

Module 5:

Transition Process for Transitional Age Youth diagnosed with Autism Spectrum Disorder

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Agenda

- Transition to adulthood
 - Law and Regulations
 - Relevant cases
 - Transition assessments and planning
 - Sample goals
 - Autonomy/Decision making
 - School shared decision making
 - Guardianship/TAGI Referral
 - Health proxy
 - Selective service
 - Other support agencies
 - MassHealth: PCA & Adult Family Care
 - DDS
 - MRC
- Practice

Transition to adulthood

- Talking with parents
- Talking with students



Transition to adulthood

- "When Congress first decided to include transition services within the IDEA in 1990, it noted that when individuals are not prepared to make the transition into the post-school environment “[y]ears of special education will be wasted while these individuals languish at home, their ability to become independent and self-sufficient (therefore making a positive contribution to society) placed at significant risk.”
- In Re: Dracut Public Schools, BSEA # 08-5330, page 37

Transition and IDEA(2004)

- Beginning at **age 16**, schools must provide “transition services,” through transition planning and measurable goals, in every Individualized Education Plan (IEP).

Transition Services:

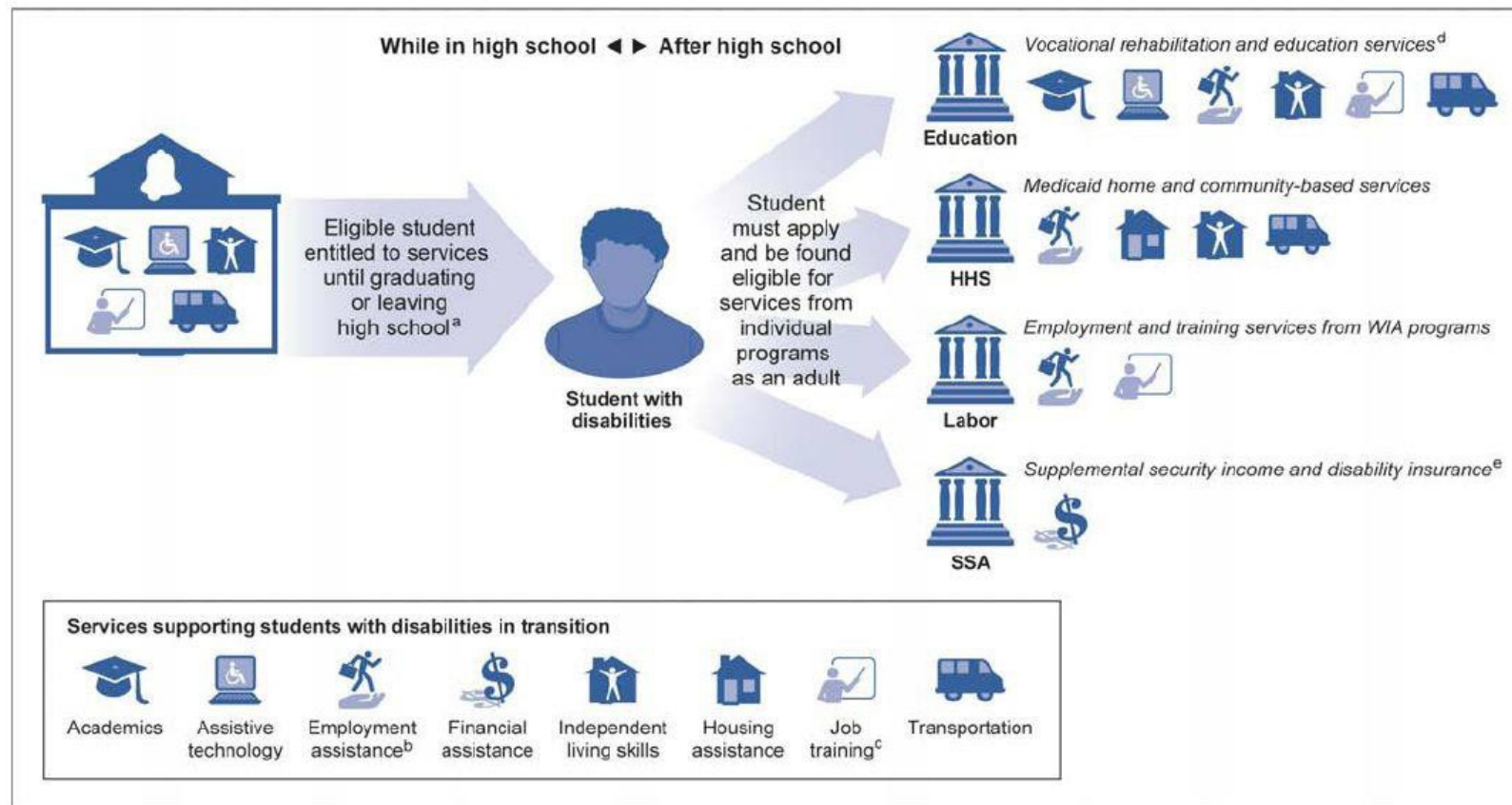
“Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills; The transition services (including courses of study) needed to assist the child in reaching those goals.”

