per week
Reading Specialist	Direct instruction in reading lab	30 minutes	3 times per week

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# What Does the Individuals With Disabilities Education Act Say About IQ Testing?



**Above and bottom right:** Boys take intelligence quotient (IQ) tests. IQ testing is still used in 49 of 50 states as one of the ways to determine if a child will be determined to be a child with intellectual disability for the purposes of IDEA. Every family has the legal right to make an informed decision about whether or not their child will take an IQ test. The impact of that decision can vary state to state and district to district.

here are 13 categories under which a student can be identified as a "child with a disability" for the purposes of being eligible for special education services under the Individuals with Disabilities Education Act (IDEA). Intellectual disability is one of those categories and is defined in the IDEA Regulation 300.8 as "significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a child's educational performance."



The need to determine whether a child is judged to have "subaverage intellectual functioning" is what triggers intelligence quotient (IQ) testing (also called "intelligence tests" or "cognitive assessments").

There is no explicit requirement in IDEA or its regulations (the rules that tell states how to implement a law) for IQ testing. However, the definition of a child with an intellectual disability is framed within IDEA in a way that makes it hard to avoid an IQ test.

There is generally consensus among psychologists that IQ testing is an appropriate way to make a determination of subaverage intellectual functioning. However, the definition of intellectual disability states that significantly subaverage intellectual functioning must exist concurrently with deficits in adaptive behavior so clearly IQ alone is insufficient. Adaptive behavior refers to the age-appropriate behaviors that people with and without disabilities need to live independently and to function well in daily life.

Special accommodations exist for the use of IQ testing for individuals with expressive language issues as well as for other students from historically marginalized communities. There are nonverbal (i.e. picture-based) alternatives to the traditional IQ test that can be considered. Also, some districts may be willing to accept a psychologist's determination that the student has an intellectual disability based on cognitive assessments without the provision of an IQ score.

### Limiting the use of the IQ score

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Every state except Iowa relies on the use of IQ testing to determine whether a student has an intellectual disability. IQ testing is permitted, but far less common, in Iowa because the state received a federal waiver and does not use the 13 disability categories to determine IDEA eligibility. Instead Iowa uses a set of standards for making a more general determination whether a student qualifies as "child with a disability" for IDEA purposes.<sup>1</sup> There is no explicit requirement in IDEA or its regulations (the rules that tell states how to implement a law) for IQ testing. However, the definition of a child with an intellectual disability is framed within IDEA in a way that makes it hard to avoid an IQ test.

The only place IQ or "intelligence quotient" is mentioned in IDEA or its regulations is in Regulation 300.34, which states, "Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient." This provision allows for IQ testing, but underscores that a comprehensive evaluation must assess a child in all areas of suspected educational need. Such an evaluation cannot merely assess a student using a test designed to provide a single IQ score. Rather, other information about the child's abilities and educational needs must also be considered as part of the evaluation.

Many children who are later evaluated and determined to be eligible under the intellectual disability category initially qualify for services using the developmental delay category. States have the discretion to use this more general category for children from ages three through nine who have a "delay in one or more of the following areas: physical development; cognitive development; communication; social or emotional development; or adaptive [behavioral] development." States can choose to use IQ testing to determine "cognitive development" for this category.



### Are there provisions in IDEA that allow for the refusal of IQ testing?

### Informed Consent Requirements

**IDEA Regulation 300.300 requires informed** consent from the parent before an initial evaluation for IDEA services can occur, as well as before initial services or any change in services can be provided. Consent is also required for reevaluations. Reevaluations are required at least once every three years (unless the school district and parent decide it is unnecessary). The purposes of a reevaluation are to determine whether the student continues to be a "child with a disability" as defined by IDEA and to identify the educational or related services needed for progress in the general education curriculum and improved functional performance.

The word "informed" gives parents the right to receive as much information as they need to make an informed, voluntary decision. This includes information about the nature and scope of the evaluations, the rationale for using IQ testing and the implications of having IQ test results in the student's file. An IQ score is not supposed to be used to determine placement, the type of state assessment, or the opportunity to earn a diploma.<sup>2</sup>

#### Refusal to Consent

Parents participate in the decisions regarding reevaluation as team members and have the right to receive notice and an explanation of the assessments that are proposed for the comprehensive evaluation, for which their prior consent is required. For example, a parent may refuse consent for IQ testing, seek alternative means of assessing a child's cognitive abilities and then consent to other evaluations.

If the parent does not give consent to an evaluation the public agency may (but is not required to), pursue the evaluation through mediation or due process. If this happens, the parents may have an uphill battle because the opinion of a qualified evaluation personnel, like a psychologist or special education



Research tells us that IQ test results can be biased by factors such as cultural background. African American students are almost twice as likely as white students to be classified with intellectual disability.

An IQ score is not supposed to be used to determine placement, the type of state assessment, or the opportunity to earn a diploma.

director, will likely be favored over the parent's opinion by a hearing officer or court.<sup>3</sup>

If the district chooses not to challenge the parent's opposition to IQ testing, the outcome may be different depending on whether it is an initial evaluation or a reevaluation, state/ local policies, and the nature of the disability. In the case of failure to consent to an IQ test as part of an initial evaluation there would be no disability determination, therefore no Individualized Education Program (IEP) and no services, unless the child was found to be eligible for IDEA services using a category of disability for which IQ testing is not used, e.g. Other Health Impaired (OHI). If the child has a disability with a genetic component to the disability, (e.g. Down syndrome), which is confirmed by a doctor's letter/report, the parents may be able to agree to some other types of testing so the child will still be found eligible for IDEA services and get an IEP.

The parents' refusal to give consent to a particular evaluation, like an IQ test, has less







impact during a reevaluation if the district does not pursue the decision through due process. The student will continue to have an IEP and services will not cease. However, the refusal to consent to the evaluation would likely harm any argument the parents may want to make that the child has not been provided a free appropriate public education (FAPE).

### Validity of Evaluation Tools and Their Use

IDEA Regulation 300.304 (c)(1) states that each public agency must ensure that assessments and other evaluation materials used to assess a child are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to provide or administer.

There are many questions about the validity of IQ testing. In addition to inherent validity concerns about the design of IQ testing, there are also validity concerns regarding the bias, qualifications, and experience of the evaluator with respect to administering the evaluation and interpreting the results. There also can be validity issues with respect to how the report is written. You can read more about the IQ testing validity issues in the resources included below.

#### Conclusion

Every family has the legal right to make an informed decision about whether or not their child will take an IQ test. The impact of that decision can vary state to state and district to district. State and local policies and practices can influence whether a parent or guardian refuses to consent to IQ testing, or requests a disability category other than intellectual disability for IDEA eligibility.

One factor to be considered in deciding to avoid the intellectual disability category is the impact on educational services the students may get. An additional factor to consider is whether the failure to do IQ testing before a child reaches age 18 (to document an intellectual disability) will impact the level of adult services available in your state.

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 $<sup>\</sup>label{eq:linear} {}^{1} https://www.educateiowa.gov/pk-12/special-education/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education/state-guidance/special-education/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education/state-guidance/special-education/state-guidance/special-education/state-guidance/special-education/state-guidance/special-education/state-guidance/special-education-eligibility-and-evaluation/state-guidance/special-education/state-guidance/sp$ 

<sup>&</sup>lt;sup>3</sup>Haowen Z. v. Poway Unified School District S.D. Cal., August 14, 2013.



### Membership and Participation: Defining Features of Inclusive Education



Ashley Harris (right) reads a physics text with peers in her 8th grade science class in North East Middle School, North East, Maryland. Full participation means that students with disabilities have the supports necessary to actively engage in social exchanges and general education instruction.

wo of the key elements of inclusive education are valued membership and full participation. This means that all students are presumed competent and are welcomed as valued members in every general education class and extra-curricular activity in their neighborhood schools. It means that students with disabilities fully participate and learn alongside their same-age peers in general education instruction based on the general education curriculum, and experience reciprocal social relationships. In order for this to happen, schools need to develop a culture of valued membership, create welcoming communities, and build reciprocal relationships between students with and without disabilities.

### Valued Membership

Membership is more than simply tolerance; it comprises all the symbols and signs of belonging that are afforded to typical students in a classroom and within the larger school environment. Membership means arriving at and leaving school and the classroom at the same time as other students; having a desk situated alongside others, not in the back of the room; being called on in class; having a classroom job if everyone else does; and having a locker arranged like everyone else rather than in the special education wing of the school. We can think of membership as falling along a continuum of "not included at all" to "having all the signs and symbols of membership afforded to classmates without disabilities." A student's education team can use the membership indicators checklist in Figure 1 to ensure that students with intellectual disability have the same opportunities and sense of belonging as typical students in the classroom.

### Create a Welcoming Classroom Community

Regardless of whether a student enters a general education class along with his or her peers as a natural part of moving up to the next grade or whether a student is transitioning from a segregated classroom or school, general education teachers have enormous power to create a welcoming classroom environment in which all students feel like valued members.

If possible, ask the student's parents or other IEP team members from the previous year if there are visual supports that will help outline her personal space such as colored tape on the floor around her desk or color-coded signs that designate the different classroom work areas. Consider using the student's interests as part of the classroom environment, such as having certain books in the classroom library or a picture of their favorite character taped to their desk. There may be equipment or other tools that help the student maintain her focus such as adaptive chairs, chew tools (to address the need for oralmotor stimulation), or weighted blankets to help the student regulate her sensory system.

Invite the student and her parents to come for a school tour and classroom visit. Give the student a tour of the space where she will work. For preschool and elementaryaged students, include a short, fun activity and some time to play on the playground. For students who will be changing classrooms, arrange a trial run of the student walking through the schedule for the first day of school.

An important part of creating a welcoming school and classroom community is making sure that the student has all of the symbols of belonging that other students do, such



In an inclusive school, students with disabilities have the same opportunities to participate in extra-curricular activities—such as school plays, sports, field trips, and community service activities—as other students.

as her own cubby or locker, and having her name called during attendance. Teachers can promote the development of a classroom community that values diversity by using specific classroom and team-building activities. When teachers focus on identifying everyone's strengths as a natural part of the classroom culture, they are modeling and building welcoming communities.

#### **Full Participation**

When students with disabilities are included in general education classes, their teams should think about all of the participation indicators that regularly occur for students without disabilities and plan for the supports that students with disabilities will need in order to participate in similar ways. They should work to achieve the same general education standards (with personalized accommodations and modifications), as well as other goals that are related to school and community citizenship. Full participation means that students have the supports necessary to actively engage in social exchanges and general education instruction, as well as other inclusive school activities. The indicators of full active participation are depicted in Figure 2.



Co-teaching can help create a classroom environment where a student with a disability participates in classroom instruction in similar ways as students without disabilities, including whole class discussion and/or small group discussion and projects.

### Planning for Full Active Participation

Planning for a student's full active participation requires team collaboration to answer five questions:

- What do we want the student to know and be able to do at the end of this week or this unit?
- How will we assess whether the student has achieved the identified learning objectives?
- What supports does the student need to fully participate in usual routines in and out of the general education classroom?
- Which supports are team members responsible for finding or preparing so they are ready when the student needs them?
- Do these supports allow the student to be as independent and engaged in activities as possible?

Following the implementation of supports, teams must have a process for determining the fidelity of their planned supports. When supports are delivered with a high degree of fidelity, then teams can have a high degree of confidence that the student's actual performance is a true reflection of his or her abilities. When the fidelity of implementation of supports is low, the team needs to interpret student performance very cautiously because poor performance may be due to instructional inadequacy.

A team-based process for participation planning can be found in Jorgensen's *Inclusion is More Than Just Being "In":* A Step-by-Step Approach for Students with Disabilities. The results of using this planning process for a 10th grade student with an intellectual disability is depicted in Figures 1 and 2 on the following pages.

### FIGURE 1 GENERAL EDUCATION CLASSROOM AND SCHOOL MEMBERSHIP CHECKLIST

- □ The student attends the school she would attend if she didn't have a disability.
- The student's class and other activities, in which she is involved, have a natural proportion of students with and without disabilities.
- □ The student is a valued member of a chronological age-appropriate general education class.
- □ The student's name is on all class lists, group lists put on the board, job lists, etc.
- □ The student participates in classroom and school routines such as the Pledge of Allegiance, lunch count, jobs, errands, eating lunch in the cafeteria, changing classes, etc.—in typical locations and at the same times as classmates without disabilities.
- The student receives accessible learning materials at the same time as those materials are provided to students without disabilities.
- □ Learning materials are only as different as they need to be to provide access.
- The student participates in classroom instruction in similar ways as students without disabilities, including whole class discussion and/or small group discussion and projects. The student is called on by the teacher as frequently as other students in the class.

- □ The student may ride the same school bus as her peers without disabilities, arriving and leaving at the same time.
- □ The student may transition between classes alongside his peers without disabilities, arriving and leaving at the same time.
- □ The student progresses through the grades according to the same pattern as students without disabilities.
- The student learns in outside-of-school, chronological age-appropriate, and inclusive environments before the age of 18, only when such instruction is the norm for typical students.
- Related services and specialized instruction are provided within the typical routines of a school day in addition to, not in place of, core general academic and behavioral instruction.
- Related services are delivered primarily through multi-tiered instruction and consultation in the classroom, or prior to or after the school day.
- □ The school is physically accessible and/ or accommodations are arranged so that the student and other individuals with mobility challenges have full access to all opportunities within the school building.
- □ The school accommodates the student's sensory and health care needs.

### FIGURE 2 ACTIVE PARTICIPATION IN GENERAL EDUCATION INDICATORS

- The student participates in classroom and school routines in typical locations, such as the Pledge of Allegiance, lunch count, jobs, errands, eating lunch in the cafeteria, etc.
- The student has the opportunity to participate in extra-curricular activities that are open to most students, such as school plays, sports, field trips, and community service activities.
- A high school student engages in outsideof-school, chronological age-appropriate, and inclusive environments (e.g., service learning) in the same proportion as classmates without disabilities.
- The student participates in classroom instruction, in a similar routine, as students without disabilities.

- The student has a way to communicate the same academic messages that are expected of other students in instructional routines. For example:
  - giving answers
  - asking questions
  - making comments
  - taking notes
  - writing
  - drawing figures
- The student completes similar assignments and other classwork (with adaptations and modifications) as students without disabilities.
- Students in the transition years (ages 18-21) attend post-secondary education, work, make connections to community activities and social groups, learn to live away from their childhood home.

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### **Promoting Self-Determination**



Anthony Canty (left) with colleagues on the job at Rochester General Hospital in Rochester, NY. From the postsecondary transition film *Untapped*.

### What is Self-Determination?

When we think about self-determination, we usually think of people who are completely independent and who make their own (good) decisions. What about the skills and opportunities that every person needs to learn and practice so they can effectively control their own lives? The National Parent Center on Transition and Employment says, "(self-determination) is about being in charge, but is not necessarily the same thing as selfsufficiency or independence."<sup>1</sup>

Self-determination skills include setting goals, self-advocating, problem solving, selfawareness, and self-regulation skills. As we see in the <u>Intelligent Lives</u> documentary, in past decades it was believed that people with intellectual and developmental disabilities could not—or should not—control their own lives, and so they were not provided with opportunities or instruction to learn these self-determination skills. Imagine not having a choice about where you live, the foods you eat, and what you get to do every day and with whom. People with intellectual and developmental disabilities are capable of deciding how they want to live their lives. They may need help to achieve their goals, but these goals are attainable when selfdetermination skills are cultivated daily.

### Why is Self-Determination Necessary?

Self-determination skills improve academic and post-secondary outcomes such as obtaining and retaining employment, living independently, financial security, engaging in more positive recreation and leisure activities, and enjoying a better quality of life. Additionally, research has shown that students with strong self-determination skills are more likely to be included in their communities after leaving high school. Self-determination skills, such as making choices, are both small and large parts of our lives and directly influence our immediate environment and long-term paths.

### How do we do it? Examples from the *Intelligent Lives* project

Typically, we might tell a child, "There are three things you need to do today." As a person with intellectual disability enters adulthood, we might say, "Here is the place you will live."

Initially, it might seem difficult for service providers (i.e. teachers, job coaches, parents, transition specialists, etc.) to allow the individual we are working for and with to have control/be in charge. In our efforts to protect those with disabilities, we sometimes deny them the dignity to make their own mistakes. If we take away the dignity of risk, we are diminishing that person's ability to become self-determined.

One of the easiest ways to promote selfdetermination is to provide opportunities for people to make choices, beginning at a young age. When Micah Fialka-Feldman (Intelligent *Lives* film subject) was in elementary school, special education students were expected to enter the school through a different door than those students without disabilities As Micah describes on his website, "I came home one day in first grade and I told my parents I wanted to go through the same door as all of the other students at a school. I wanted to be with my friends and peers." This expression of self-determination led Micah and his parents to advocate for an inclusive experience from the time he was in elementary school through college, where he continues to make decisions about his life with the support of his "Circle of Friends."<sup>2</sup>

When film subject Naomie Monplaisir was in high school, she was given little choice about her daily activities. She often had to assemble jewelry for little or no pay in the school's sheltered workshop. However, after transitioning to competitive, integrated employment with progressive supports, Naomie is now taking part in social capital meetings (as seen in the film) where she and her team are exploring a wide variety of job opportunities, based on her interests and strengths.

Once a person's day and life are determined by the choices they make, possible next steps might include evaluating the success of their choices. Micah continually meets with his Circle of Friends to review his recent decisions and future goals. Naomie meets with staff at her employment center on a regular basis to check in on her work experiences. And film subject Naieer Shaheed has worked closely with his art teacher and college counselor to learn how to take his painting to the next level by studying art in college.

If we take away the dignity of risk, we are diminishing that person's ability to become self-determined.

The Intelligent Lives transition films provide additional examples. In the film Jamia and Peyton: I Can Work, Jamia and Peyton have settled on clear career goals. They have used their own experiences and preferences, as well as some interest assessment tools, to assist them in their choices. Garrett (Garrett Shows: I'm in *Charge*) and Anthony (*Untapped*) are participating in internships and employment that will help them make informed choices regarding the direction of their respective lives. Garrett and Anthony both know how they would like to live their lives in terms of housing and relationships, and have identified the steps needed to achieve these goals. Self-determination may start with small steps such as choosing an activity or identifying a goal; however, with appropriate supports it is the cornerstone of achieving a happy and fulfilling life.



### THREE PHASES OF SELF-DETERMINATION

#### ►STEP1

#### Opportunities to make choices

One of the easiest ways to teach people how to make choices is to provide them with opportunities to do so, beginning at a young age. Typically, we might tell a child, "There are three things you need to do today." As a person with intellectual disability enters adulthood, we might say "Here is the place you will live." If we think about how we can shift some of the control over to the other person, we can say instead, "There are a few things that need to happen today. Which one do you want to start with?" To the adult, we could say, "Would you rather live with a friend or alone?" or "What type of housemate would you want? Someone who is neat? Someone who does not mind a mess?"

