

“Preparing for the Day the Bus Stops Coming” Providing an Effective 18+ Program

Cynthia Buechler
Attorney at Law
Buechler & Associates, P.C.

1. What are the ages of eligibility for students under IDEA?

Under IDEA, students can receive special education services from ages 3-21. An eligible student receiving special education services who is 21 years of age on September 1 of a school year will be eligible for services through the end of that school year or until graduation with a regular high school diploma, whichever comes first.

2. What are the graduation options for students with special needs?

For students receiving special education services, there are four options for graduation:

- **Option 1: Credits**
 - Pass STAAR
- **Option 2: Credits**
 - Participate in STAAR
- **Option 3: Master IEP**
- **Option 4: Age Out**

3. What are the graduation requirements for mastering the IEP?

- Successfully completing the state's or district's (whichever is greater) required standards through courses, one or more of which contain modified content that is aligned to the standards required under the foundation program, as well as the requirements under the foundation program;
- Participation in required state assessments (STAAR): The ARD committee determines whether satisfactory performance on the required state assessments (STAAR) is necessary for graduation;
- Completing the student's Individualized Education Program (IEP); **AND**

3. What are the graduation requirements for mastering the IEP? (Cont'd)

- Meeting one of the following conditions, consistent with the IEP:
 - A. Full-time employment, based on the student's abilities and local employment opportunities, in addition to sufficient self-help skills to enable the student to maintain the employment without direct and ongoing educational support of the school;
 - B. Demonstrated mastery of specific employability skills and self-help skills which do not require direct ongoing educational support of the school; or
 - C. Access to services which are not within the legal responsibility of public education or employment or educational options for which the student has been prepared by the academic program.

4. What is a certificate of attendance?

The school issues a certificate of attendance to the child who has completed four years of high school, but has not completed the IEP. The certificate of attendance allows the student to go through commencement proceedings even though the student has not graduated.

5. What are the district's responsibilities before a student turns 18?

At least one year before a student reaches age 18, the student's IEP must include a statement that rights granted a parent, other than the right to receive notice under IDEA, will transfer to student upon reaching age 18 unless someone has been granted guardianship of the student (TAC § 89.1049 (a)).

6. What are the school's responsibilities when a student turns 18?

At the time the student reaches age 18, the school district must notify, in writing, the adult student and parent of the transfer of rights to the student (TAC § 89.1049 (c)). This notice is **separate** and distinct from the IEP statement at 17.

7. What happens to decision making if the 18 year old student is cognitively delayed?

Transition planning for students must address:

- The use and availability of appropriate opportunities to assist the student in developing decision-making skills, and
- Supports and services that foster the student's independence and self-determination, including a *supported decision-making agreement*.

Guardianship is a legal process designed to protect people at risk of abuse, neglect, and exploitation. It removes rights and privileges from a person determined to be "incapacitated" under State law. The process involves the court system and an attorney. Guardianship may be full (whereby all rights and privileges are removed) or may be partial (where some rights are assigned to the person with a disability – like the right to vote, marry, or choose where they live)

8. What are the alternatives to guardianship?

- Supported Decision Making
- Durable Power of Attorney

9. What is a supported decision making agreement?

Supported decision-making is “A process of supporting and accommodating an adult with a disability to enable the adult to make life decisions, including decisions related to where the adult wants to live, the services, supports, and medical care the adult wants to receive, whom the adult wants to live with, and where the adult wants to work, without impeding the self-determination of the adult.” [1. Texas Estates Code § 1357.002(3).]

10. What is person centered planning?

Person centered planning is an ongoing problem-solving process used to help the student with disabilities plan for their future. In person centered planning, groups of people focus on the student and the student’s vision of what they would like to do in the future.

11. What are 18+ programs?

“18+” programs are transition services available to students that have completed all credit/curriculum/state assessment requirements and will be graduating under Option 3 or 4. These programs offer students with intellectual and/or physical disabilities the opportunity to build critical vocational skills, home living skills, lifelong learning skills, along with community and leisure skills while still attending a school program.

12. Do the 18+ programs need to be provided on the high school campus?

18+ programs may be offered by the school on a campus location, district-based services, or community-based location. A campus-based program is an age-appropriate instructional environment that is located on a high school campus. A district-based program is an age-appropriate instructional environment that is located on a site that is operated or owned by the school district. A community-based service/program is an age-appropriate instructional environment where the student is provided educational services in their local community.

13. Can students request to come back to school after graduation?

If a student has graduated under Option 1 or 2, students cannot come back for services. If a student has graduated under the IEP, the student can come back for services until the student reaches the age limits.

14. Who is eligible for the 18+ programs?

Students receiving special education services age 18-22 that have completed all credit/curriculum/state requirements and will be graduating under Option 3 or 4 (Mastering the IEP or Aging Out) that require additional transition services in order to meet the requirements for graduation.

15. Are half day programs allowable?

Yes. Scheduling is flexible for 18+ programs. All transition services and programs for students receiving special education services ages 18-22 should be individualized based upon a creating a successful transition to their adult life and meeting the student's post secondary needs.

16. Does TEKS drive the IEP for a student in the 18+ program?

No. The post secondary goals are focused on closing the gaps between the student's transition from school to adult life. This is accomplished through assessments and getting a picture of what the adult student's day will look like after graduation and developing a program to help the student to get as close as possible to that adult schedule prior to graduation.

17. What are post-secondary goals and how are they determined?

Post-Secondary goals are different from Annual goals and objectives. According to IDEA, the IEP transition plan must include coordinated, measurable, annual, postsecondary goals related to:

- **Training, education:** for a specific vocational or career field, apprenticeship, on the job training, 2-4 year college/university, Voc-Tech programs;
- **Employment:** this can be paid (competitive, supported or sheltered), unpaid (internship), military, and
- **Where appropriate, independent living skills** (adult living, daily living, financial, transportation, etc.)

18. What is meant by Coordinated Set of Activities?

It is a broad statement of:

- What will happen (activity)
- When it will occur (timeline)
- Who is involved in each activity, and
- Who is responsible for providing the activity.

The activities/strategies are not annual goals or short term objectives. This type of planning is about the student's life post graduation.

19. What are the areas of coordination?

- Instruction
- Related Services
- Community Experiences
- Employment
- Post School Adult Living

20. Does a general education teacher need to attend the ARD (IEP) meetings for a student in the 18+ program?

34 C.F.R. §300.321 requires a regular education teacher of the child at the ARD (IEP) meeting if the child is, or may be, participating in the regular education environment. Since a student in the 18+ program will not be in regular education classes, a general education teacher is not required.

21. Do outside agencies need to be invited to the ARD meeting?

It is important to attempt to get outside agencies to attend since they will be the entities involved with the student when the school's obligations terminate. However, before an outside agency can be invited to the ARD (IEP) meetings, the parent must give consent.

22. Can the school sign a student up for programs or services provided by outside agencies?

No. While schools can assist the parent in completing the forms if needed, the parent/adult child is responsible for signing up the student for programs or services provided by outside agencies.

23. Can the school indicate that Texas Workforce Commission will be responsible for job training?

The school cannot commit any other agency to provide services without the agency being present at the ARD meeting.

Question & Answer Session



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