Transition in Massachusetts

14 - 21 years old	22 years old and beyond
<ul style="list-style-type: none">• State Law: Mass. Gen. Laws Ch. 71B• Beginning at age 14, schools must provide for transition planning in IEP.• Language is similar to federal law, with focus still on goals related to postsecondary education, employment and independent living• Student vision is incorporated @ 16• Funding is mandated by IDEA and 71B• IDEA and MGL 71B apply only until the earlier of age 22 or until the student has graduated with a HS diploma	<ul style="list-style-type: none">• Chapter 688 of the Acts of 1983 (the “Turning 22” law)• Provides for a 2 yr. transitional process for young adults who will lose their entitlement to SPED upon graduation or reaching the age of 22• Not an entitlement - services will depend on funding and availability• IEP Team does the referral to an agency based on the student needs• Interagency group develops ITP - lists services depending on individual needs• Adult Service Agencies: DDS, MRC, DMH, MCB, MCDHH

Current Transition Setting

Figure 2: Students Move from Services Provided through Their High Schools to Services Delivered through Multiple Programs



Source: GAO analysis of agency documentation, including postings and publications.

GAO, *Students with Disabilities: Better Federal Coordination Could Lessen Challenges in the Transition from High School*, 2012

In Re: Dracut Public School - BSEA

Plaintiff	Student & Parents: school has failed to address student's pragmatic language, organizational and social skills issues. He cannot successfully transition to college per his vision statement in IEP.
Defendant	School Committee: student passed MCAS, functions well within school environment & meets all other graduation requirements.
BSEA (2/2/09)	<p>Student & Parents prevail!</p> <ul style="list-style-type: none">• Dracut didn't:<ul style="list-style-type: none">• provide meaningful assessment of student• provide appropriate vocational or travel transition services• address student's social and organizational skill deficits• accept recommendations from parent's experts regarding pragmatic language deficits• HO orders Dracut to issue H.S. diploma <i>and</i> extend the student's SPED eligibility for 2 years