#### STEP 2

#### Evaluation of the choice

When a person's day and life are determined by the choices they make, a possible next interventional step might be to **evaluate the success of their choices.** Continuing with the example above, at the end of the activity or day, we then can revisit the choices and discuss the outcomes. A structured review might include observations/questions such as, "You chose the most difficult activity first. Did that give you enough time to finish the other two?" or "You chose the most difficult activity first. Did it feel good to get it over with or did it make you too tired to keep going?"

#### ►STEP3

#### Informing future choices

A third part of this self-determination process is to remind the person about the result of his or her choices, and how he or she can **use that knowledge to inform the choice the next time**. This intervention conversation might sound like, "Yesterday you chose the most difficult activity first and it made you so tired that you couldn't finish the others. Think about what choice you can make today that will make things easier."

For larger questions, such as living arrangements, it is difficult to have the person reflect on the effect of the actions. Instead, we can provide examples of potential long-term outcomes based on different choices. For instance, "What is it like living with a messy housemate or a clean one?" These choices can be in the format of pictures of neat and messy rooms or providing examples of the type and number of chores needed to complete when living alone vs. living with a housemate. The person can then make a choice about which list fits best with their preferences.

So, a simple way of structuring a self-determination intervention is: 1. Provide a choice(s) 2. Evaluate the effectiveness of the choice(s) 3. Use new information to make future choices.

Think about how this intervention can be used in school, on the job, in relationships, and a thousand other contexts. Remember that it's okay for people to make mistakes in this process. Most of us make the same mistakes twice (or even more!) before we learn.



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<sup>1</sup>PACER's National Parent Center on Transition and Employment. *Self-Determination*. Retrieved February 6, 2018, from <a href="http://www.pacer.org/transition/learning-center/independent-community-living/self-determination.asp">http://www.pacer.org/transition/learning-center/independent-community-living/self-determination.asp</a>.

<sup>2</sup>A key part of Micah's journey was the development of his "Circle of Friends." See more about the Circle of Friends in the Fialka-Feldman family's book *What Matters* and in their article <u>"Inclusion Includes Belonging: How to Create and Sustain a Circle of Support.</u>"





### **Rationales for Inclusive Education**



Elementary school students in Fox Prairie Elementary School in Stoughton, Wisconsin work together in math.

There are many rationales for inclusive education including social justice and civil rights, legal and regulatory requirements, research on the academic and other benefits for students with and without disabilities, and research showing the positive correlation between the time that students spend in general education and quality of life outcomes after high school.

### Social Justice and Civil Rights

The introductory Congressional findings of The Individuals with Disabilities Education Improvement Act of 2004 (IDEA) reflect the values- and evidence-based rationale for inclusive education:

Disability is a natural part of the human experience and in no way diminishes the right of individuals to participate in or contribute to society...Almost 30 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by having high expectations for such children and ensuring their access to the general education curriculum in the regular classroom, to the maximum extent possible. (IDEA, 2004)

### Least Restrictive Environment Mandate of IDEA

In the final regulations that guide the implementation of IDEA 2004, the term "least restrictive environment" (LRE) is used to specify the meaning of access to the general education curriculum in the regular classroom.

(1) To the maximum extent appropriate, handicapped children, including children in public or private institutions or other care facilities, are educated with children who are not handicapped, and (2) That special classes, separate schooling or other removal of handicapped

### **RATIONALES FOR LACK OF INCLUSION**

There are only four reasons why students should *not* be placed in a general education classroom, *with the burden placed on the IEP team to justify removal from general education.* Those four reasons are:

- Lack of educational benefits
- · Lack of non-academic benefits
- Negative effect of the child on the teacher and other children
- Unreasonable cost (Wright's Law, n.d.).

Unacceptable reasons for removing a student from a general education classroom, as described in a variety of guidance documents (South Dakota Department of Education, 2013; Wright's Law, n.d.), include:

- The number and intensity of needed services and supports
- Student's need for behavior support

- Student's need for extensive curricular modifications
- Student's participation in a state's alternate assessment
- · Student's reading level
- Student not having the prerequisite skills required by the curriculum being taught
- Student's use of communication or other assistive technologies
- School's lack of experience with inclusion
- School's history of placing students in separate programs
- Location of skilled staff in other buildings or classrooms
- Class size
- Lack of knowledge or skills by staff

children from the regular educational environment occurs only when the nature or severity of the handicap is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (U.S. Department of Education, 2006).

Although the LRE mandate seems to give high priority to general education placement for students with disabilities, in reality, this is far from being achieved, especially for the 56% of students with intellectual disability who still spend the majority of their day outside of a general education classroom (U.S. Department of Education, 2016).

Because of the vagueness of the LRE regulations, parents and schools have sought clarification from various levels of the U.S. court system to define LRE for a particular student or class of students. Some of these cases have supported an individual student's inclusion, and others have determined that a separate educational environment is the least restrictive. See above for acceptable and unacceptable reasons why students should *not* be placed in a general education classroom.



Samuel Habib (center, a Concord, New Hampshire, High School student) moves the soccer ball down the field alongside his teammates in a <u>Unified Sports</u> soccer game. Research shows positive effects of inclusion for students with disabilities in a wide array of areas, including more satisfying and diverse social relationships.

### Better Outcomes in Inclusive Environments

Inclusive education is also supported by strong educational research. Using theory, historical research, and empirical literature, Jackson, Ryndak, and Wehmeyer (2008/2009) made a case for inclusive education as a research-based practice and concluded:

...placement in age- and gradeappropriate general education contexts and having special and general educators team to provide supports and modifications for all students are firstorder research-based practice, and...the benefits of proven methods of instruction are realized in the long run only when this first step is implemented in the life of *a child* (Jackson, Ryndak, & Wehmeyer, 2008/2009).

Findings from a large number of research studies show positive effects of inclusion for students with intellectual and other developmental disabilities (e.g., autism, cerebral palsy, etc.) including:

- Higher expectations for student learning (Jorgensen, McSheehan, & Sonnenmeier, 2007);
- Heightened engagement, affective demeanor, and participation in integrated social activities (Hunt, Farron-Davis, Beckstead, Curtis, & Goetz, 1994);
- Improved communication and social skills (Beukelman & Mirenda, 2005; Fisher & Meyer, 2002; McSheehan, Sonnenmeier, & Jorgensen, 2009; Soto, Muller, Hunt, & Goetz, 2001);



- More satisfying and diverse social relationships (Guralnick, Connor, Hammond, Gottman, & Kinnish, 1996);
- Optimal access to the general education curriculum (Jorgensen, McSheehan, & Sonnenmeier, 2010; Wehmeyer & Agran, 2006);
- Improved academic outcomes in the areas of literacy and mathematics (Cole, Waldron, & Majd, 2004; Cosier, Causton-Theoharis, & Theoharis, 2013; Dessemontet, Bless, & Morin, 2012; Kurth & Mastergeorge, 2010; Ryndak, Alper, Ward, Storch, & Montgomery, 2010; Ryndak, Morrison, & Sommerstein, 1999);
- Better quality Individualized Education Programs (IEPs) (Hunt & Farron-Davis, 1992);
- Fewer absences from school and referrals for disruptive behavior (Helmstetter, Curry, Brennan, & Sampson-Saul, 1998);
- Achievement of more IEP goals (Brinker & Thorpe, 1984); and
- Improved adult outcomes in the areas of post-secondary education, employment, and independence (White & Weiner, 2004).

Research on the impact of inclusion on the performance of students without disabilities provides additional support for inclusive practices. In a meta-analysis of research conducted by Kalambouka, Farrell, Dyson, & Kaplan (2007), 81% of the outcomes reported showed that including students with disabilities resulted in either positive or neutral effects for students without disabilities. Theoharis and Causton-Theoharis (2010) found improved educational outcomes for students with and without disabilities when inclusion was the primary school reform.

Other positive effects of inclusion on students without disabilities include improved attitudes towards diversity (Finke, McNaughton, & Drager, 2009); unique opportunities for learning about prejudice and equity (Fisher, Sax, & Jorgensen, 1998); and increased academic achievement, assignment completion, and classroom



Kindergarten teacher Catasha Bailey leads her student Madelyne Bush into the classroom at James C. Rosser Elementary School, Moorhead, Mississippi.

participation by students providing peer supports (Cushing & Kennedy, 1997).

The rationale for inclusion is also supported by the fact that no studies conducted since the late 1970s have shown an academic advantage for students with intellectual and other developmental disabilities educated in separate settings (Falvey, 2004). In fact, studies have shown some negative effects of separate special education placement (Causton-Theoharis, Theoharis, Orsati, and Cosier, 2011; Fisher, Sax, Rodifer, & Pumpian, 1999; Hunt & Farron-Davis, 1992).

#### Conclusion

Given these strong rationales for inclusion, what factors perpetuate segregation? These factors are present to one degree or another in schools that do not support inclusive education: low expectations for students with an intellectual disability label, a belief that students with intellectual disability will never need to use academic knowledge in their adult lives, de-valuing students with disabilities compared to those without, lack of teacher knowledge and skills for differentiated instruction, and the absence of administrator commitment to lead the systemic changes necessary to shift a school from being exclusionary to inclusionary.



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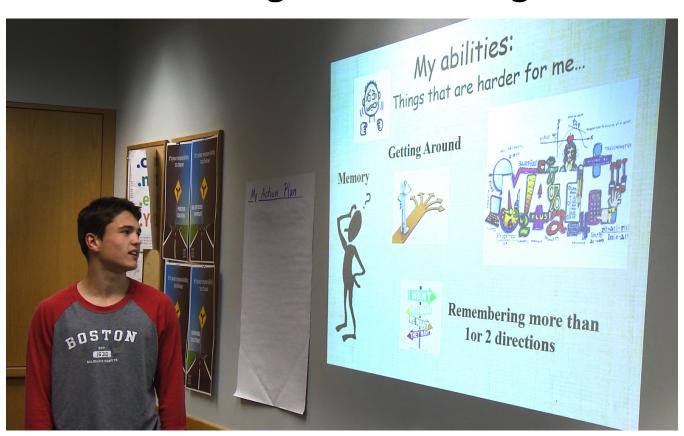
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### **Transition Planning: Students Taking the Lead**



Garrett Shows, a senior at ConVal High School in Peterborough, NH, leads his own IEP meeting. He started the meeting by discussing his strengths and challenges. Garrett's support network—including his parents, teachers, and related service providers—meet to make sure that the IEP is focused on Garrett's goals.

### What is Transition?

Transitions are a normal part of everyone's life. As students, we transition from one grade or school to the next. As older students and adults, we also experience transitions as we enter the workforce, change doctors, move to a new location, and when major family situations or relationship changes occur.

The Individuals with Disabilities Education Act reauthorization requires that transition planning for students with disabilities must be in place by the student's 16th birthday. Approximately half of states require that transition planning begin earlier—at ages 13, 14, or 15.

### Why is it important?

Transition planning is about connecting an individual's strengths and interests to future environments and endeavors beyond high school and should be guided by the individual. Sometimes this leadership role needs to be taught, modeled, and developed over time. Individualized Education Program (IEP) teams can begin involving the student in goal planning and self-monitoring as early as elementary or middle school. Several years of involvement in collaborative planning increases a student's ability to make decisions and experience better outcomes in higher education, employment, and independent living. During transition planning, it is important that any providers from agencies, organizations, or other people involved with a student work together so that they can meet the individual's needs. They may then identify and deliver efficient and costeffective transition services, and identify any gaps or overlaps in these services.

### How do we do it?

Having individuals with disabilities lead (or help lead) their own IEP meetings is an effective way for them to learn about being in control of their own life transitions. In the video <u>Garrett Shows: I'm in Charge</u>, Garrett is seen running his own IEP meeting with a goal of transitioning to college. His school support network—including his parents, teachers, and therapists—meet together to make sure that the IEP is focused on Garrett's goals.

The *Garrett* film provides a strong model for a student-led IEP/transition meeting. Garrett worked closely with his special education coordinator on his presentation in the days leading up to his IEP/transition planning meeting. First, Garrett identified his own strengths and weaknesses. If a student needs help with this, people in the support network can ask questions such as, "What are you really good at?" and "What is hard for you to do?" Building these skills through small, daily reflections will help the student when it comes time to lead their IEP meeting. We can help students build this skill by asking them to critique their own work such as, "Which problem are you most proud of solving?" or "What is the hardest thing you did today?" Transition assessment data-gathered from multiple sources including the student, family members, educators, service providers, and employers-should be shared with the student's IEP team as part of this process.

Next, Garrett identified his goals. Questions such as, "What kind of job do you want?" or "What do you want from college?" can help students think about their transition





Scenes from the film *Jamia and Peyton: I Can Work.* **Top:** Jamia Davis (center) works with her PROMISE Connector Renisha Rivers (left) and her mother Karen Green to identify her career interests and goals. **Bottom:** Peyton Denzer grooms a dog during her summer job at Dig My Dog in Springdale, Arkansas.

Having individuals with disabilities lead (or help lead) their own IEP meetings is an effective way for them to learn about being in control of their own life transitions.

goals. Once the individual identifies their goal(s), he or she should develop a plan to achieve the goal(s). Guiding questions such as, "What class(es) will help you get a job like that?" or "Who can help you with college applications?" will help the student.

Not every opportunity for student-led transition planning needs to occur within a



large meeting setting. In the video <u>Jamia</u> <u>and Peyton: I Can Work</u>, both Jamia and Peyton work individually with several members of their support networks, including case managers, parents, school guidance counselors, and rehabilitation counselors. Both young women reflect on how their community job placements influence their strengths, weaknesses, and career goals. Students who have experiences in a variety of work and community settings have a better sense of what they like, where they excel, new skills they need to develop, and their long-term goals for the future.

The transition process is ongoing. After the first planning stage is implemented, the individual and the support network should continue to meet on a regular basis to check in and revisit the student's goals. The same process outlined in the previous paragraphs can help the individual conduct these ongoing meetings.

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### Intelligent Lives Discussion Guide



Naomie Monplaisir (second from right) stands with students at Empire Beauty School in Warwick, Rhode Island, as they prepare for a fashion show. Naomie has an internship at Empire as she works towards competitive, integrated employment.

### FOR THE DISCUSSION FACILITATOR

Review the discussion questions and prompts below. Have your group think about and jot down their answers to 1-2 of the questions prior to viewing the film. You might have these on cards on tables, as handouts, or simply state them clearly before the film. They may want to revisit the same questions after the film.

Following the film, you may use the questions or prompts by "assigning" small groups to consider an individual question or topic. You might also pose several of the questions to the entire group—depending on the size and makeup of your audience.

### BEFORE YOU WATCH INTELLIGENT LIVES

• How do YOU define intelligence? Do you think intelligence quotient (IQ) tests—

or any standardized test—can predict a person's ability to learn, or their future?

- What do you consider positive life outcomes for yourself? Do you think people with a label of intellectual disability have the same or different dreams for themselves as people without that label? Why or why not? What do you consider to be positive life outcomes for individuals with a label of intellectual disability?
  - Does your response include college? Career? Home ownership? Meaningful relationships, including the possibilities of marriage and children?
- Imagine you are planning for three people and you have been told that these people have IQs of 160, 100, and 40. How do these numbers impact your perception of these people? How might their future opportunities for education, jobs, residences, and relationships look the same or different?
- How do you think people who have communication challenges are perceived by society?

- What happens when there are other factors involved, such as race, socio-economic status, gender, etc.?
- In the past 50 years, do you think society has changed its understanding of what makes someone intelligent? How so? Give specific examples.
- How can families, schools, adult service systems, and communities support individuals with the label of intellectual disability to achieve their dreams?

### AFTER YOU WATCH INTELLIGENT LIVES

### Intelligence Testing

Chris Cooper states that "49 of 50 states still use intelligence testing as one of the tools to determine whether a student carries the label of intellectual disability. Only 17% of students with intellectual disability are included in regular classrooms. Just 15% of the 6.5 million Americans with intellectual disability are employed."

- Think about your own life experience. Have results from IQ testing or other standardized tests impacted (positively or negatively) your educational, college, career, or relationship outcomes?
- What purpose might intelligence testing serve? What other factors might one take into consideration when determining whether an individual needs supports in life?
- Do you think IQ testing results in a self-fulfilling prophecy for individuals with disabilities?
- Were you surprised to learn about the eugenics movement? Did any of the historical uses (military enlistment, segregation, eugenics) of IQ testing surprise you?
  - Do you think any of these practices still exist?
  - What are the remnants of this movement today?



Chris Cooper holding his newborn son, Jesse, in 1987. "Jesse was, and still is, a force in this world," Cooper says in the film.

Micah recalls: "I like saw a sheet of paper in the mail that said I had a 40 IQ. And I like Googled what a 40 IQ is and they like said that somebody who can't really like work at like a job or can't like move from their parents' house probably or things like that."

- How do you think intelligence testing helped or hindered Micah, Naieer, and/or Naomie?
- Have you ever been informed of your own IQ? How did it impact your view of yourself?
- Have you ever been informed of someone else's IQ? How did it impact your view of him/her/they?

### IQ Testing, Disability, Race, and Intersectionality

Chris Cooper narrates: "Research tells us that IQ test results can be biased by factors





Naieer Shaheed listens to classmates in the cafeteria of the Dr. William W. Henderson Public High School in Dorchester, Massachusetts. The school's principal, Patricia Lampron, says that "having kids with significant disabilities has helped us to really become more careful, individualized, personal educators."

such as socio-economic status and cultural background. African American students are almost twice as likely as white students to be classified with intellectual disability."

- Naieer's parents have fears about how he will be perceived by law enforcement. Do you think those fears are valid? What can be done to change these perceptions? Is there any effort in your community to have open dialogues between families, law enforcement agencies, local government, schools, or other community organizations?
- What biases might Naomie's parents encounter given that they do not speak English fluently?
- In the past, IQ testing has been used to justify racism, low expectations, and segregation for groups of people. Do you think the IQ test can be used in

the present day without leading to systemic segregation or limitation for those whose test results label them as having an intellectual disability?

- Why do you think IQ tests remain so prominent in our culture?
- Statistically, African American students are more likely to be identified as eligible for special education. What does this mean for equity in our country? How has IQ historically been used to discriminate against people and how does it continue to do so?

### Communication

According to teacher Samuel Texeira of the Henderson School, "I have a lot of students who don't communicate in traditional ways and are non-verbal, or



they communicate in ways that the outside world sees as very different."

- Do you think if people communicate in non-traditional ways, it affects how they are perceived?
- In your community, if a student is unreliably speaking or expresses herself in a nontraditional way, does the school support that non-traditional communication? If so, how is the school supportive? If not, why do you think there is a lack of support?
- What are some ways that individuals express their intelligence if they are unable to communicate verbally? What examples did you see in the film?
- The principal of Henderson says she doesn't look at a student's IQ to make decisions. What do you think about this approach?

### **Romantic Relationships**

According to Micah, "Everyone should be able to get married or meet other people. And dating...they should be able to do that because it's their right. And maybe down the road I might be interested in having sex. Maybe one time I would like to maybe be a dad, but I don't think right now."

- Do you think intellectual disability plays a role in a person's ability to develop and maintain romantic relationships? Why or why not?
- Micah expresses universal desires for love and relationships. What strategies are you familiar with to assist individuals in achieving these goals?

### Jobs/Careers

Eve Hill of the U.S. Department of Justice says, "The Harold Birch Vocational School struck us as the height of segregation and low expectations."

• Do you think the general public knows about sheltered workshops and that they still exist across the U.S.?



Naomie Monplaisir paints the nails of a student at Empire Beauty School in Warwick, Rhode Island. Her brother Steven says, "She's definitely a smart girl. She's definitely always willing to learn. I don't want to see her just be boxed in just because of her disability."

- As far as you know, what employment options are schools presenting to students with intellectual disability and their families?
- It was clear that Naomie's family didn't know that there were other options for her. What resources are available in your community to help families understand options for inclusive education or employment?
- Do you think the director of the beauty school considers Naomie's intellectual disability when she is offered the job of Project Assistant? What qualifications does Naomie bring to the position?
- Micah works as an assistant teacher at Syracuse University. What qualifications does he bring to the position?
- What were your impressions of Naomie's job selling items from a food cart at the beginning of her story?
- What strategies did you see in the film for identifying a good fit between individuals with disabilities and employment opportunities?
- What strategies did you see in the film for building effective supports for employment?
- How can individuals and families advocate for effective support networks?





**Clockwise from left:** Naieer's painting "Vincent Vase;" Chris Cooper with his son, Jesse; Micah in his "Personal and Social Health" class at Syracuse University.

### **Higher Education**

Naieer's teacher, Samuel Texeira, says, "Whether it's college, trade school, something...students need something beyond a high school education. But going to college for the sake of going to college isn't important. Going to college for the sake of bettering his life, financial success..."

- Do you agree with Texeira's statement? Do you think our society overvalues college and undervalues the trades? How do you think this perspective might impact individuals with intellectual disability in terms of receiving encouragement to consider higher education?
- Both Micah and Naieer have dreams of participating in higher education. Do you think this is typical for students with the label of intellectual disability?
- Before seeing the film, did you know that students with intellectual disability are attending college across the U.S.? If this was new information for you, what were your immediate thoughts about it?
- People *without* intellectual disability go to college for many reasons. Should people *with* intellectual disability only be supported to pursue college if it will increase their employment outcomes?



- In your experience, are students with the label of intellectual disability encouraged and supported to pursue higher education? Why or why not?
- How can high schools support the transition to college for students with intellectual disability?
- How might institutions of higher education (e.g., universities, colleges, community colleges, trade schools) better support access and success for students with intellectual disability?

### Self-Advocacy and Leadership

- What examples of self-advocacy did you see in the film?
- Are there scenes in which the individuals might have advocated more strongly for themselves?
- How can educators and individuals in the disability field better promote and support self-advocacy, self-determination, and leadership skills among individuals with disabilities?
- Naieer talks about the importance of voting. In some places, individuals with disabilities are not easily able to exercise their right to vote. How might individuals with disabilities be better supported to participate in elections?
- How do the families and support networks of Naieer, Micah, and Naomie help them build self-advocacy skills?
- How can individuals be supported to be leaders of their own lives and best represent themselves, their dreams, and their talents?

### Supported Decision-Making and Guardianship

From Naomie's social capital meeting: "Someone like you, Naomie, who's connected to the community of Providence, connected to the Haitian community, has social capital."

Micah on guardianship: "I talk to my parents about...big decisions and stuff...but it's my final decision of how I want to live my life."





**Top:** Naomie learns how to set curlers with Empire Beauty School instructor Anthony Riggi. **Bottom:** Micah Fialka-Feldman at his graduation from Syracuse University. He received a certificate in Disability Studies from the School of Education.

- Both Micah and Naomie have intentional networks to assist in decision-making and organizing supports in their lives. What did you notice about these networks?
- What consistencies and differences did you see in the supports that Naieer, Micah, and Naomie each have?
- Micah talks about the importance of being his own guardian and making his own decisions. What is the role of his Circle of Support in this effort?
- What differences did you notice between Micah's perspective on guardianship and that of Meghan and her family?
- Do you think that issues of race, gender, socio-economic status, etc. influence supported decision-making and guardianship issues? If so, how?
- How might the education/employment/ human service systems utilize Circles



of Support, self-advocacy, and principles of social capital to support individuals with disabilities?

### Inclusive Education and Inclusive Communities

Artist Steve Hamilton says, "When you're talking about inclusion, you're talking about all these things. Inclusion is meaningless without empowerment. If you're not empowering marginalized groups, then your movement is toothless."

- What were the differences in the educational experiences of Micah, Naieer, and Naomie?
- Can you attribute any of those differences to race, class, and/or the ability to speak English?
- If the Coopers had used IQ test results in the decision-making process, do you think Jesse would have been included in general education? What benefits did Jesse and his family experience as a result of Jesse being included? What about benefits to the other students?
- What benefit does inclusive education, such as the experiences of Naieer and Micah, seem to provide to those who are included both in and out of school?

- What role do you/might you have in promoting quality inclusive education such as Naieer's high school experience?
- What are some specific portrayals of people with disabilities in the media, art, or literature that bother you? What are some portrayals that you appreciate?

### Family

Naomie's brother, Steven, about his sister: "She's definitely a smart girl. She's definitely always willing to learn. I don't want to see her just be boxed in just because of her disability."

- Some people say that inclusive school and life experiences are only open to those with strong family support systems. Do you agree or disagree?
- What examples of strong family support did you see in the film?
- Siblings play a significant role in the lives of the individuals in the film. Do you think the siblings were "exceptional" or typical examples of how siblings support one another?
- Are you aware of sibling support networks where issues of guardianship, supported decision-making, and interdependence are addressed?

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# PARENTS IN CAN THINK COLLEGE



"College has opened my son's world; he is learning things I thought he'd never get to learn."

-Kathy, parent of a college student with ID

### Did You Know?

More than 250 colleges & universities in 49 states **support students** with intellectual disability.

Those enrolled in higher education saw a **135% increase in employment**, compared to peers.

Currently, 17 states have **policy or legislation** on inclusive higher education.





CHANGING EXPECTATIONS. INCREASING OPPORTUNITIES.

### To help you explore college options for your child.

Think College is a national organization dedicated to developing, expanding, and improving inclusive higher education options for people with intellectual disability.



Think College is a project of the Institute for Community Inclusion at UMass Boston and funded by the Office of Postsecondary Education (Grant No. P407B15002).

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## In 2008

the Higher Education Opportunity Act (HEOA)...

- defined inclusive higher education
- emphasized access to college courses and internships
- focused on integrated employment outcomes
- provided access to financial aid





The Think College website is the trusted source for information, training, and resources about inclusive higher education for students with intellectual disability.

### Learn more @ www.thinkcollege.net



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### To Postsecondary Education and Employment For Students and Youth With Disabilities



Office of Special Education and Rehabilitative Services United States Department of Education

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### Office of Special Education and Rehabilitative Services

Ruth Ryder Delegated the duties of the Assistant Secretary for Special Education and Rehabilitative Services

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With respect to references to the Rehabilitation Act, this guide addresses provisions authorized under Titles I, V, and VI of the *Rehabilitation Act*. The references to the *Rehabilitation Act* in this guide, including the examples, refer primarily to Title I of the *Rehabilitation Act*. This guide also makes reference to Section 504, which is part of Title V of the *Rehabilitation Act* and which addresses nondiscrimination rather than the authorization of programs administered by the State Vocational Rehabilitation agency.

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# PREFACE

The Office of Special Education and Rehabilitative Services (OSERS), of the U.S. Department of Education (Department), is pleased to publish, *A Transition Guide to Postsecondary Education and Employment for Students and Youth with Disabilities*. OSERS' mission is to improve early childhood, educational, and employment outcomes and raise expectations for all individuals with disabilities, their families, their communities, and the nation. To assist students and youth with disabilities to achieve their post-school and career goals, Congress enacted two key statutes that address the provision of transition services: the *Individuals with Disabilities Education Act (IDEA)* and the *Rehabilitation Act* of 1973 (*Rehabilitation Act*), as amended by Title IV of the *Workforce Innovation and Opportunity Act (WIOA)*. The *IDEA* is administered by the Office of Special Education Programs (OSEP), and Titles I, III, and VI, section 509, and chapter 2 of Title VII of the *Rehabilitation Act* are administered by the Rehabilitation Services Administration (RSA). OSEP and RSA, both components of OSERS, provide oversight and guidance regarding the administration and provision of transition services by State educational agencies (SEAs), local educational agencies (LEAs), and State Vocational Rehabilitation (VR) agencies.

Both the *IDEA* and the *Rehabilitation Act* make clear that transition services require a coordinated set of activities for a student with a disability within an outcome-oriented process. This process promotes movement from school to post-school activities, such as postsecondary education, and includes vocational training, and competitive integrated employment. Active student involvement, family engagement, and cooperative implementation of transition activities, as well as coordination and collaboration between the VR agency, the SEA, and the LEAs are essential to the creation of a process that results in no undue delay or disruption in service delivery. The student's transition from school to post-school activities.

OSERS presents this transition guide to advance our efforts in ensuring that all students and youth with disabilities are equipped with the skills and knowledge to be engaged in the 21<sup>st</sup> Century workforce.

In doing so, OSERS recognizes the significance of collaborative partnerships and hopes that the information in this guide will assist families and their students and youth with disabilities in developing and pursuing their goals for adult life.

This transition guide addresses the following topics to facilitate a seamless transition from school to post-school activities:

- Transition planning: opportunities and programs;
- Transition services and requirements, as authorized by IDEA and the Rehabilitation Act;
- Education and employment options for students and youth with disabilities after leaving secondary school; and
- Supporting decisions made by students and youth with disabilities.

This guide also includes real life examples, a sample flow chart of the transition process, and a glossary of key terms used in the transition process.

As students and youth with disabilities prepare to transition to adult life, we must do everything we can to provide them with the information, services, and supports they need to ensure that they have the opportunity to achieve their goals. We hope this transition guide will also help students and youth with disabilities and their families to better understand how the SEA, the LEA, and the VR agency work together to facilitate improved outcomes for students and youth with disabilities. If you have questions about this transition resource guide, please submit them to <u>TRGuideQuestions@ed.gov.</u>

Sincerely,

1ach Elapoler

Ruth E. Ryder Delegated the duties of the Assistant Secretary for Special Education and Rehabilitative Services

# 1. TRANSITION PLANNING: OPPORTUNITIES AND PROGRAMS TO PREPARE STUDENTS WITH DISABILITIES FOR SUCCESS

### **Overview**

As a student approaches the time to leave high school, it is important that preparations for adult life are well underway. For early transition planning and active participation in decision making to occur for students with disabilities, members of the planning team need to be well-informed about the student's abilities, needs, and available services. This section highlights educational opportunities, credentials, and employment strategies designed to assist students with disabilities while in school to prepare for a meaningful postsecondary education and thriving career.

# **Transition Planning**

"A truly successful transition process is the result of comprehensive team planning that is driven by the dreams, desires and abilities of youth. A transition plan provides the basic structure for preparing an individual to live, work and play in the community, as fully and independently as possible."<sup>1</sup>

Local educational agencies (LEAs) and State Vocational Rehabilitation (VR) agencies participate in planning meetings to assist students and family members to make critical decisions about this stage of the student's life and his or her future post-school goals. During the planning process, schools and VR agencies work together to identify the transition needs of students with disabilities, such as the need for assistive or rehabilitation technology, orientation and mobility services or travel training, and career exploration through vocational assessments or work experience opportunities.

The individualized education program (IEP), developed under the *Individuals with Disabilities Education Act (IDEA),* for each student with a disability must address transition services requirements beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, and must be updated annually thereafter. The IEP must include:

- appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
- (2) the transition services (including courses of study) needed to assist the student with a disability in reaching those goals).

While the *IDEA* statute and regulations refer to courses of study, they are but one example of appropriate transition services. Examples of independent living skills to consider when developing postsecondary goals include self-advocacy, management of the home and personal finances, and the use of public information.

# **Education and Training Opportunities**

There are a number of opportunities and programs available for students preparing to exit secondary school. Many of these education and training opportunities involve formal or informal connections between educational, VR, employment, training, social services, and health services agencies. Specifically, high schools, career centers, community colleges, four-year colleges and universities, and State technical colleges are key partners. These partners offer Federal, State, and local funds to assist a student preparing for postsecondary education.

Further, research suggests that enrollment in more rigorous, academically intense programs (e.g., Advanced Placement (AP), International Baccalaureate (IB), or dual enrollment) in high school prepares students, including those with low achievement levels, to enroll and persist in postsecondary education at higher rates than similar students who pursue less challenging courses of study.<sup>2</sup>

The following are examples of exiting options, programs, and activities that may be available as IEP Teams develop IEPs to prepare the student for the transition to adult life:

#### **Regular High School Diploma**

The term "regular high school diploma:"

- (A) means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards; and
- (B) does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential.

The vast majority of students with disabilities should have access to the same high-quality academic coursework as all other students in the State that reflects grade-level content for the grade in which the student is enrolled and that enables them to participate in assessments aligned with grade-level achievement standards.

#### **Alternate High School Diploma**

Some students with the most significant cognitive disabilities may be awarded a State-defined alternate high school diploma based on alternate academic achievement standards, but that diploma must be standards-based. See the definition of alternate diploma in the **Glossary of Terms** (Glossary).

Working towards an alternate diploma sometimes causes delay or keeps the student from completing the requirements for a regular high school diploma. However, students with the most significant cognitive disabilities who are working towards an alternate diploma must receive instruction that promotes their involvement and progress in the general education curriculum, consistent with the *IDEA*.

Further, States must continue to make a free appropriate public education (FAPE) available to any student with a disability who graduates from high school with a credential other than a regular high school diploma, such as an alternate diploma, GED, or certificate of completion. While FAPE under the *IDEA* does not include education beyond grade 12, States and school districts are required to continue to offer to

develop and implement an IEP for an eligible student with a disability who graduates from high school with a credential other than a regular high school diploma until the student has exceeded the age of eligibility for FAPE under State law. Depending on State law which sets the State's upper age limit of FAPE, the entitlement to FAPE of a student with a disability who has not graduated high school with a regular high school diploma could last until the student's 22<sup>nd</sup> birthday. IEPs could include transition services in the form of coursework at a community college or other postsecondary institution, provided that the State recognizes the coursework as secondary school education under State law. Secondary school education does not include education that is beyond grade 12 and must meet State education standards. See the definition of "secondary school" in the Glossary.

# **Dual or Concurrent Enrollment Program**

Increasingly, States and school districts are permitting students to participate in dual or concurrent enrollment programs while still in high school. The term "dual or concurrent enrollment program" refers to a partnership between at least one college or university and at least one local school district in which the student who has not yet graduated from high school with a regular high school diploma is able to enroll in one or more postsecondary courses and earn postsecondary credit. The credit(s) can be transferred to the college or university in the partnership, and applied toward completion of a degree or recognized educational credential, which the student would earn after leaving high school. Programs are offered both on campuses of colleges or universities, or in high school classrooms. Examples of dual or concurrent enrollment programs include institution-specific dual enrollment programs, AP, IB, and statewide dual enrollment programs with an emphasis on implementation at one site. The Office of Special Education Programs has stated in prior policy guidance that, if under State law, attending classes at a postsecondary institution, whether auditing or for credit, is considered secondary school education for students in grade 12 or below and the education provided meets applicable State standards, those services can be designated as transition services on a student's IEP and paid for with *IDEA* Part B funds, consistent with the student's entitlement to FAPE.<sup>3</sup>

# **Early College High School**

The term "early college high school" refers to a partnership between at least one school district and at least one college or university that allows a student to simultaneously complete requirements toward earning a regular high school diploma and earn not less than 12 credits that are transferable to the college or university within the partnership as part of his or her course of study toward a postsecondary degree or credential at no cost to the student or student's family.

### **Summary of Performance**

A summary of performance (SOP) is required for each student with an IEP whose eligibility for services under *IDEA* terminates due to graduation from secondary school with a regular high school diploma or due to exceeding the age of eligibility for FAPE under State law. The school district must provide the student with a summary of the student's academic achievement and functional performance that includes recommendations on how to assist the student in meeting the student's postsecondary goals. This summary of the student's achievement and performance can be used to assist the student in accessing postsecondary education and/or employment services.

# **Employment Opportunities**

#### **Community-Based Work Experiences**

Whether the student's next step is employment or entering a postsecondary training or an educational program, it is important for students with disabilities to obtain as much work experience as possible to prepare for adult life. The National Collaborative on Workforce and Disability for Youth (NCWD) reports that the value of a work experience, whether paid or unpaid work:

- Helps students acquire jobs at higher wages after they graduate; and
- Promotes students who participate in occupational education and special education in integrated settings to be competitively employed more than students who have not participated in such activities.<sup>4</sup>

NCWD also recommends that a student with a disability participate in multiple work-based learning experiences and those experiences be directly related to the student's education program.<sup>5</sup>

Community-based work experiences, such as internships, apprenticeships, and other on-the-job training experiences, provide increased opportunities for students to learn a specific job, task, or skill at an integrated employment site, and to transfer the knowledge gained to real-time work experiences. Visit: www.ncwd-youth.info to learn more about the value of community-based work experiences.

VR agencies provide a variety of community-based work experiences and on-the-job training services to students and youth with disabilities on a case-by-case basis under the VR program. The VR counselor and the student or youth with a disability will identify a specific vocational goal to determine whether a community-based work experience is a necessary service for the student or youth with disability to achieve an employment outcome in competitive integrated employment or supported employment. "Competitive integrated employment" is employment with earnings comparable to those paid to individuals without disabilities in a setting that allows them to interact with individuals who do not have disabilities. "Supported employment" is competitive integrated employment or employment in an integrated work setting in which individuals with the most significant disabilities are working on a short-term basis toward competitive integrated employment, while receiving ongoing support services in order to support and maintain those individuals in employment. See the Glossary for more extensive definitions of these terms.