Dracut School Committee vs. BSEA– District Court – 9/3/2010

Plaintiff: Dracut School Committee

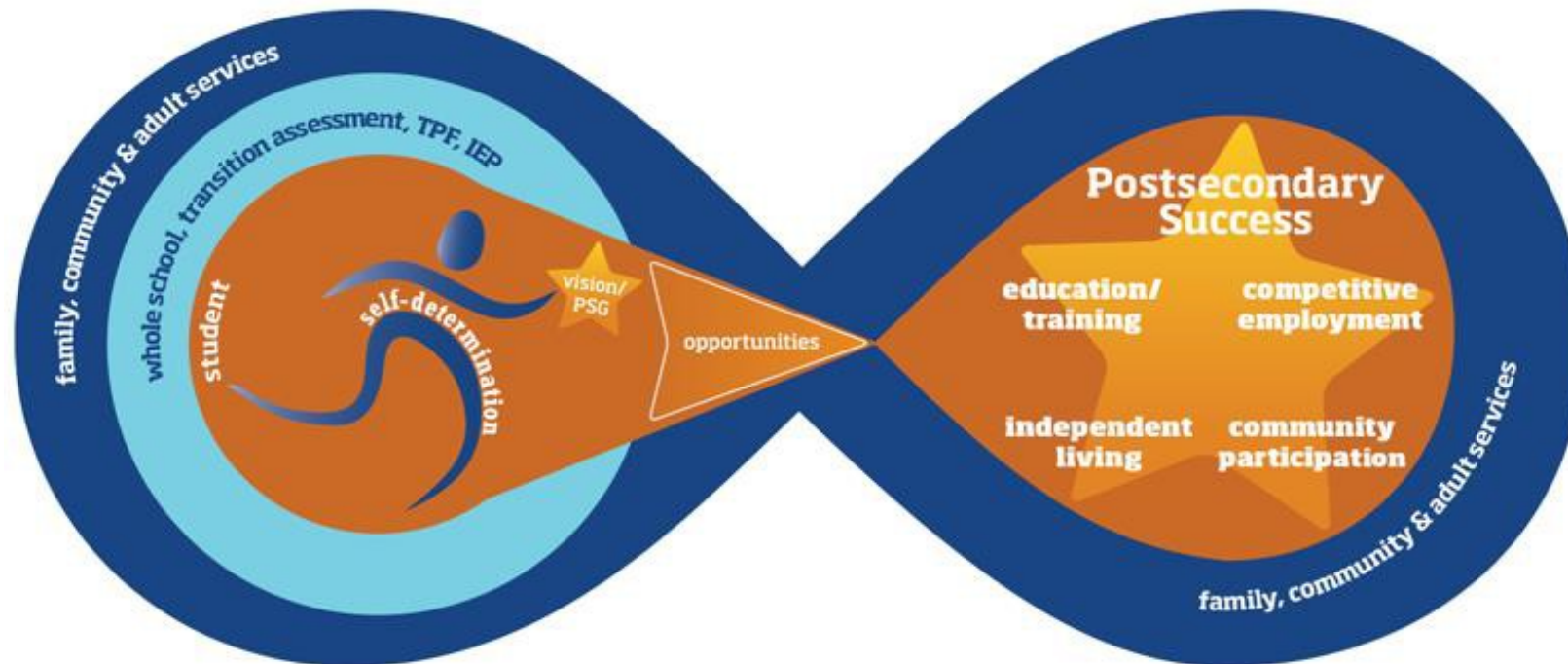
Defendants: BSEA, Student & Parents

District Court Judge:

1. Upheld the HOs finding that the transition services were inadequate and a denial of FAPE.
2. Disagreed that HO could order Dracut to issue a H.S. diploma **and** extend SPED services for 2 yrs.
3. Since H.S. diploma already issued, remanded to HO for order of appropriate compensatory services in areas of employment and independent living

School-based Transition Services

Massachusetts Student-Driven Secondary Transition Model



<http://www.doe.mass.edu/sped/secondary-transition/default.html>

Timeframe

- Legally, transition services are supposed to begin at age 14
 - Some school districts are better about this than others
- Students with disabilities can continue to be supported by the public school system until they turn 22 or receive a high school diploma.
 - May continue to go to public school classes, begin to work, or enroll in a different post-secondary program.

(Massachusetts DESE 2016)

Transition Planning

- Begins with a Transition Planning Form and Post-secondary Vision
 - What does the student see for their future and how will they get there?
 - Should be a collaboration between the student, family, and school team
- Transition Assessments
 - Meant to provide concrete evidence for setting goals
 - Can be formal or informal, but must be age-appropriate and should cover all areas of transition (academics, vocation, independent living, etc.)

IEP Goals and Meetings

- IEP Goals

- Before age 14: focused mostly on academic, social, and emotional skills
- After age 14: keep the above, but add vocational and independent living skills
- Goals should be created using the TPF and Transition Assessments, and the vision statement is copied directly into the IEP.

- Meetings

- Starting at age 14, students should be invited and encouraged to attend their own IEP meetings and participate in whatever way they can
- Parents can request a transition-specific meeting to discuss the TPF

Moving Toward Adulthood

- Age of Majority
 - At age 18, the student becomes a legal adult and is responsible for making all legal decisions, including IEP decisions.
 - In some cases, these rights do not transfer:
 - The student had a legal **guardian**.
 - The student chooses to **share** decision-making with a parent or other adult.
 - The student chooses to **delegate** decision-making to a parent or other adult.
- Chapter 688 Referral
 - Referral to an adult service agency (DDS, MRC, DMH, MCB, MCDHH) to help plan and budget for adult services once the student leaves school
 - Chapter 688 is only a referral – the student still must apply to the agency
 - Can independently apply to more than one agency

Diplomas and Graduation

- Criteria for a Diploma
 - Competency Determination (CD Standard)
 - currently, students need to pass the MCAS, but it may switch to the PARCC in the near future
 - Local Graduation Requirements
 - courses that the student needs to take, set by the school/district
- Diploma Alternatives
 - HiSet (formerly the GED)
 - students can take this after leaving school
 - Certificate
 - recognition of attendance, course completion, achievement, and/or participation
 - Social Graduation
 - students can participate in their high school's graduation ceremony even without receiving a diploma