Community-based work experiences allow the student or youth with a disability to explore potential careers related to the specific vocational goal, potential workplace environments and demands, and other aspects of the work. These experiences offer the student opportunities to gain firsthand knowledge of a particular job skill, or to learn the culture of day-to-day employment. These experiences can be offered in lieu of, or to supplement, vocational training or educational programs, or as a stand-alone service. To ensure the success of community-based work experiences, VR agencies are encouraged

to develop agreements with employers and the student or youth with a disability that describe the training objectives, services to be provided, timelines, and financial responsibilities necessary for a successful community-based work experience.

The following list describes work-based strategies used to enhance competitive integrated employment opportunities for students and youth with disabilities:

#### Internships

Internships are formal agreements whereby a student or youth is assigned specific tasks in a workplace over a predetermined period of time. Internships can be paid or unpaid, depending on the nature of the agreement with the company and the nature of the tasks.<sup>6</sup>

Internships are usually temporary on-the-job work experiences. They not only provide individuals, including students and youth with disabilities, actual work experience and the opportunity to develop skills, but also the opportunity to determine if the type of work involved is in keeping with the individuals' career interests, abilities and goals. There is no guarantee that an internship will lead to a permanent employment offer. However, VR counselors refer students or youth with a disability to an internship to increase their employment opportunities. The internship experience is frequently enriched by the provision of services or supports, such as transportation and vocational counseling, as described in an approved individualized plan for employment (IPE) under the VR program (for more information on IPEs, see page 16 of this guide).

#### **Mentorships**

A young person with or without a disability may participate in a mentoring relationship to hone his or her occupational skills and work habits. The business community describes mentoring as an employee training system under which a senior or more experienced individual (the mentor) is assigned as an advisor, counselor, or guide to a junior or trainee (mentee). The mentor is responsible for providing support to, and feedback on, the individual in his or her charge. The mentor's area of experience is sought based on his or her career, disability, and history or life experience similar to the mentee or a host of other possibilities. You may learn more about mentoring in the business community at: www.businessdictionary.com/definition/mentoring.html.

Many schools or existing community organizations, such as the YMCA, Boys and Girls Clubs, and centers for independent living, introduce students and youth to older peer or adult mentors who have achieved success in a particular area that is important for the student and youth (for example, employers, college students, recovering substance abusers).<sup>7</sup> Interaction with successful role models with disabilities enhances the disability-related knowledge and self-confidence of students and youth with disabilities, as well as parents' perceptions of the knowledge and capabilities of their students and youth with disabilities.<sup>8</sup>

#### Apprenticeships

Apprenticeships are formal, sanctioned work experiences of extended duration in which an apprentice, frequently known as a trainee, learns specific occupational skills related to a standardized trade, such as carpentry, plumbing, or drafting. Many apprenticeships also include paid work components.

In an apprenticeship program, an individual has the opportunity to learn a trade through on-the-job training as well as through related academic knowledge. Often, these programs involve an employer and a community college or university and a trade union. An individual applies for specific training and, once accepted, is able to participate in the apprenticeship program. Employment opportunities are usually offered to an individual who successfully completes the program. VR counselors assist individuals with disabilities to prepare for the apprenticeship application process, develop a plan to gain the pre-requisite knowledge and skills for the trade, and identify support services needed to be successful in the apprenticeship program.

#### **Paid Employment**

Paid Employment involves existing standard jobs in a company or customized employment positions that are negotiated with an employer. These jobs always feature a wage paid directly to the student or youth. Such work is scheduled during or after the school day. Paid employment is frequently an integral part of a student's course of study or simply a separate adjunctive experience.<sup>9</sup> Often times, these employment experiences are the first steps towards building a meaningful career for students and youth with disabilities.

#### **Career Pathways**<sup>10</sup>

As students and youth with disabilities prepare for their careers, they are counseled to consider and explore a specific career to determine if it meets their career interests, abilities and goals. The Career Pathways model is designed to facilitate an individual's career interest and advancement with multiple entrance and exit points in the individual's career over his or her lifetime. Key program design features of the Career Pathways model include contextualized curricula, integrated basic education and occupational training, career counseling, support services, assessments and credit transfer agreements that ease entry and exit points towards credential attainment.

Career Pathways are also designed as a system strategy for integrating educational instruction, workforce development, and human services, and linking these service delivery systems to labor market trends and employer needs. Career pathways systems use real-time labor market information and active employer involvement to ensure that training and education programs meet the skill and competency needs of local employers. The more the systems are aligned at the State and local levels, the easier it may be to create a level of integration necessary to develop comprehensive programs and ensure an individual's success. You may learn more about career pathways at:

www.ncpn.info/2016-downloads/CP-JointLetterFinal-4-22-2016.pdf.

# **Conclusion: Connections help achieve desired careers**

Many of the opportunities, programs, and strategies discussed in this section involve partnerships between high schools, colleges, VR agencies, employers, American Jobs Centers, workforce development boards, social service agencies, students, and their families to identify and secure a career uniquely suited to the student or youth with a disability. It is essential that students and youth with disabilities, along with family members and professional support staff, examine numerous and challenging programs to prepare students and youth with disabilities for their desired post-school goals.

# 2. TRANSITION SERVICES AND REQUIREMENTS: *IDEA* AND THE *REHABILITATION ACT*

# **Overview**

Both the school system and VR program provide opportunities designed to prepare students and youth with disabilities for careers in the 21<sup>st</sup> century workforce.

This section describes services and key requirements of the *IDEA* and the *Rehabilitation Act* that facilitate the transition from school to post-school activities, including postsecondary education and competitive integrated employment. These requirements are in place for students and youth with disabilities to seamlessly access services and supports to achieve their career goals. Examples of how States implement transition requirements, descriptions of services for youth with disabilities who are no longer in school, and a sample flow chart of key points in the transition process are also presented.

#### **Transition Services**

Transition services are integral to FAPE under *IDEA*. A primary purpose of *IDEA* is to ensure that all children with disabilities have available to them a FAPE that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living. As noted earlier in this guide, *IDEA* contains transition services requirements for students with disabilities, which must be addressed in the first IEP to be in effect when the student turns 16, or younger, if determined appropriate by the IEP Team. The *Rehabilitation Act* authorizes a continuum of services, such as pre-employment transition services, transition services, job placement services, other VR services, and supported employment services for students and youth with disabilities, as appropriate, to secure meaningful careers. Implementing regulations for both the schools and the State VR Services program define transition services similarly.

Providing transition services is a shared responsibility between the school and VR agency. The definition of transition services is listed in the Glossary at the end of this guide.

# Transition Services for Students under IDEA

Schools provide an array of supports and services for *IDEA*-eligible students designed to enable them to be prepared for college or careers. Under *IDEA*, States and school districts must make FAPE available to all eligible children with disabilities in mandatory age ranges. FAPE includes the provision of special education and related services at no cost to the parents in conformity with a properly developed IEP. Each child with a disability must receive FAPE in the least restrictive environment (LRE), and, to the maximum extent appropriate, must be educated with children who do not have disabilities. The LRE requirements apply to transition services, including employment-related transition services, and apply equally to the employment portion of the student's program and placement.<sup>11</sup>

#### The Individualized Education Program: Postsecondary Goals and Transition Services

#### The Individualized Education Program

Each student with a disability served under *IDEA*, must have an IEP developed by a Team that includes:

- The parents of a child with a disability;
- Not less than one regular education teacher of such child (if the child is, or may be, participating in the regular education environment);
- Not less than one special education teacher or, where appropriate, not less than one special education provider of such child;
- A representative of the public agency (generally the local educational agency (LEA)) who is: qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; knowledgeable about the general education curriculum; and knowledgeable about the availability of resources of the LEA;
- An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described above;
- At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and
- Whenever appropriate, the child with a disability.

Parents are an essential source of information in IEP development and play an important role in the IEP Team to establish the student's IEP goals. There are many resources to assist parents through the IEP and transition processes.

#### **Other Agency Representatives at IEP Team Meetings**

Representatives of other agencies, such as the VR agency, can be invited to participate at IEP Team meetings in which transition services and postsecondary goals are discussed, if that agency is likely to be responsible for providing or paying for the transition services to be included in the student's IEP. However, *IDEA* requires the consent of the parents or the student who has reached the age of majority under State law to invite other agency representatives to participate in the meeting. See section 4 of this guide for additional information about the age of majority. If a participating agency, other than a public agency, fails to provide the transition services described in the student's IEP, the public agency must reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the student.

To meet *IDEA's* transition services provisions, the IEP must contain the services and supports needed to assist the student to gain the skills and experiences necessary to reach his or her desired post-school goals. In the first IEP to be in effect when the student turns 16, or younger, if determined appropriate by the IEP Team, and updated annually thereafter, the student's IEP must include:

• Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills;

- The transition services (including courses of study) needed to assist the student in reaching those goals; and
- Age-appropriate transition assessments based on the individual needs of the student to be used to determine appropriate measurable postsecondary goals.

States and school districts are in the best position, along with the student and the student's family member or representative, to determine the most appropriate types of transition assessments based upon a student's needs.<sup>12</sup>

As a student gets older, the IEP Team must consider whether the student's needs have changed, taking into account the student's strengths, preferences and interests; and develop measurable goals that are focused on the student's life after high school, specifying the transition services needed to help him or her reach those goals. We strongly encourage parents to recognize that decisions about the specific content of postsecondary goals and transition services are the responsibility of the IEP Team. These decisions are made at IEP Team meetings, which sometimes include additional school personnel with specific knowledge related to the identified goals and services. Nothing in *IDEA* requires a specific service, placement, or course of study to be included in the student's IEP as a transition service. Rather, *IDEA* leaves such decisions to the IEP Team.

Please note that postsecondary goals and transition services are just one component of a student's IEP. It is also important for the student's other annual IEP goals (the student's academic and functional goals) to complement and address the student's transition service needs, as appropriate. IEP Teams assess the relationship of the student's postsecondary goals to the student's needs in developing the student's other annual IEP goals.

School districts, which are responsible for conducting IEP Team meetings, must:

- Invite the student to an IEP Team meeting if the purpose of the meeting is to discuss the student's postsecondary goals and the transition services needed to assist the student in reaching those goals;
- Take steps to ensure that the student's preferences and interests are considered, if the student does not attend the meeting;
- Take steps to ensure that the parents are present at IEP Team meetings or are afforded the opportunity to participate;
- Notify parents of the meeting early enough to ensure that parents have an opportunity to attend, and specifically inform them if a purpose of the meeting is consideration of postsecondary goals and transition services for the student;
- Schedule the meeting at a mutually convenient time and place;

- Use other methods to ensure parental participation, including individual or conference telephone calls, if neither parent can attend the meeting; and
- Use alternative means of meeting participation, such as videoconferences and conference calls, if agreed to by the parent and the school district.

Parental and student input is also vital in determining postsecondary goals related to postsecondary education and training services needs for post-school activities, including independent living and employment. Students with disabilities and their parents should be knowledgeable about the range of transition services available, and how to access those services at the local level. School districts should encourage both the student and their parents to be fully engaged in discussions regarding the need for and availability of other services, including application and eligibility for VR services and supports to ensure formal connections with agencies and adult services, as appropriate.

### For more information about Parent Information and Training Programs, please visit:

www.parentcenterhub.org

#### www2.ed.gov/programs/rsaptp

The participation of a VR agency representative on the IEP Team helps to ensure that the vocational- or employment-related provisions in the IEP provide a bridge from the receipt of services provided by secondary schools to the receipt of services provided by VR agencies. Further, recent amendments to the *Rehabilitation Act* authorize the VR agency, along with the school, to provide or arrange for the early provision of pre-employment transition services for all students with disabilities who are eligible or potentially eligible for VR services. Representation of the VR agency at the IEP meeting fosters the opportunity for pre-employment transition services to be provided early and in keeping with the student's postsecondary goals.

Students with disabilities, including those eligible under IDEA, have rights under Section 504 of the Rehabilitation Act, which prohibits disability discrimination by recipients of Federal financial assistance, including public elementary and secondary schools. Section 504 requires that a free appropriate public education, as defined in the Section 504 regulations, be provided to elementary and secondary students with disabilities through the provision of regular or special education and related aids and services that are designed to meet their individual educational needs as adequately as the needs of nondisabled students are met. Section 504 does not specifically require that eligible students receive transition services as defined in IDEA. However, implementation of an IEP developed in accordance with the IDEA is one means of meeting the Section 504 FAPE standard. More information about Section504 is available at: **www.ed.gov/ocr** 

# Transition Services for Students and Youth with Disabilities under the *Rehabilitation Act*

#### A Continuum of Services

One of the primary roles of State VR agencies is to empower individuals with disabilities, including students and youth with disabilities, to make informed choices about their careers by providing a continuum of services to achieve employment outcomes in competitive integrated employment or supported employment. Students and youth with disabilities receive a broad range of services under the VR program, in group settings or on an individual basis, as appropriate. The services available will differ from person to person because they are customized for each individual's needs. Furthermore, certain VR services (e.g., pre-employment transition services) are available to students with disabilities, regardless of whether they have applied for VR services, but these same services are not available to youth with disabilities who do not meet the definition of a "student with a disability" under the *Rehabilitation Act*.

#### Eligibility Requirements for Services Provided under the VR Program

To be eligible for VR services, an individual must meet the following criteria:

- Have a physical or mental impairment that constitutes or results in a substantial impediment to employment; and
- Requires VR services to prepare for, secure, retain, advance in, or regain employment.

However, individuals who receive Supplemental Security Income (SSI) and/or Social Security Disability Insurance (SSDI) benefits are presumed to be eligible for VR services, unless there is clear and convincing evidence that they are unable to benefit from VR services. These individuals, including students and youth with disabilities, are determined to be eligible for VR services based on existing documentation indicating that the individual is a recipient of SSI and/or SSDI benefits.

Most notably, section 113 of the *Rehabilitation Act* references "potentially eligible" students with disabilities with respect to the provision of pre-employment transition services. In this regard, all students with disabilities, regardless of whether they have applied for or been determined eligible for VR services, are considered "potentially eligible" for purposes of receiving pre-employment transition services. The term "potentially eligible" is applicable only with respect to the requirements related to pre-employment transition services. Students with disabilities who need other individualized transition services or other VR services beyond the scope of pre-employment transition services must apply and be determined eligible for the VR program, and develop an approved IPE with their VR counselor.

Students with disabilities who receive pre-employment transition services before applying for VR services, and are likely to need other VR services, are encouraged to submit an application as early as possible in the transition planning process. A VR agency is required to implement an order of selection for services when it cannot provide the full range of VR services to all eligible individuals with disabilities who apply for services under the State VR services program. If a State has implemented an order of selection due to limited fiscal or staff resources, the assignment to a priority category under the order of

selection to be served is based on the date of application for VR services, not the date of referral or receipt of pre-employment transition services.

In other words, a student's position on a VR agency's waitlist for services, in the event the State has implemented an order of selection, is dependent upon applying for VR services. VR agencies that have implemented an order of selection may continue to provide pre-employment transition services to students with disabilities who were receiving these services prior to the determination of eligibility and assignment to a closed priority category.

# **Distinctions between New Terms**

#### "Student with a Disability" and "Youth with a Disability"

The Rehabilitation Act, as amended by Title IV of the Workforce Innovation and Opportunity Act (WIOA), created distinct definitions for the terms "student with a disability" and "youth with a disability." In general, a "student with a disability" is an individual with a disability who is enrolled in an education program; meets certain age requirements; and is eligible for and receiving special education or related services under IDEA or is an individual with a disability for purposes of Section 504. Educational programs include: secondary education programs; non-traditional or alternative secondary education programs, including home schooling; postsecondary education programs; and other recognized educational programs, such as those offered through the juvenile justice system. Age requirements for a student with a disability include minimum and maximum age requirements. A student cannot be younger than the earliest age to receive transition services under IDEA, unless a State elects to provide pre-employment transition services at an earlier age. A student cannot be older than 21, unless State law for the State provides for a higher maximum age for the receipt of services under IDEA, then the student cannot be older than that maximum age. A "youth with a disability" is an individual with a disability who is between the ages of 14 and 24 years of age. There is no requirement that a "youth with a disability" be participating in an educational program. The age range for a "youth with a disability" is broader than that for a "student with a disability" under the Rehabilitation Act.

As previously discussed, the continuum of services available through the VR program includes: preemployment transition services that are available only to VR eligible or potentially eligible students with disabilities; transition services that are available to groups of students or youth with disabilities, or on an individual basis under an approved IPE; and other VR services that are provided to eligible students and youth with disabilities under an approved IPE.

The definitions of "student with a disability" and "youth with a disability" are listed in the Glossary of this guide.

#### "Pre-Employment Transition Services" and Individualized Transition Services

"Pre-employment transition services" are offered as an early start at job exploration and are designed to help students with disabilities that are eligible or potentially eligible for VR services identify their career interests. These services include:

- Job exploration counseling;
- Work-based learning experiences, which may include in-school or after school opportunities, or experience outside the traditional school setting (including internships) provided in an integrated environment to the maximum extent possible;
- Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education;
- Workplace readiness training to develop social skills and independent living; and
- Instruction in self-advocacy, (including instruction in person-centered planning), which may include peer mentoring.

As noted earlier, pre-employment transition services are only available to "students with disabilities." For students with disabilities who are not enrolled in an education program administered by an LEA, but who are enrolled in other public programs, VR agencies may coordinate the provision of pre-employment transition services for these students with disabilities with the public entities administering those educational programs. Services arranged or provided by the VR agency should be based upon an individual's need and should enrich, not delay, the transition planning process, application to the VR program, and the continuum of services necessary for movement from school to post-school activities.

Although the five distinct pre-employment transition services discussed above are only available to students with disabilities at the earliest stage of this continuum, either in a group setting or on an individual basis, VR agencies may provide transition services—another set of VR services in the continuum of services—to students and youth with disabilities. Some transition services are provided to groups of students and youth with disabilities prior to or after submitting an application for VR services. While these group services are not individualized or specifically related to the individual needs of the student or an approved IPE, they are beneficial and increase the student's opportunities to participate in activities, such as group tours of universities and vocational training programs; employer site visits to learn about career opportunities; and career fairs coordinated with workforce development and employers.

Individualized transition services or other individualized VR services must be provided to students and youth who have been determined eligible for VR services, and the services are described in an approved IPE. Examples of transition services provided in accordance with an approved IPE include travel expenses, vocational and other training services, employment development activities, job search and placement services, and job coaching.

Transition services are outcome-oriented services designed to facilitate the movement from the receipt of services from schools to the receipt of services from VR agencies, and/or as appropriate, other State agencies. Transition services are also designed to facilitate movement towards post-school activities, including postsecondary education and vocational training that lead to employment outcomes in competitive integrated employment or supported employment.

#### **Individualized VR Services**

As noted earlier, if a student or youth with a disability needs individualized VR services, the student or youth must apply and be determined eligible for such services and have an approved IPE in place to receive those services. Individualized VR services are any services described in the IPE necessary to assist an individual with a disability in preparing for, securing, advancing in, retaining, or regaining an employment outcome that is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual.

The VR services provided depend on the student's or youth's individual needs and include, but are not limited to:

- An assessment for determining eligibility and VR needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;
- Counseling and guidance, including information and support services to assist an individual in exercising informed choice consistent with the provisions of section 102(d) of the *Rehabilitation Act*;
- Referral and other services to secure needed services from other agencies through agreements developed, if such services are not available under the VR program;
- Job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services;
- Transition services for students with disabilities, that facilitate the achievement of the employment outcome identified in the IPE;
- Supported employment services for individuals with the most significant disabilities; and
- Services to the family of an individual with a disability necessary to assist the individual to achieve an employment outcome.

#### The Individualized Plan for Employment Procedures

Once a student or youth is determined eligible for VR services, the student or youth, or his or her representative, develops an IPE. The student or youth, or his or her representative, may seek assistance in the development of the IPE from a qualified VR counselor or another advocate. However, only a qualified VR counselor employed by the VR agency may approve and sign the IPE.

The following IPE requirements facilitate a seamless transition process:

- The IPE is a written document that is agreed to and signed by the eligible individual or the individual's representative;
- The IPE is approved and signed by a qualified VR counselor employed by the VR agency;
- The individual with a disability, including a student or youth, must be given the opportunity to make an informed choice in selecting an employment outcome, needed VR services, providers of those VR services, and related components of the IPE;

- A copy of the IPE must be provided to the individual or individual's representative in writing or appropriate mode of communication;
- The IPE must be reviewed annually by the VR counselor, and amended, as necessary, if there are substantive changes in the components of the IPE; and
- The IPE must be developed no later than 90 days after the date of eligibility determination.

For students with disabilities who receive special education and related services under *IDEA*, the IPE must be developed and approved (i.e., agreed to and signed by the student, or the student's representative, and the VR agency counselor) no later than the time each VR-eligible student leaves the school setting.<sup>13</sup>

Also, the IPE for a student with a disability who receives special education and related services under Part B of *IDEA* or educational services under section 504 must be developed so that it is consistent with and complementary to the student's IEP or plan for section 504 services.

# Coordination and Collaboration between State Educational Agency (SEA) and VR Agency

Transition planning and services begin while students are in school. According to fiscal year (FY) 2015 RSA data, of all the individuals with disabilities whose service records were closed and who applied for VR services between age 14 and 24, 52 percent were referred to VR agencies from elementary and secondary schools. Schools and VR agencies have maintained a longstanding relationship to meet the transition needs of students with disabilities.

A VR agency is required to describe in its VR services portion of the Unified or Combined State Plan, its plans, policies, and procedures for the coordination between VR and education officials to facilitate the transition of students with disabilities from the receipt of educational services in school to the receipt of VR services, including pre-employment transition services. Under *IDEA*, services are provided at no cost to the student or his or her family. Under the *Rehabilitation Act*, VR-eligible individuals may be required to provide financial support towards VR services, such as training and postsecondary education, as outlined in their approved IPE. To ensure effective collaboration and coordination for services and transition services for students with disabilities, as agreed upon in the State's formal interagency agreement.

The interagency agreements meet the requirement for collaboration between the State education and VR agencies at the State-level and are important because the agreements provide the basis for determining which agency pays for certain services. It is important for students with disabilities and family members to be aware of these agreements, because they serve as the foundation for coordinated services for students with disabilities exiting school and pursuing VR services. In this way, students, family members, and representatives can be more informed participants during the transition planning process and service delivery.

#### **Formal Interagency Agreement**

In each State, a formal interagency agreement or other mechanism must be developed between the SEA, the LEA (as appropriate), and the VR agency. This agreement is intended to facilitate a seamless delivery system of services from school to post-school activities.

The formal interagency agreement required under the VR program regulations must include provisions that address, at a minimum, the following:

- Consultation and technical assistance by the State VR agency to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including VR services;
- Transition planning by State VR agency and school personnel for students with disabilities that facilitates the development and implementation of their IEPs;
- The roles and responsibilities, including financial responsibilities, of each agency, including provisions for determining State lead agencies and qualified personnel responsible for preemployment transition services and transition services;
- Procedures for outreach to and identification of students with disabilities who need transition services;
- Coordination necessary to satisfy documentation requirements with regard to students and youth with disabilities who are seeking subminimum wage employment;
- Assurance that neither the SEA nor the LEA will enter into an agreement with an employer holding a section 14(c) certificate under the *Fair Labor Standards Act* for the purpose of operating a program in which students or youth with disabilities are paid subminimum wage; and
- An understanding that nothing in the formal interagency agreement will be construed to reduce the obligation under *IDEA* or any other agency to provide or pay for pre-employment transition services or transition services that are also considered special education or related services and necessary for FAPE.

Additionally, under IDEA, these interagency agreements must include:

- An identification of, or method for defining, the financial responsibility of each agency in order to ensure that all services that are needed to ensure a FAPE are provided, provided that the financial responsibility of each public agency, including the State Medicaid agency and other public insurers of youth with disabilities, shall precede the financial responsibility of the LEA (or State agency responsible for developing the child's IEP). The services that are needed to ensure FAPE include, but are not limited to, services described in *IDEA* relating to assistive technology devices and services, related services, supplementary aids and services, and transition services;
- The conditions, terms, and procedures under which a LEA shall be reimbursed by other agencies; and

• Procedures for resolving interagency disputes (including procedures under which LEAs may initiate proceedings) under the agreement or other mechanism to secure reimbursement from other agencies or otherwise implement the provisions of the agreement or mechanism.

It is expected that SEAs, LEAs, and VR agencies will work together to implement the provisions of their respective interagency agreements. Decisions about whether the service is related to an employment outcome or educational attainment, or if it is considered a special education or related service, as well as whether the service is one customarily provided under *IDEA* or the *Rehabilitation Act* are ones that are made at the State and local level by SEA, VR and LEA personnel. For example, work-based learning experiences, such as internships, short-term employment, or on-the-job trainings located in the community may be appropriate pre-employment transition services under the *Rehabilitation Act* or may be considered transition services under *IDEA*, as determined by the IEP Team, in collaboration with the VR counselor, and depending on the student's individualized needs. The mere fact that those services are now authorized under the *Rehabilitation Act* as pre-employment transition services does not mean the school should cease providing them and refer those students to the VR program. If these work-based learning experiences are not customary services provided by an LEA, the VR agencies and LEA are urged to collaborate and coordinate the provision of such services.<sup>14</sup>

# Youth with Disabilities No Longer in School

Transition planning is critical for any youth with a disability, whether they are in school or not. A VR counselor can assist youth with disabilities in exploring careers, identifying a career path leading to their vocational goal, and identifying the services and steps to reach that goal. With the exception of preemployment transition services and transition services provided to groups of individuals with disabilities, VR services are provided only to those individuals with disabilities, including youth with disabilities, who have been determined eligible for services and the services are described in an approved IPE.

Although youth with disabilities who do not meet the definition of a "student with a disability" may not receive pre-employment transition services, they may receive transition services as group transition services, prior to or after applying for VR services, as well as individualized transition or other VR services, after being determined eligible for the VR program and under an approved IPE. Individualized transition services provided under an approved IPE to a youth with a disability eligible for the VR program may consist of, among other things: job exploration counseling, including assessments and vocational guidance and counseling; work adjustment training, vocational/occupational training, or postsecondary education; and job development services, including job search, job placement, and job coaching services.

#### **Coordination of Services**

Often, youth with disabilities are not familiar with the community programs and services that are available to them as young adults, especially if they are no longer in school. The VR program is designed to assess, plan, develop, and provide VR services to eligible individuals with disabilities, consistent with their strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. The

VR agency assigns a VR counselor to each eligible individual, and the VR counselor can help the youth develop the IPE.

A VR counselor can assist youth in finding and applying for essential daily living services and resources, such as health and housing referrals needed to successfully implement their employment plans. Each community agency sets its criteria for services and, once the youth meets the eligibility criteria, service delivery begins. The VR counselor is available to coordinate VR services with services provided by employment-related programs, such as youth programs funded by the U.S. Department of Labor (DOL) and provided at American Job Centers.

#### **U.S. Department of Labor Youth Programs**

Youth programs funded under Title I of *WIOA* include five new program elements: financial literacy instruction; entrepreneurial skills training; provision of local labor market and employment information; activities that help youth transition to postsecondary education and training; and education offered concurrently with workforce preparation activities and training for a specific occupation or occupational cluster.

Two well-known youth programs funded by DOL are the Job Corps and YouthBuild. Each of these programs integrates vocational (including classroom and practical experiences), academic and employability skills training designed to prepare youth for stable, long-term, high-paying employment. Job Corps programs offer career technical training in over 100 career areas. YouthBuild programs focus on the construction trades. Some students are eligible to receive youth services from DOL programs. These youth must be age 14–21, attending school, from a low income family, and they must meet one or more additional conditions, such as being an English language learner, homeless, an offender, or others.

For more information on these programs, please see the WIOA Fact Sheet: Youth Program at: www.doleta.gov/WIOA/Docs/WIOA\_YouthProgram\_FactSheet.pdf.

#### Social Security Administration Work Program

The Social Security Administration (SSA) funds the Ticket to Work program to provide career development services to beneficiaries between age 18 to 64 to assist these individuals to become financially independent. SSA issues a letter, referred to as the "Ticket," to eligible beneficiaries that can be used to obtain free employment services from a provider of their choice that is registered with SSA.

Both a single agency and a group of providers are comprised of a consortium of employers referred to as the Employment Network. While pursuing employment, the individual continues to receive SSA benefits and employment-related services to become employed and to maintain that employment. Services include, but are not limited to, vocational counseling, training, education, and job coaching, and are provided based on the individual's needs. More information on this program is located at: www.chooseworkttw.net/about/.

# **Examples to Consider: States are Coordinating Transition Services**

#### Vocational Rehabilitation Supporting Students with Disabilities

In one State, a community rehabilitation program provides supported employment services and intensive case management services for youth with significant emotional and behavioral disabilities who dropped out of high school or are at risk of dropping out. The program uses work as a means to reach individuals with significant employment challenges. The State VR program works in partnership with the State Department of Justice, Department of Health/Division of Mental Health, and the Department of Children and Families in various sites around this State. Program data report that more than 90 percent of these students were not working when they entered the program; however, after receiving career preparation services and related employment supports and services, approximately three-quarters of the students had paid employment and more than a third of the students achieved an employment outcome.

#### State Educational Agency and State Vocational Rehabilitation Agency Collaboration

A VR agency partnered with a school district to co-locate a dedicated transition VR Counselor and technician in an office with school district transition personnel. Full-time VR agency and school district personnel worked together to secure employment opportunities for eligible students with disabilities. The office space was funded by the school district. The VR agency and school district operated under a signed agreement in which the VR agency provided its own office equipment, clerical supplies, computer, phones, and staff. This collaboration provided an opportunity for VR staff to work side-by-side with school district transition personnel to facilitate improved outcomes.

### **Conclusion: Coordination is required**

Transition services are best delivered within a framework of structured planning, meaningful youth and family engagement, and State agency coordination and accountability.

# A Sample Flow Chart of Key Points in the Transition Process<sup>15</sup>

The ultimate purpose of transition planning is to make decisions and assign responsibilities related to the student's desired post-school goals. In this regard, the importance of a common understanding of available services and corresponding activities to receive such services cannot be overstated. All members of the IEP and IPE Teams are encouraged to be active participants, especially students with disabilities, their family members or, as appropriate, representatives.

The following sample flow chart is provided as a quick reference tool for students and their families to have a better understanding of the coordination between IEP and IPE team members with respect to the transition activities in the transition process.

The flow chart begins with activities and services starting while the student is in school, such as participation in IEP meetings, consulting with other State agencies, applying for VR services and moving forward to engage in employment services provided by the VR agency. You may use the following chart to ensure a common understanding among all involved in the transition process.

<b>KEY POINTS IN THE TRANSITION PROCESS</b> Alignment: IEP and IPE alignment facilitates a seamless service delivery process.				
#1	Individualized Education Program	<b>Participate</b> in your IEP or child's IEP development to <b>ensure</b> that transition services are addressed in your child's IEP by age 16 (or earlier, depending on your state's laws). Students with disabilities and their representative are critical members of the IEP Team and have valuable information that is needed for quality transition planning.		
#2	Be Familiar with the Steps to Transition Planning	<ol> <li>Schools should:</li> <li>Invite student;</li> <li>Administer age appropriate transition assessments;</li> <li>Determine needs, interests, preferences, and strengths;</li> <li>Develop postsecondary goals;</li> <li>Create annual goals consistent with postsecondary goals;</li> <li>Determine transition services, including course of study needed to assist your student in reaching those goals;</li> <li>Consult other agencies, in particular, the VR agency; and</li> <li>Update annually.</li> </ol>		
#3	Implementation of Transition Services	Provide transition services as identified in the IEP. Pre-employment transition services are provided under the <i>Rehabilitation Act</i> . Alignment of the IEP and IPE facilitates a seamless service delivery process.		
#4	Referral to VR and/or Other Adult Agencies	<ol> <li>Pre-employment transition services provided under the <i>Rehabilitation Act</i>, as appropriate;</li> <li>Familiarize yourself with laws relating to other programs; and</li> <li>Learn about community agencies that provide services to support students, such as travel training and daily living skills.</li> </ol>		
#5	VR Application Process	<ol> <li>Share employment interests and capabilities during the intake interview.</li> <li>Focus on assessment(s) to lead to the student's postsecondary goals.</li> </ol>		
#6	Individualized Plan for Employment	<b>Once a student has been determined eligible for VR services</b> , the IPE must be developed and approved within 90 days, and no later than the time student leaves the school setting.		
#7	Common VR Services Available under the <i>Rehabilitation Act</i>	<ol> <li>Transition services;</li> <li>Vocational counseling;</li> <li>Vocational training;</li> <li>Postsecondary education;</li> <li>Supported employment services;</li> <li>Career development; and</li> <li>Job placement.</li> </ol>		
#8	VR Service Record Closure	<ul> <li>As a result of the student or youth with disability:</li> <li>1. Achieving an employment outcome; or</li> <li>2. No longer pursuing an employment outcome and, therefore, determined ineligible for VR services.</li> </ul>		

# 3. Options after Leaving Secondary School: Education and Employment Goals

## **Overview**

Postsecondary education is one of the most important post-school goals; and research has demonstrated that it is the primary goal for most students with disabilities.<sup>16</sup> As students with disabilities transition from secondary school to postsecondary education, training, and employment, it is critical that they are prepared academically and financially. Postsecondary options, with the help of the VR program, include two- and four-year colleges and universities, trade and vocational schools, adult education programs, and employment outcomes in competitive integrated employment or supported employment.

This section will describe specific actions to be taken and available services and supports for students and youth with disabilities. The services described in this section are provided at the secondary and postsecondary levels to help students and youth with disabilities succeed in their post-school goals.

# **Postsecondary Education and Training Options**

#### **Preparing for College**

#### **Secondary School**

Whether in middle or high school, if an *IDEA*-eligible student is planning to attend college, there are a number of critical steps to be taken to become college-ready. Early in the transition process, a student is encouraged to:

- Take interesting and challenging courses that prepare him or her for college;
- Be involved in school or community-based activities that allow him or her to explore career interests, including work-based learning or internship opportunities;
- Meet with school guidance counselors to discuss career goals, such as vocational and educational goals, programs of study, college requirements, including the admissions process and any standardized tests required for admission; and
- Be an active participant during the IEP meetings.

As noted earlier, the IEP Team is responsible for ensuring that the student's IEP includes the specialized instruction, supports, and services needed to assist the student in preparing for college and/or other postsecondary schools.

Students with disabilities and their families interested in higher education are encouraged to consider the college environment that provides the best educational program and support services to assist students with meeting their needs and career goals.

For tips on navigating the college application process, please visit: https://studentaid.ed.gov/preparefor-college/applying.

For more information on preparing for college, please see the college prep checklist at: https://studentaid.ed.gov/sites/default/files/college-prep-checklist.pdf.

*IDEA*-eligible students with disabilities will benefit from discussions with their parents, school guidance counselor, VR counselor (if applicable), and other professional support staff about the services and supports needed to be successful in postsecondary education or training. For *IDEA*-eligible students whose eligibility terminates because the student has graduated from secondary school with a regular high school diploma or the student has exceeded the age of eligibility for FAPE under State law, the school district must provide the student with an SOP that documents the student's academic achievement, functional performance and recommendations on how to assist the student in meeting his or her postsecondary goals.

#### **Paying for College**

The Office of Federal Student Aid (FSA) in the U.S. Department of Education plays a central role in the nation's postsecondary education community. Through the FSA, the Department awards about \$150 billion a year in grants, work-study funds, and low-interest loans to approximately 13 million students. There are three types of Federal student aid:

Grants and Scholarships:	Financial aid that does not have to be repaid, including the Federal Pell grant that can award as much as \$5,815 to each low-income student per year;
Work-Study:	A program that allows students to earn money for their education; and
Low Interest Loans:	Aid that allows students to borrow money for their education; loans must be repaid with interest.

The following website provides information about the three types of student aid: https://studentaid.ed.gov.

Completing the Free Application for Federal Student Aid (FAFSA) is the first step toward getting financial aid for college. The FAFSA not only provides access to the \$150 billion in grants, loans, and work-study funds that the Federal government has available, but many States, schools, and private scholarships require students to submit the FAFSA before they will consider offering any financial aid. That is why it is important that every college-bound student complete the FAFSA. FAFSA is free, and there is help provided throughout the application at: https://fafsa.ed.gov/help.htm.

It is also easier than ever to complete, taking only an average time of less than thirty minutes. For more information, visit: https://studentaid.ed.gov/fafsa/filling-out.

#### **Choosing the Right College**

College is a big investment in time, money, and effort; and, therefore, it is important to research and understand the types of schools, tuition and costs, programs available, student enrollment, and a variety of other important factors when choosing the right school. Please see the college reference guide to help choose the right college at: https://studentaid.ed.gov/prepare-for-college/choosing-schools.

When researching potential college programs, students and their families are advised to work closely with the disability support services (DSS) office on campus to discuss disability-related concerns and needs, and the disability support services available to students at that postsecondary school. Many DSS offices empower, support, and advocate for students with disabilities to achieve their goals by providing access to education and other programs through the coordination of appropriate accommodations and academic adjustments, assistive technology, alternative formats, and other support. Disability support services, including academic adjustments and auxiliary aids, are provided in compliance with Section 504 and Title II of the *Americans with Disabilities Act (ADA) (Title II)*. Information about the DSS office may be found at the postsecondary school's website. The U.S Department of Education publication "College Scorecard" (https://collegescorecard.ed.gov) also provides data on outcomes and affordability to help select the right college.