Planning Beyond School

Social, Emotional, and Physical Health

- **Self Advocacy & Self Determination**
 - Individuals should be encouraged to be involved in planning and decision-making for their own lives, as well as advocating for supports and services.
- **Social Life & Relationships**
 - Involvement in community activities and groups, maintaining and developing new friendships
- **Health & Wellness**
 - Involvement in making healthcare decisions, managing medications, healthy eating and physical activity, mental healthcare.
- **Independence**
 - Development of independent living skills, such as cooking, household maintenance, travel, banking and budgeting, managing a schedule

Government Benefits and Services

- Social Security Income (SSI)
 - individuals can apply and be found eligible based on their own income at age 18; can apply for Disabled Adult Child (DAC) benefits if parent is retired or deceased
- MassHealth
 - automatically eligible when receiving SSI; can also be used as a secondary insurance if individual is covered by parents until age 26
- Department of Developmental Services (DDS)
 - provides services in areas of employment, residential, daily living, and family support; supports are long-term.
- Massachusetts Rehabilitation Commission (MRC)
 - provides employment support and services; supports end 90 days after a person is employed.
- Selective Service
 - young men must register for the draft at age 18 to keep eligibility for government services (doesn't mean they will be drafted)

Guardianship

- Full & Limited
 - Allows a parent or other willing adult to continue to act on behalf of and make decisions for his/her adult child. Should be thought of as a protective and supportive measure, not controlling. Individuals should be as involved in their own choices and decision-making as possible, and independence should be encouraged.
- Alternatives
 - Healthcare Proxy: for medical decisions and communication
 - Power of Attorney: for legal decisions
 - Representative Payee: for management of government benefits
 - Conservator: for financial decision-making and management

Higher Education

- Typical college
 - Mainstream classes, on-campus living
- Disability Services support
 - Can provide academic accommodations such as extended time for testing or assignments or supports for communication, classroom modifications, or individualized counseling or organization support
- Specialty programs
 - Mimic typical college experience, but with more intensive residential or academic supports
 - Examples: Threshold Program at Lesley University, Project Forward at Cape Cod Community College, project Access at North Shore Community College
- Inclusive Concurrent Enrollment (ICE)
 - Students with intellectual disabilities, who are still in public school system, and who would likely not receive a diploma, can participate in college courses at participating state/community colleges and universities

Housing

- Residential and Support Programs
 - Support through DDS
 - Residential placements for some individuals with intellectual disabilities (along with some co-existing diagnoses) who are significantly impacted by their disabilities and who cannot live at home/have extenuating circumstances
 - In-Home supports for working on independent living skills
 - Support through MassHealth
 - Adult Family/Foster Care (AFC): stipend for caring for an individual in the home; AFC provider must live with the person but cannot be a guardian
 - Personal Care Attendant (PCA): 1:1 support for daily living activities, more like a job (set hours/week), PCA does not need to live with the person, but also can't be a guardian
- Section 8 Housing Voucher
 - Individuals are eligible to apply at 18 and should apply early if independent or supported living is even a possibility, as waitlists can be 8-10 years long.

Employment

- Focus should be on obtaining meaningful, sustainable, gainful employment
- Support from MRC and/or DDS
 - Resumes & cover letters
 - Interview skills
 - Job applications
 - Job coaching
- One-Stop Career Centers
 - Can be accessed by anyone who is unemployed
- Benefits Counseling: Working while receiving SSI
 - Project IMPACT through MRC or Bene-Plan, depending on region

Problems with the Current Transition/Adult Services Landscape

- Lack of support/transparency from schools
 - Not involving parents in TPF creation
 - Too much focus on academic skills and not on independent living or vocational skills
 - Lack of individualized and meaningful planning
- Many aspects of transition to adult life, but no centralized system of support with non-school transition information.
- Public school transition services are an entitlement, but adult services are not
 - Individuals may not get all of the services they need, especially if parents don't advocate.
- High rates of anxiety and stress among transition-aged youth and their
- Parents.

(Bryan, et.al. 2007; Cheak-Zamora, Teti, & First 2015; Ratner, & Berman 2015; Shattuck, et. al. 2012; Taylor & Henninger 2015.)

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