# **Rights and Responsibilities in Postsecondary Education and Training**

Students with disabilities are encouraged to be well informed about their rights and responsibilities, as well as the responsibilities of postsecondary schools. Being informed about their rights and responsibilities will help ensure that students have full opportunity to enjoy the benefits of the postsecondary education experience without disruption or delay.

A postsecondary student with a disability is *not* entitled to the same services and supports that the student received in high school. While students with disabilities are entitled to comprehensive supports under the FAPE requirements of *IDEA* or Section 504, if applicable, while in high school, they are no longer entitled to FAPE under *IDEA* or Section 504 if they graduate with a regular high school diploma.

At the postsecondary level, Section 504 prohibits discrimination on the basis of disability by recipients of Federal financial assistance, and Title II prohibits discrimination on the basis of disability by public entities, regardless of receipt of Federal funds.<sup>17</sup> Note that if the postsecondary institution is a private college or university that is not a religious entity, it would be covered by Title III of the *ADA* (Title III). The Department of Education does not enforce the Title III rights of postsecondary students with disabilities. The U.S. Department of Justice enforces Title III.

Section 504 and Title II require that the postsecondary educational institution provide students with disabilities with accommodations, including appropriate academic adjustments and auxiliary aids and services, that are necessary to afford an individual with a disability an equal opportunity to participate in a school's program.<sup>18</sup>

Postsecondary educational institutions are not required to make adjustments or provide aids or services that would result in a fundamental alteration of their academic program or impose an undue financial or administrative burden on the postsecondary institution's programs.<sup>20</sup>

To receive these supports, a student with a disability must inform the college that he or she has a disability and needs one or more accommodations. The college is not required to identify the student as having a disability or assess the student's needs prior to receiving a request for an accommodation. Colleges may set reasonable requirements for documentation that students must provide. While an IEP or Section 504 plan from high school may be helpful in identifying services that have been effective for the student, such a plan will generally not be sufficient documentation by itself.

The IEP Team, VR counselor, or support professionals can provide specific guidance to prepare the student for postsecondary education and training. For example, they may provide an overview of how to self-disclose individual needs or functional limitations in the postsecondary educational setting.

An overview of the rights and responsibilities of students with disabilities who are preparing to attend postsecondary schools, as well as the obligations of a postsecondary school to provide academic adjustments, including auxiliary aids and services, is available on the Department's website. See "Students with Disabilities Preparing for Postsecondary Education: Know Your Rights and Responsibilities" at: www2.ed.gov/about/offices/list/ocr/transition.html.

#### Structural Supports and Physical Accessibility

Section 504 and the *ADA* contain requirements related to the physical accessibility of facilities, including those used for higher education purposes. In recent decades, the removal of architectural barriers, such as providing curb cuts, ramps, and elevators, helped make higher education more inclusive for students with disabilities. Structural accommodations involve making buildings accessible to individuals with disabilities. Typical structural accommodations include ramp availability, elevators, convenient parking, doorway and restroom facilities modifications, and architectural barriers removal or modifications. In situations where architectural barriers cannot be removed, some institutions have changed the location of classes or other activities to a site that is accessible.

#### **Vocational Rehabilitation Supports for Postsecondary Education**

The VR program assists individuals with disabilities, including students and youth with disabilities, to acquire the knowledge and skills needed to achieve employment that can sustain economic independence. If it is determined to be necessary and is included on the individual's IPE, the VR agencies can provide financial support to eligible individuals to pay for or offset higher education-related expenses, including college expenses not covered by student financial aid, or disability related expenses, such as personal assistants, interpreters, readers, and education support services.

The student's IPE lists the services that the VR agency and other responsible parties will provide. VR financial support commonly listed in an IPE could include the following postsecondary expenses:

- Vocational and other training services;
- Personal and vocational adjustment training; and

 Advanced training in the fields of science, technology, engineering, or mathematics, computer science, medicine, law, or business in an institution of higher education (universities, colleges, vocational schools, technical institutes, hospital schools of nursing or any other postsecondary education institution) books, tools; and other training materials.

Before the VR agency can provide financial support for most VR services, the VR agency and the student must identify other sources of funding. This requirement is frequently referred to as a search for comparable benefits under the VR program. With respect to the provision of training, including postsecondary education at an institution of higher education (IHE), both the VR counselor and student or representative, as appropriate, must make every effort to secure grant assistance from other sources to pay for that training prior to the VR agency providing financial support.

Pell grants are identified as grant assistance through the FAFSA and would be included in a search for comparable benefits. However, scholarships or awards based on merit or student loans do not count as grant assistance, for purposes of searching for comparable benefits, under the VR program. The VR program does not require a student to apply for merit-based scholarships or awards or apply for student loans. If a student accepts a merit-based scholarship that is restricted to specific costs, such as tuition, fees, room and board, the VR program will take that reduction in expenses into consideration when calculating the amount it could pay to assist the student in order to avoid duplication in funding.

# Interagency Agreements between State VR Agencies and Public Institutions of Higher Education

To ensure that students with disabilities are able to access services that enable them to fully participate in education, VR agencies must enter into an interagency agreement or other mechanism for interagency coordination with public IHEs in the State. The agreement or mechanism must address the coordination of services, agency financial responsibilities, provision of accommodations and auxiliary aids and services, reimbursement matters, and procedures for resolving interagency disputes. The local VR agency and DSS office can assist students and families with connecting to the support services offered at IHEs.

#### **Postsecondary Education and Training Programs and Opportunities**

The following are examples of such programs that are funded through the U.S. Department of Education:

#### **Gallaudet University**

Gallaudet University, federally charted in 1864, is a bilingual, diverse, multicultural institution of higher education that ensures the intellectual and professional advancement of deaf and hard of hearing individuals through American Sign Language and English. Deaf and hard-of-hearing undergraduate students can choose from more than 40 majors leading to a Bachelor of Arts or a Bachelor of Science degree. To learn more, you may visit: www.gallaudet.edu.

#### National Technical Institute for the Deaf (NTID)

NTID is a special institution that is funded by OSERS. It is one of the nine colleges within Rochester Institute of Technology (RIT), a leading career-oriented, technological university. Approximately 1,200

students who are deaf or hard-of-hearing attend NTID. NTID offers students two-year, career-focused degree programs, opportunities to participate in the university's cooperative education program, a faculty who specialize in educating deaf and hard-of-hearing students, and the opportunity to enroll in RIT's four-year degree programs. For more information, please visit: www.ntid.rit.edu.

# Model Transition Programs for Students with Intellectual Disabilities (TPSID) into Higher Education

The *Higher Education Opportunity Act* includes provisions to increase access and opportunities for youth and adults with intellectual disabilities who are interested in participating in higher education programs.

The Department's Office of Postsecondary Education (OPE) funded 25 TPSID projects in 2015 to serve students with intellectual disabilities by providing access to academically inclusive college courses, enhancing participation in internships and competitive integrated employment, and encouraging engagement in social and personal development activities. OPE also funds a national coordinating center to provide support, coordination, training, and evaluation services for TPSID grantees and other programs for students with intellectual disabilities nationwide. The national coordinating center is administered by Think College, a project team at the Institute for Community Inclusion at the University of Massachusetts Boston.

For more information about the TPSID program and projects, please visit the Think College website at: www.thinkcollege.net/about-us/think-college-grant-projects/national-coordinating-center.

# Examples of State and Local Collaboration to Support Postsecondary Options for Individuals with Disabilities

#### **Autism Services**

A VR agency, secondary school, and a local community college collaborated in a grant-funded project, which provided comprehensive supports to individuals with autism enrolled at a local community college. At the conclusion of the grant, the VR agency identified a staff person to continue providing supports to 20 students enrolled at three community colleges in the community college system, with some participants transitioning to four-year universities. Supports included faculty trainings, career guidance, self-advocacy instruction, and increased communication with VR counselors, faculty, and family members.

#### **Supported Education**

A VR agency collaborated with a community college to develop a supported education program. This initiative provides additional tutoring, study skills training, college life and other training for transition students who enroll in the community college, and seek remedial courses before matriculating into a degree or certificate program. The goal is to make community college education and training an option for more transition-age students with disabilities, and increase their success rate in college.

A student suffered a stroke at a very young age, and afterwards, was unable to walk, talk, or breathe on his own. However, he did not have any cognitive damage that impacted his intellectual functioning

during the stroke. Despite his challenges, he graduated from high school and entered a rigorous fouryear college. This student received a bachelor's degree in fine arts. His postsecondary educational success can be largely attributed to his own personal drive, supportive parents, and knowledgeable service providers.

### **Postsecondary Employment Options**

For more than two decades, one of the principal goals of disability policy in the United States, as it influenced special education, vocational rehabilitation, and employment services nationwide, has been to improve employment opportunities for young people with disabilities as they exit secondary education programs.<sup>21</sup> As noted in the *Rehabilitation Act*, as amended by *WIOA*, one of the primary purposes of the *Rehabilitation Act* is to maximize opportunities for individuals with disabilities, including individuals with significant disabilities, for competitive integrated employment.

#### **Preparing for Careers**

VR agencies value early engagement with students and youth with disabilities to assist them in preparing for a satisfying career. Early participation in job readiness training can provide the tools and guidance that the student and youth with a disability need to successfully seek, find, advance in, or maintain employment. Job readiness training refers to developing job-seeking skills, such as preparing resumes or completing job applications, practicing interview techniques, honing workplace behaviors, or participating in a job club.

Many models of career development identify stages that are widely accepted as leading to a satisfying and productive career. <sup>22</sup>

These stages include:

Career awareness <b>&gt;</b>	When individuals begin to develop self-awareness and learn about work values and roles in work, usually in elementary school;
Career exploration ►	When individuals gather information to explore work interest, skills, abilities, and the requirements of various employment options, usually starting in middle school or early high school; career decision making when individuals begin to select job and career areas that match interests and aptitudes, usually beginning in high school, but often continuing well into adulthood;
Career preparation ►	When youth begin to understand their strengths and challenges and make informed choices about preparation activities that will lead to a chosen career area, usually throughout high school and postsecondary school; and
Career placement ►	When youth begin to responsibly and productively participate in a job and a career area.

VR counselors have specialized training to assist the youth in developing an IPE. The VR counselor gathers as much information as possible about the youth's work history, education and training, abilities

and interests, rehabilitation needs, and possible career goals. In gathering the information, the counselor will first look to existing information to assist in both VR eligibility determination and plan development. VR agencies, SEAs, community rehabilitation programs, and other community partners work together to provide a range of resources to facilitate the objectives and goals of the IPE.

The following work opportunities and options assist students and youth with disabilities to achieve their desired career goals.

#### **On-the-Job Training as a Path to Employment**

On-the-job training (OJT) is one type of community-based work experience that is often associated with an existing job opportunity. Through OJT, an individual learns a specific skill taught by an employer in the work environment. To learn more about OJT and businesses, visit:

www.referenceforbusiness.com/encyclopedia/Oli-Per/On-the-Job-Training.html.

OJT offers an opportunity for the individual to be hired at the conclusion of the training period. A VR counselor and a youth with a disability often use the OJT approach as a career exploration opportunity or work experience to obtain entry-level work skills. This training is designed to be short-term and offers a paid or unpaid work experience. VR counselors identify and arrange for the OJT with employers, and frequently provide transportation or other employment related services and supports while the individual is participating in OJT. Additional information about community-based work experiences is discussed in section one of this guide.

# Types of Employment Outcomes Authorized under the Rehabilitation Act

When developing the IPE, the student or youth with the disability may choose from any employment goal that meets the definition of an "employment outcome" for purposes of the VR program. This means the employment goal must be one in competitive integrated employment (including customized employment and self-employment) or supported employment. Each of these options is discussed in more detail below.

#### **Competitive Integrated Employment**

Competitive integrated employment pays a competitive wage in a location where both workers with disabilities and those without disabilities (other than supervisors or individuals supporting the worker with a disability) interact on a daily basis while performing their job. Competitive integrated employment offers the same level of benefits for all employees, including those with disabilities, and offers the same opportunities for advancement for individuals with disabilities and those without disabilities working in similar positions. See the Glossary for the definition of competitive integrated employment.

The *Rehabilitation Act* emphasizes the achievement of competitive integrated employment to ensure that all individuals with disabilities, especially students and youth with disabilities served through the VR program, are provided every opportunity to achieve employment with earnings comparable to those paid to individuals without disabilities, in a setting that allows them to interact with individuals who do not have disabilities. Through the sharing of program information and coordination of joint training, VR

program and school staff can explore and identify transition-related services, such as work-based learning, dual enrollment programs, and competitive integrated employment or supported employment opportunities for students exiting school.

*WIOA* amendments to the *Rehabilitation Act* build on this effort by emphasizing that individuals with disabilities, especially students and youth with disabilities, are given the opportunity to train and work in competitive integrated employment or supported employment. Both school and VR program staff are now responsible for providing documentation of completion of specific services and actions prior to referring a student with a disability to subminimum wage employment. School officials are responsible for providing the VR agency documentation of completion of appropriate transition services under *IDEA*, consistent with the confidentiality requirements of the *Family Educational Rights and Privacy Act*. VR agencies are required to provide the youth with documentation of completion of transition services under *IDEA* in addition to completion of pre-employment transition services and other appropriate services under the VR program. The youth with a disability must obtain this documentation prior to starting a job at subminimum wage with an employer who holds a section 14(c) certificate under the *Fair Labor Standards Act*.

VR agency staff is available to consult with school staff and others to share information that will enable school staff, students, and family members to better understand the medical aspects of disabilities as they relate to employment, the purpose of the VR program, how and when VR staff can best serve the employment needs of the students in the transition process, and how school staff can assist students in their preparation for VR services leading to an employment outcome in competitive integrated employment or supported employment.

#### **Supported Employment**

Supported employment refers to competitive integrated employment or employment in an integrated work setting in which individuals are working on a short-term basis toward competitive integrated employment. Supported employment services, including job coaching, are designed for individuals with the most significant disabilities who need ongoing support services because of the nature and severity of their disability in order to perform the work involved. A job coach provides intensive training and on-going support to an individual to learn and perform job tasks at the work site, to teach and reinforce acceptable work behaviors, and to develop positive working relationships with his or her co-workers. As needed, the job coach is able to develop individualized accommodation tools for use on the job, such as picture albums of the sequence of steps in a job or communication aids for individuals with speech or hearing deficits. See the Glossary for the definition of supported employment.

As the student or youth with a disability learns and demonstrates progress in these areas, the job coach decreases the support and time spent with the individual on the job. The job coach makes follow-up or check-in visits on the job site to determine if the individual is performing well on the job and to provide additional job coaching when job tasks change or the student or youth needs repeated training on a particular task.

Sometimes, the job coach, family member, or youth will identify a co-worker who can provide assistance rather than the job coach. This assistance offers natural support for the individual while working.

A natural support approach refers to enhancing or linking individuals to existing social supports in the work environment that are available either informally (from co-workers and peers on the job) or formally (from supervisors and company-sponsored employment programs). Natural workplace support approaches require more intensive efforts upfront to link the employee to available supports since the approach does not rely on the continuing presence of the job coach.<sup>23</sup>

However, when there is no natural support available and the individual needs ongoing support services, a family member or another agency, such as developmental disabilities, Medicaid, or the VR agencies provides the job coaching or other services. Other services frequently include transportation, daily living, or counseling services relating to attendance or arriving to work on time.

Ongoing support services needed by an individual to maintain a job, such as job placement follow-up, counseling, and training, are considered "extended services." These services are identified on the IPE, along with the service provider that will fund and provide these services. VR agencies may provide extended services to a youth with a most significant disability for a period up to four years or until the youth turns 25 years old. See the Glossary for the definition of extended services.

#### **Customized Employment**

While supported employment matches the individual with a position and trains him or her to perform the essential tasks in that position, customized employment designs or tailors job tasks to meet the individual's interests, skills, and capabilities, as well as the needs of the employer. Customized employment is accomplished by using various strategies, including:

- Customizing a job description based on current employer needs or on previously unidentified and unmet employer needs;
- Developing a set of job duties, a work schedule and job arrangement, and specifics of supervision (including performance evaluation and review), and determining a job location;
- Using a professional representative chosen by the individual, or if elected self-representation, to work with an employer to facilitate placement; and
- Providing services and supports at the job location.

Examples of individuals in customized employment across the country are included in "Customized Employment Works Everywhere." You may go to the website to learn more: www.dol.gov/odep/documents/vignette\_v3\_blue\_508\_final.pdf.

#### **Self-Employment**

Self-employment refers to an individual working for him or herself and being responsible for earning his or her own income from a trade or business rather than working for an employer and being paid a salary or wage.

A student or youth with a disability could choose self-employment in a particular business that matches his or her career strengths and interests. Individuals choose self-employment for many reasons, whether it is to work in or out of the home in order to meet family care responsibilities, or to control work schedules or to meet their accessibility needs. The range of occupations for self-employment is vast. For example, individuals with disabilities may choose to be a self-employed certified public accountant, medical billing services provider, comic book artist, or lunch cart operator, among many other options.

VR agencies offer services and guidance to assist a student or youth with a disability to prepare for selfemployment, such as training or start-up costs for their business. Typically, the VR counselor will recommend that the individual develop a business plan that includes a market analysis supporting the self-employment venture, the individual's work role in the business, anticipated income based on local market information, identification of the support services needed, and the tools, equipment or supplies needed and their cost. In many cases, the VR counselor refers the student or youth to local community organizations that provide technical assistance to develop the business plan or pay for the development of a business plan. The student or youth and the VR counselor will use the collected information to identify the objectives and goals in their IPE. You may learn more about self-employment in the fact sheet, *Self-Employment Q & A: Accessing Vocational Rehabilitation Services to Facilitate Self-Employment as an Employment Outcome*, which discusses the VR process and how to develop a plan for selfemployment. Visit: www.worksupport.com/resources/content.cfm?id=646.

# **Conclusion: Know Your Options to Plan**

A range of options is available for students to use in achieving their educational and career aspirations. Students, family members, educators, VR counselors, and other support professionals are encouraged to know about available postsecondary opportunities and services to properly plan and prepare a youth with a disability for adult life.

# 4. SUPPORTING STUDENT-MADE DECISIONS: PREPARATION FOR ADULT LIFE

#### **Overview**

Successful post-school transition is most likely to happen when students are actively engaged in their own transition planning. To engage students, families, IEP Teams, VR professionals, and other support professionals should:

- Set high expectations;
- Use a person-centered planning approach;
- Support the student's social and emotional learning;
- Provide the student or youth with support to make their decisions; and
- Counsel the student and their representative to make informed choices.

This section presents key elements of supported decision-making and describes the practice of informed choice to assist students and youth with disabilities in their decisions for adult life.

#### Setting High Expectations for Secondary School Students with Disabilities

Expectations play a critical role to success in employment and postsecondary educational settings. Low expectations are often cited as significant barriers to academic and career achievement for students with disabilities.<sup>24</sup> For example, the Government Accountability Office (GAO) found that attitudinal barriers of faculty and support service providers in postsecondary educational settings have been shown to inhibit the performance of students with disabilities.<sup>25</sup>

In contrast, setting high expectations for students with disabilities promote successful post-school transition. Research demonstrates that students with disabilities do better when they are held to high expectations and have access to the general education curriculum.<sup>26</sup>

To set high expectations and foster successful post-school outcomes for students with disabilities, all individuals concerned with their education should:

- Establish a school-wide culture of high expectations;
- Provide students with disabilities access to rigorous coursework (see accelerated programs section below);
- Ensure students with disabilities have IEP goals that are aligned with the challenging academic content standards for the grade in which the student is enrolled and ensure that students with disabilities receive the specialized instruction, related services and other supports they need to meaningfully access, be involved, and make progress in the general education curriculum;

- Provide students with disabilities the opportunity to access College and Career Ready Standards and Assessments; and
- Ensure educators have the tools and resources necessary to support success.<sup>27</sup>

#### **Person-Centered Planning**

When developing the IEP or the IPE, planning is centered on the interests, strengths, skills, and needs of the student or youth with disability. Person-centered approaches:

- Include in the planning process, individuals who have a deep knowledge of the student's academic and social history;
- View the student as an individual and as a person, rather than as a diagnosis or disability;
- Use everyday language in transition planning, rather than "professional jargon;" and
- Ensure that goals are developed based on the student's unique strengths, interests, and capacities.

#### **Addressing Students' Social and Emotional Needs**

It is important to address the social and emotional needs of students with disabilities to ensure that they have the skills needed to be successful in a postsecondary educational setting or workplace. Students with disabilities who have well-developed social skills are more likely to be able to successfully navigate employment, community, and postsecondary education settings.<sup>28</sup>

IEP Teams need to take active steps to provide opportunities for students with disabilities to acquire appropriate social skills. Many of these opportunities can be integrated into the student's existing course of study. Specific strategies include:

#### • Role-playing

Schools can create opportunities for students with disabilities to practice appropriate social skills in a variety of contexts, including school-based, workplace, community, and postsecondary educational settings.

#### • Participation in social and emotional learning programs

A variety of specific social skill development programs exist that can help students acquire critical social skills.<sup>29</sup>

#### • Positive school climate

Parents should be aware that a positive school climate is critical to helping students with disabilities develop strong social skills. For example, safe and supportive classrooms build on the students' strengths.<sup>30</sup>

#### Providing the Student and Youth with Support to Make Their Decisions

Beyond developing social skills, it is crucial for students with disabilities to understand and acquire the skills for self-determination during high school to ensure success in postsecondary education and the workplace.<sup>31</sup> Students with strong self-advocacy skills who understand and fully participate in the development of their IEP and SOP have better transition outcomes.<sup>32</sup>

Key characteristics of self-determination are the ability to:

- Speak for yourself (self-advocacy);
- Solve problems;
- Set goals;
- Make decisions;
- Possess self-awareness; and
- Exhibit independence.<sup>33</sup>

Schools help students develop self-determination skills when they:

- Support students in establishing their own transition goals, including postsecondary education, career, and independent living goals;
- Ensure that students are actively involved in IEP meetings and understand their IEPs, including their specialized instruction and related services, the accommodations they receive for instruction and assessments, if applicable, and supplementary aids and services to facilitate their education in the least restrictive environment;
- Help students develop skills to direct their own learning;
- Use person-centered planning; and
- Create and maintain a system that supports family involvement and empowers families to support the self-determination of their sons and daughters.<sup>34</sup>

Developing self-determination and making informed choices heighten students' knowledge of the transition process and success in post-school settings.<sup>35</sup>

Self-determination activities can be described as activities that result in individuals with developmental disabilities, with appropriate assistance, having the ability, opportunity, authority, and support (including financial support) to:

- Communicate and make personal decisions;
- Communicate choices and exercise control over the type and intensity of services, supports, and other assistance the individual receives;
- Control resources to obtain needed services, supports and other assistance;
- Participate in, and contribute to, their communities; and

• Advocate for themselves and others, develop leadership skills through training in self-advocacy, participate in coalitions, educate policymakers, and play a role in the development of public policies that affect individuals with developmental disabilities.

#### **Making Informed Choices**

The VR agency must provide its participants with the opportunity to exercise informed choice throughout the VR process, including making decisions about the following:

- Employment goals;
- Services and service providers;
- Settings for employment and service provision; and
- Methods for procuring services.

The VR agency assists participants by providing information, guidance, and support to make and carry out these decisions. The exercise of informed choice involves communicating clearly, gathering and understanding information, setting goals, making decisions, and following through with decisions. VR counselors provide information through various methods of communication that are helpful to a family in order to assist with identifying opportunities for exercising informed choice from the beginning of the VR process through the achievement of an employment outcome.

#### **Parameters of Informed Choice**

While the *Rehabilitation Act* emphasizes the importance of the individual's, including the student's or youth's, ability to exercise informed choice throughout the VR process, the *Rehabilitation Act* requires the VR agencies to ensure that the availability and scope of informed choice is consistent with the VR agencies' responsibilities for the administration of the VR program. Such requirements impose parameters that affect the exercise of informed choice. It is generally the responsibility of the VR counselor to inform the individual about relevant requirements, available options for developing the IPE and for exercising informed choice to assure that the individual understands the options. As appropriate, the VR counselor encourages the participation of family members and others in the VR process.

#### Parental Consent, Age of Majority, Supported Decision-making and Guardianship

Outreach to parents, family members, caregivers, and representatives plays a critical role in the transition process. For students who receive services under Part B of *IDEA*, parental rights may transfer to the student when he or she reaches the "age of majority under State law," except for a child who has been determined incompetent under State law. The age of majority is the age that a State sets for a minor to become an adult and assume legal responsibility for himself/herself and all decisions that accompany that (e.g., financial, medical, educational).<sup>36</sup> In most States, this is age 18. To learn more about the age of majority visit: www.parentcenterhub.org/repository/age-of-majority-parentguide.

At the time a student reaches the age of majority, if parental rights have transferred to the student under State law, the student has the right to make his or her own educational, employment, or independent living decisions. VR agencies conduct outreach directly to these students. The consent of the parents or an *IDEA*-eligible student who has reached the age of majority must be obtained before personally identifiable information about the student is released to officials of participating agencies, including VR agencies that are providing or paying for transition services.

As *IDEA*-eligible students with disabilities reach the age of majority, they and their parents are advised to seek information to help them understand their options for making educational decisions. A student need not be placed under guardianship in order for his or her family to remain involved in educational decisions. Guardianship places significant restrictions on the rights of an individual. Students and parents are urged to consider information about less restrictive alternatives.

Under *IDEA*, parents' rights may transfer to an *IDEA*-eligible student with a disability who has reached the age of majority under State law that applies to all children, except for a student with a disability who has been determined to be incompetent under State law. If State law permits parental rights under the *IDEA* to transfer to a student who has reached the age of majority, that student can become the educational rights holder who invites family members to participate in the IEP meeting. If the adult student does not want to have that role, he or she can execute a power of attorney authorizing a family member to be the educational decision-maker. Alternatively, if a student does not have the capacity to execute a power of attorney or prefers not to use that option, a supported decision-making arrangement can be established consistent with applicable State procedures, in which the parents (or other representatives) assist the student in making decisions, if the student has not been determined to be incompetent but does not have the ability to provide informed consent with respect to his or her educational programs. Unlike under guardianship, the student remains an autonomous decision-maker in all aspects of his or her life. To learn more about supported decision-making visit: www.supporteddecisionmaking.org.

Families are encouraged to seek services from the Parent Training and Information Centers funded by the Office of Special Education Programs, and Parent Information and Training Programs funded by the Rehabilitation Services Administration.

#### **Conclusion: Student Empowerment Advances Career Decision-Making**

Teaching self-determination and exercising informed choice are not practices limited to the most able youth with disabilities. Schools can help foster self-determination and VR agencies can enhance career decision-making to assist youth with disabilities, including those with the most significant complex or lifelong intellectual or developmental disabilities, to achieve their desired post school goals.

### **GLOSSARY OF TERMS**

Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1400 et seq.). Rehabilitation Act of 1973, as amended (Rehabilitation Act) (29 U.S.C. 701 et seq.) Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (20 U.S.C. 6301 et Seq.)

#### **ALTERNATE DIPLOMA**

Alternate diploma means a diploma for students with the most significant cognitive disabilities, as defined by the State, who are assessed with a State's alternate assessment aligned to alternate academic achievement standards under section 1111(b)(2)(D) of the *Elementary and Secondary Education Act* and is—

- (i) Standards-based;
- (ii) Aligned with the State's requirements for a regular high school diploma; and
- (iii) Obtained within the time period for which the State ensures the availability of a free appropriate public education under section 612(a)(1) of the *Individuals with Disabilities Education Act*.

#### **CHILD WITH A DISABILITY**

IN GENERAL.—The term "child with a disability" means a child—

- (A) with intellectual disabilities, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to in this title as "emotional disturbance"), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and
- (B) who, by reason thereof, needs special education and related services.

#### **COMMUNITY REHABILITATION PROGRAM**

Community Rehabilitation Program means a program that provides directly or facilitates the provision of vocational rehabilitation services to individuals with disabilities, and that provides, singly or in combination, for an individual with a disability to enable the individual to maximize opportunities for employment, including career advancement:

- (A) medical, psychiatric, psychological, social, and vocational services that are provided under one management;
- (B) testing, fitting, or training in the use of prosthetic and orthotic devices;
- (C) recreational therapy;
- (D) physical and occupational therapy;
- (E) speech, language, and hearing therapy;

#### [20 U.S.C. Sec. 1401(3)]

#### [29 U.S.C. Sec. 705(4)]

#### [ESEA Title VIII, Sec. 8101(25)]

- (F) psychiatric, psychological, and social services, including positive behavior management;
- (G) assessment for determining eligibility and vocational rehabilitation needs;
- (H) rehabilitation technology;
- (I) job development, placement, and retention services;
- (J) evaluation or control of specific disabilities;
- (K) orientation and mobility services for individuals who are blind;
- (L) extended employment;
- (M) psychosocial rehabilitation services;
- (N) supported employment services and extended services;
- (O) customized employment;
- (P) services to family members when necessary to the vocational rehabilitation of the individual;
- (Q) personal assistance services; or
- (R) services similar to the services described in one of subparagraphs (A) through (Q).

#### **COMPETITIVE INTEGRATED EMPLOYMENT.**

[29 U.S.C. Sec. 705(5)]

The term "competitive integrated employment" means work that is performed on a full-time or parttime basis (including self-employment)—

- (A) for which an individual-
  - (i) is compensated at a rate that-
    - (I) (aa) shall be not less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the rate specified in the applicable State or local minimum wage law; and
      - (bb) is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities, and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills; or
    - (II) in the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities, and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills; and
  - (ii) is eligible for the level of benefits provided to other employees;
- (B) that is at a location where the employee interacts with other persons who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that individuals who are not individuals with disabilities and who are in comparable positions interact with other persons; and
- (C) that, as appropriate, presents opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.

#### **CUSTOMIZED EMPLOYMENT**

Customized Employment means competitive integrated employment, for an individual with a significant disability, that is based on an individualized determination of the strengths, needs, and interests of the individual with a significant disability, is designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer, and is carried out through flexible strategies, such as:

- (A) job exploration by the individual;
- (B) working with an employer to facilitate placement, including:
  - (i) customizing a job description based on current employer needs or on previously unidentified and unmet employer needs;
  - (ii) developing a set of job duties, a work schedule and job arrangement, and specifics of supervision (including performance evaluation and review), and determining a job location.

#### **EMPLOYMENT OUTCOME**

Employment Outcome means, with respect to an individual:

- (A) entering or retaining full-time or, if appropriate, part-time competitive employment in the integrated labor market;
- (B) satisfying the vocational outcome of supported employment; or
- (C) satisfying any other vocational outcome the Secretary of Education may determine to be appropriate (including satisfying the vocational outcome of customized employment, self-employment, telecommuting, or business ownership).

#### **EXTENDED SERVICES**

Extended Services means ongoing support services and other appropriate services, needed to support and maintain an individual with a most significant disability in supported employment, that:

- (A) are provided singly or in combination and are organized and made available in such a way as to assist an eligible individual in maintaining supported employment;
- (B) are based on a determination of the needs of an eligible individual, as specified in an individualized plan for employment; and
- (C) are provided by a State agency, a nonprofit private organization, employer, or any other appropriate resource, after an individual has made the transition from support provided by the designated State unit.

#### [29 U.S.C. Sec. 705(13)]

[29 U.S.C. Sec. 705(11)]

[29 U.S.C. Sec. 705(7)]

#### FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

[20 U.S.C. Sec. 1401(9)]

Under the *IDEA*, the term "free appropriate public education" means special education and related services that—

- (A) have been provided at public expense, under public supervision and direction, and without charge;
- (B) meet the standards of the State educational agency;
- (C) include an appropriate preschool, elementary school, or secondary school education in the State involved; and
- (D) are provided in conformity with the individualized education program required under section 1414(d) of this title.

Under the U.S. Department of Education's regulations implementing Section 504 of the *Rehabilitation Act* (34 CFR § 104.33(b)(1)-(2)), appropriate education is the provision of regular or special education and related aids and services that

- (i) are designed to meet individual educational needs of persons with disabilities as adequately as the needs of persons without disabilities are met and
- (ii) are based upon adherence to procedures that satisfy the requirements of §§ 104.34, 104.35, and 104.36.

Implementation of an IEP developed in accordance with the *IDEA* is one means of meeting this standard.

#### **INDIVIDUALIZED EDUCATION PROGRAM (IEP)**

The term individualized education program or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in accordance with section 614(d) of the *IDEA*.

#### **INDIVIDUAL WITH A DISABILITY**

# IN GENERAL.—Except as otherwise provided in subparagraph (B), the term "individual with a disability" means any individual who—

- (i) has a physical or mental impairment which for such individual constitutes or results in a substantial impediment to employment; and
- (ii) can benefit in terms of an employment outcome from vocational rehabilitation services provided pursuant to title I, III, or VI.

#### INDIVIDUAL WITH A SIGNIFICANT DISABILITY

Individual with a Significant Disability means:

(A) IN GENERAL.—Except as provided in subparagraph (B) or (C), the term "individual with a significant disability" means an individual with a disability:

## [29 U.S.C. Sec. 705(20)(A)]

[29 U.S.C. Sec. 705(21)]

#### [20 U.S.C. Sec. 1401(14)]

- who has a severe physical or mental impairment which seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome;
- (ii) whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and
- (iii) who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, intellectual disability, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia, and other spinal cord conditions, sickle cell anemia, specific learning disability, end-stage renal disease, or another disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs described in subparagraphs (A) and (B) of paragraph (2) to cause comparable substantial functional limitation.

#### INDEPENDENT INDIVIDUAL'S REPRESENTATIVE; APPLICANT'S REPRESENTATIVE

The terms "individual's representative" and "applicant's representative" mean a parent, a family member, a guardian, an advocate, or an authorized representative of an individual or applicant, respectively.

#### LEAST RESTRICTIVE ENVIRONMENT OR LRE

Least restrictive environment or LRE means that, to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

#### LOCAL AGENCY

Local Agency means an agency of a unit of general local government or of an Indian tribe (or combination of such units or tribes) which has an agreement with the designated State agency to conduct a vocational rehabilitation program under the supervision of such State agency in accordance with the State plan approved under section 101. Nothing in the preceding sentence of this paragraph or in section 101 shall be construed to prevent the local agency from arranging to utilize another local public or nonprofit agency to provide vocational rehabilitation services if such an arrangement is made part of the agreement specified in this paragraph.

#### [29 U.S.C. Sec. 705(24)]

#### [29 U.S.C. Sec. 705(22)]

[20 U.S.C. 1412(a)(5)(A)]

#### **ONGOING SUPPORT SERVICES**

[29 U.S.C. Sec. 705(27)]

Ongoing Support Services means services:

- (A) provided to individuals with the most significant disabilities;
- (B) provided, at a minimum, twice monthly:
  - (i) to make an assessment, regarding the employment situation, at the worksite of each such individual in supported employment, or, under special circumstances, especially at the request of the client, off site; and
  - (ii) based on the assessment, to provide for the coordination or provision of specific intensive services, at or away from the worksite, that are needed to maintain employment stability; and
- (C) consisting of-
  - a particularized assessment supplementary to the comprehensive assessment described in paragraph (2)(B);
  - (ii) the provision of skilled job trainers who accompany the individual for intensive job skill training at the worksite;
  - (iii) job development, job retention, and placement services;
  - (iv) social skills training;
  - (v) regular observation or supervision of the individual;
  - (vi) follow up services such as regular contact with the employers, the individuals, the individuals' representatives, and other appropriate individuals, in order to reinforce and stabilize the job placement;
  - (vii) facilitation of natural supports at the worksite;
  - (viii) any other service identified in section 723 of this title; or
  - (ix) a service similar to another service described in this subparagraph.

#### **PRE-EMPLOYMENT TRANSITION SERVICES**

[29 U.S.C. Secs 705(30) and 733]

Pre-Employment Transition Services are-

(a) IN GENERAL.—From the funds reserved under section 110(d), and any funds made available from State, local, or private funding sources, each State shall ensure that the designated State unit, in collaboration with the local educational agencies involved, shall provide, or arrange for the provision of, pre-employment transition services for all students with disabilities in need of such services who are eligible or potentially eligible for services under this title.

#### (b) REQUIRED ACTIVITIES.—

Funds available under subsection (a) shall be used to make available to students with disabilities described in subsection (a)—

- (1) job exploration counseling;
- (2) work-based learning experiences, which may include in school or after school opportunities, or experience outside the traditional school setting (including internships), that is provided in an integrated environment to the maximum extent possible;
- (3) counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education;
- (4) workplace readiness training to develop social skills and independent living; and
- (5) instruction in self-advocacy, which may include peer mentoring.
- (c) AUTHORIZED ACTIVITIES.-

Funds available under subsection (a) and remaining after the provision of the required activities described in subsection (b) may be used to improve the transition of students with disabilities described in subsection (a) from school to postsecondary education or an employment outcome by—

- (1) implementing effective strategies to increase the likelihood of independent living and inclusion in communities and competitive integrated workplaces;
- (2) developing and improving strategies for individuals with intellectual disabilities and individuals with significant disabilities to live independently, participate in postsecondary education experiences, and obtain and retain competitive integrated employment;
- (3) providing instruction to vocational rehabilitation counselors, school transition personnel, and other persons supporting students with disabilities;
- (4) disseminating information about innovative, effective, and efficient approaches to achieve the goals of this section;
- (5) coordinating activities with transition services provided by local educational agencies under the *Individuals with Disabilities Education Act* (20 U.S.C. 1400 et seq.);
- (6) applying evidence-based findings to improve policy, procedure, practice, and the preparation of personnel, in order to better achieve the goals of this section;
- (7) developing model transition demonstration projects;
- (8) establishing or supporting multistate or regional partnerships involving States, local educational agencies, designated State units, developmental disability agencies, private businesses, or other participants to achieve the goals of this section; and
- (9) disseminating information and strategies to improve the transition to postsecondary activities of individuals who are members of traditionally unserved populations. Sec. 113 *Rehabilitation Act* of 1973

(d) PRE-EMPLOYMENT TRANSITION COORDINATION.-

Each local office of a designated State unit shall carry out responsibilities consisting of-

- (1) attending individualized education program meetings for students with disabilities, when invited;
- (2) working with the local workforce development boards, one-stop centers, and employers to develop work opportunities for students with disabilities, including internships, summer employment and other employment opportunities available throughout the school year, and apprenticeships;
- (3) work with schools, including those carrying out activities under section 614(d)(1)(A)(i)(VIII) of the *Individuals with Disabilities Education Act* (20 U.S.C. 1414(d)(1)(A)(i)(VIII)), to coordinate and ensure the provision of pre-employment transition services under this section; and
- (4) when invited, attend person-centered planning meetings for individuals receiving services under title XIX of the *Social Security Act* (42 U.S.C. 1396 et seq.).

#### **REGULAR HIGH SCHOOL DIPLOMA**

#### [20 U.S.C. 7801(43)]

[20 U.S.C. Sec. 1401(26)]

The term 'regular high school diploma'-

- (A) means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in section 1111(b)(1)(E); and
- (B) does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential.

#### **RELATED SERVICES**

#### (A) In general

The term "related services" means transportation, and such developmental, corrective, and other supportive services (including speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable a child with a disability to receive a free appropriate public education as described in the individualized education program of the child, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services, except that such medical services shall be for diagnostic and evaluation purposes only) as may be required to assist a child with a disability to benefit from special education, and includes the early identification and assessment of disabling conditions in children.

#### (B) Exception

The term does not include a medical device that is surgically implanted, or the replacement of such device.

The individual terms used in this definition are defined at 34 CFR § 300.34.

#### SECONDARY SCHOOL

Secondary School means a nonprofit day or residential school, including a public secondary charter school, that provides secondary education, as determined under State law, except that it does not include any education beyond grade 12.

#### **SPECIAL EDUCATION**

Special Education means "specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability, including:

- (A) instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and
- (B) instruction in physical education.

#### **STUDENT WITH A DISABILITY**

Student with a Disability means:

IN GENERAL.—an individual with a disability who—

- (i) (I) (aa) is not younger than the earliest age for the provision of transition services under section 614(d)(1)(A)(i)(VIII) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)(1)(A)(i)(VIII)); or
  - (bb) if the State involved elects to use a lower minimum age for receipt of preemployment transition services under this Act, is not younger than that minimum age; and
  - (II) (aa) is not older than 21 years of age; or
    - (bb) if the State law for the State provides for a higher maximum age for receipt of services under the Individuals with Disabilities Education Act (20 U.S.C.1400 et seq.), is not older than that maximum age; and
- (ii) (I) is eligible for, and receiving, special education or related services under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.); or
  - (II) is an individual with a disability, for purposes of section 504 student with a disability is an individual with a disability who is participating in an educational program, including secondary education, non-traditional secondary education and postsecondary education, who meet the age requirements of the definition.

#### [20 U.S.C. 1401(27)]

# [29 U.S.C. Sec. 705(37)]

[20 U.S.C. Sec. 1401(29)]

#### SUMMARY OF PERFORMANCE

Summary of Performance means for each student with a disability receiving services under Part B of the *IDEA* who either graduates from high school with a regular high school diploma or exceeds the age of eligibility for FAPE under State law, the school must provide the student with a summary of his or her academic achievement and functional performance. The SOP must include recommendations on how to assist the student in meeting his or her postsecondary goals.

#### SUPPORTED EMPLOYMENT

The term "supported employment" means competitive integrated employment, including customized employment, or employment in an integrated work setting in which individuals are working on a short-term basis toward competitive integrated employment, that is individualized and customized consistent with the strengths, abilities, interests, and informed choice of the individuals involved, for individuals with the most significant disabilities—

- (A) (i) for whom competitive integrated employment has not historically occurred; or
  - (ii) for whom competitive integrated employment has been interrupted or intermittent as a result of a significant disability; and
- (B) who, because of the nature and severity of their disability, need intensive supported employment services and extended services after the transition described in paragraph (13)(C), in order to perform the work involved.

#### SUPPORTED EMPLOYMENT SERVICES

#### [29 U.S.C. Sec. 705(39)]

Supported Employment Services means ongoing support services, including customized employment, needed to support and maintain an individual with a most significant disability in supported employment, that:

- (A) are provided singly or in combination and are organized and made available in such a way as to assist an eligible individual to achieve competitive integrated employment;
- (B) are based on a determination of the needs of an eligible individual, as specified in an individualized plan for employment; and
- (C) Are provided by the designated State unit for a period of not more than 24 months, except that period may be extended, if necessary, in order to achieve the employment outcome identified in the individualized plan for employment.

#### [20 U.S.C.1414(c)(5)(B)(ii)]

#### [29 U.S.C. Sec. 705(38)]

#### **TRANSITION SERVICES**

Transition Services means a coordinated set of activities for a student with a disability designed within a results-oriented process that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities is based on each student's needs, taking into account the student's strengths, preferences and interests, and includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, the acquisition of daily living skills and provision of a functional vocational evaluation.

#### **YOUTH WITH A DISABILITY**

[29 U.S.C. Sec. 705(42)]

[20 U.S.C. Sec. 1401(34)]

Youth with a Disability means:

- (A) IN GENERAL means an individual with a disability who:
  - (i) is not younger than 14 years of age; and
  - (ii) is not older than 24 years of age.

# **END NOTES**

- <sup>1</sup> PACER Center Inc. (2001). Parent tips for transition planning, PHP-c80. Retrieved from www.asec.net/Archives/Transitionresources/Parent%20tips%20for%20transition.pdf.
- <sup>2</sup> Adelman, C. (2006). The toolbox revisited: Paths to degree completion from high school through college. Washington, DC: U.S. Department of Education. Retrieved from www.ed.gov/rschstat/research/pubs/toolboxrevisit/toolbox.pdf.
- <sup>3</sup> U.S. Department of Education (2013, September). OSEP Letter to Dude; Retrieved on January 6, 2017 from https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/11-007493r-co-dude-transition9-3-13.pdf.
- <sup>4</sup> National Collaborative on Workforce and Disability for Youth. (2011). Engaging Youth in Work Experiences: An Innovative Strategies Practice Brief. Retrieved from www.ncwd-youth.info/innovative-strategies/practice-briefs/engaging-youth-inwork-experiences.
- <sup>5</sup> National Collaborative on Workforce and Disability for Youth. Guideposts for Success: Career Preparation & Work-Based Learning Experiences. Retrieved from www.ncwd-youth.info/guideposts/career.
- <sup>6</sup> Luecking, R. G. (2009) The way to work: How to facilitate work experiences for youth in transition. Baltimore, MD: Paul H. Brookes.
- Powers, L.E., Deshler, D.D., Jones, B. & Simon, M. (2006). Strategies for enhancing self-determination, social success, and transition to adulthood. In D.D. Deshler and J.B. Schumaker (Eds.),
   *Teaching adolescents with disabilities: Accessing the general education curriculum* (pp 235–273).
   Thousand Oaks, CA: Corwin Press.
- <sup>8</sup> Powers, L.E., Sowers, J., & Stevens, T. (1995). An exploratory, randomized study of the impact of mentoring on the self-efficacy and community-based knowledge of adolescents with severe physical challenges. *Journal of Rehabilitation, 61*(1), 33–41.
- <sup>9</sup> Luecking, R. G. (2009) The way to work: How to facilitate work experiences for youth in transition. Baltimore, MD: Paul H. Brookes.
- <sup>10</sup> Information in this section is based upon a Joint Dear Colleague letter on career pathways (OVAE, ETA, Administration for Children and Families). April 4, 2012. Retrieved from www2.ed.gov/about/offices/list/ovae/ten-attachment.pdf.
- <sup>11</sup> See Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities, Final Rule, *Analysis of Comments and Changes*, 71 Fed. Reg. 46540, 46667 (Aug. 14, 2006).
- <sup>12</sup> Id.

- <sup>13</sup> If the VR agency is operating under an order of selection, the IPE must be developed and approved before each eligible student meeting the order of selection criteria leaves the school setting. Section 101(a)(9)(A) of the *Rehabilitation Act* and 34 CFR § 361.22(a)(2).
- <sup>14</sup> See State Vocational Rehabilitation Services Program, 81 Fed. Reg. 55,687 (August 19, 2016)(Preamble).
- <sup>15</sup> Adapted from: Alverson, C.Y., Burr, J., FitzGerald, P., Dickinson, J., Johnson, M., Ozols, K., & Simich, S. (2015). Oregon Youth Transitions Program (YTP) Procedures Manual. Retrieved from www.ytporegon.org/sites/default/files/fileattachments/Master%20Sep%209%20v5.pdf. With further modifications from Brenda Kaye Simmons, Director, Transition Services, Missouri Vocational Rehabilitation.
- <sup>16</sup> Cameto, R., Levine, P., &Wagner, M. (2004). Transition Planning for Students with Disabilities. A Special Topic Report from the national Longitudinal Transition Study-2 (NTS2). Menlo Park, CA: SRI International.
- <sup>17</sup> Section 504 of the *Rehabilitation Act of 1973*, as amended, 29 U.S.C. 794, prohibits discrimination on the basis of disability in programs or activities of entities such as public schools and State vocational rehabilitation agencies receiving Federal financial assistance. Title II of the *ADA*, as amended, 42 U.S.C. 12131 *et seq.*, prohibits discrimination on the basis of disability by State and local public entities, regardless of receipt of Federal funds. OCR shares enforcement responsibility for Title II in the education context with the U.S. Department of Justice. For more information about these laws, go to www.ed.gov/ocr
- <sup>18</sup> Please visit www2.ed.gov/about/offices/list/ocr/docs/auxaids.html for a detailed overview of auxiliary aids and services.
- <sup>19</sup> Please visit https://acl.gov/Programs/AIDD/DDA\_BOR\_ACT\_2000/index.aspx for further information.
- <sup>20</sup> U.S. Department of Education, Office for Civil Rights. (2011). Transition of Students With Disabilities to Postsecondary Education: A Guide for High School Educators. Washington, DC: Author. Retrieved from www2.ed.gov/about/offices/list/ocr/transitionguide.html.
- <sup>21</sup> Johnson, D. R. (2009). Foreword. In R. G. Luecking, The way to work: How to facilitate work experiences for youth in transition. Baltimore, MD: Paul H. Brookes.
- <sup>22</sup> Brolin, D. (1995). *Career education: A functional life skills approach* (3<sup>rd</sup> ed.). Upper Saddle River, NJ: Prentice Hall.
- Fabian, E. S., Edelman, A. & Leedy, M. (1993). Linking workers with severe disabilities to social supports in the workplace: Strategies for addressing barriers.
   The Journal of Rehabilitation, 59, 3 p. 29(6).

- <sup>24</sup> Please visit the University of Washington DO-IT website (www.washington.edu/doit/Careers/postsecondary\_educators.html) for further information.
- <sup>25</sup> Please refer to the Report of the Advisory Commission on Accessible Instructional Materials in Postsecondary Education for Students with Disabilities (2011) (www2.ed.gov/about/bdscomm/list/aim/meeting/aim-report.pdf) for further information.
- <sup>26</sup> In enacting the *IDEA* Amendments of 2004, Congress recognized that research and experience has demonstrated that the education of children with disabilities can be made more effective by having high expectations for such children and ensuring their access to the general education curriculum in the regular classroom, to the maximum extent possible, in order to (i) meet developmental goals and, to the maximum extent possible, the challenging expectations that have been established for all children; and (ii) be prepared to lead productive and independent adult lives, to the maximum extent possible. (Section 601(c) (5) (A) of the *IDEA*. As the graduation rates for children with disabilities continue to climb, providing effective transition services to promote successful post-school employment or education is an important measure of accountability for children with disabilities. Section 601(c)(14) of the *IDEA*.
- For additional information on College and Career Ready Standards and Assessments, please visit: www2.ed.gov/policy/elsec/leg/blueprint/faq/college-career.pdf. For strategies regarding how to improve the learning of all students, please visit the ED's SWIFT Schools website: www.swiftschools.org.
- <sup>28</sup> Bremer, C. D. & Smith, J. (2004). Teaching social skills. National Center on Secondary Education and Transition Information Brief, 3(5). Retrieved from www.ncset.org/publications/viewdesc.asp?id=1749.
- <sup>29</sup> Bremer, C. D. & Smith, J. (2004). Teaching social skills. National Center on Secondary Education and Transition Information Brief, 3(5). Retrieved from www.ncset.org/publications/viewdesc.asp?id=1749
- <sup>30</sup> Please visit the U.S. Department of Education's *Guiding Principles: A Resource Guide for Improving School Climate and Discipline* for additional strategies: www2.ed.gov/policy/gen/guid/schooldiscipline/guiding-principles.pdf.
- <sup>31</sup> Loman, S., Vatland, C., Strickland-Cohen, K, R., & Walker, H. (2010). Promoting self-determination: A practice guide. Retrieved from http://ngsd.org/sites/default/files/promoting\_self-determination\_a\_practice\_guide.pdf.
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   http://ngsd.org/sites/default/files/promoting\_self-determination\_a\_practice\_guide.pdf.

- <sup>34</sup> Loman, S., Vatland, C., Strickland-Cohen, K., Horner, R., & Walker, H. (2010). Promoting self-determination: A practice guide. Retrieved from http://ngsd.org/sites/default/files/promoting\_self-determination\_a\_practice\_guide.pdf. Please visit the U.S. Department of Education's Parent and Training Information (PTI) Centers for additional information on how parents can become more involved in developing students' self-determination www2.ed.gov/parents/needs/speced/resources.html.
- <sup>35</sup> U.S. Department of Education (2013, September). OSEP Letter to Dude. Retrieved on January 6, 2017 from https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/11-007493r-co-dudetransition9-3-13.pdf.
- <sup>36</sup> Center for Parent Information and Resources (October 2015). Getting Ready for When Your Teen Reaches the Age of Majority: A Parent's Guide. Retrieved from www.parentcenterhub.org/repository/age-of-majority-parentguide.



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# STUDENTS min CAN THINK COLLEGE

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Published June 2018

# In 2008

the Higher Education Opportunity Act (HEOA)...

- defined inclusive higher education
- emphasized access to college courses and internships
- focused on integrated employment outcomes
- provided access to financial aid





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"Teachers' expectations will have a greater impact on a student becoming employed or going to college than will a student's skills or disability."

-Meg Grigal, Ph.D., Principal Investigator, Think College National Coordinating Center

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Over 5500 students with intellectual disability (ID) are **attending college** in the USA.

More than 250 college & university programs, in 49 states, **support students** with ID.

Attending college is a **pathway to successful employment**-those engaging in inclusive higher education saw 135% increase in employment, compared to peers.

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# VOCATIONAL REHABILITATION COUNSELORS



"It is important for Vocational Rehabilitation (VR) to review its approach toward inclusive higher education, and extend support to students with intellectual disability to participate in such programs. By doing so, the rehabilitation counselor provides informed choice, meets the intent of the Workforce Innovation and Opportunity Act, and impacts individuals in achieving their vocational and overall potential. VR counselors can and should Think College."

-Russell Thelin, M.S., LVRC, CRC, UMass Boston ICI, Senior Policy Fellow, Past VR agency Executive Director, and former VR Counselor

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Resources like this archived webinar: <u>Pre-Employment</u> <u>Transition Services in Inclusive</u> <u>Higher Education Settings</u>



Personalized technical assistance provided by an experienced professional, Russ Thelin

<sup>1</sup>Carnevale, A. P., Jayasundera, T., & Gulish, A. (2016). *America's divided recovery: College have and have-nots.* Retrieved from Georgetown University Center on Education and the Workforce website: https://cew.georgetown.edu/wp-content/uploads/Americas-Divided-Recovery-web.pdf, and Watson, A. (2017, September). Employment trends by typical entry-level education requirement. Monthly Labor Review. Retrieved from https://doi.org/10.21916/mlr.2017.22



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Think College is a project of the Institute for Community Inclusion at UMass Boston and funded by the Office of Postsecondary Education (Grant No. P407B15002).

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The Rehab Act and related regulations includes inclusive higher education within the scope of VR services provided to students with intellectual disabilities, and emphasizes that services must meet individualized needs. Citations include:



Required Pre-ETS (Pre-employment Transition Services) > Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs (34 CFR 361.)

 $\checkmark$ 

 $\checkmark$ 

Support of IHE Services > "vocational and other training services specified in final § 361.48(b)(6) encompass tuition and other services for students with intellectual or developmental disabilities in a Comprehensive Transition and Postsecondary Program for Students with Intellectual Disabilities. as defined by the Higher Education Act of 2008." (34 CFR 361.48(b) [Comments Section])

Policies: VR agency policies "must ensure that the provision of services is based on the rehabilitation needs of each individual... and is consistent with the individual's informed choice... [and] may not establish any arbitrary limits on the nature and scope of vocational rehabilitation services to be provided to the individual to achieve an employment outcome. (34 CFR 361.50)



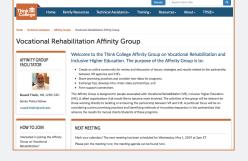
The Think College website is the trusted source for information, training, and resources about inclusive higher education for students with intellectual disability.

# Learn more @ www.thinkcollege.net



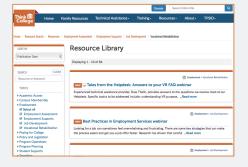
## **VR Innovation Exchange**

Our featured resources on the topic, plus frequently asked questions and helpful links.



# **VR Affinity Group**

Join quarterly online meetings with a diverse group to discuss relevant issues.



# **Employment resources in** the Resource Library

Includes practical guides, archived webinars, student success stories and more.

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