

transition



The Passage from Youth to Adulthood

Your guide to the services and information that can make transition a success for young people with disabilities who went through the Foster Care System

*Where, why, when and how
to make the most of the years
after Foster Care*

The Advocacy Center for Persons with Disabilities, Inc.
Florida's Protection and Advocacy Programs

Florida's Children First, Inc.
Fighting for Children's Rights

This publication is available in alternate accessible formats
by calling the Advocacy Center, Inc., toll free 1-800-342-0823

Letters From Sponsors ...

To students with disabilities and their families, friends, teachers, special education teachers, guidance counselors, vocational rehabilitation counselors and transition coordinators.



Federal law guarantees every student with a disability the right to assistance in moving from the school to post secondary activities.

"Disability is a natural part of the human experience," wrote the United States Congress in passing this legislation, "and in no way diminishes the right of individuals to participate in or contribute to society."

At the Advocacy Center, we work to advance the dignity, equality, self-determination and expressed choices of people with disabilities. Transition planning is intended to provide people with disabilities the supports and services they need to reach their dreams and that will lead them to become independent adults. As with all good intentions, the reality can sometimes fall short. Because transition is so critical to a student's future, knowing your rights can save years of wasted time.

Above all, knowing the law and having the highest expectations for the rights it confers will spur all of us to achieve more than we ever imagined.

This handbook is designed to give you a basic understanding of the rights of students with disabilities and the obligations of the special education system under the law. If, after reading it, you have further questions, please call the Advocacy Center for Persons with Disabilities toll free at 1-800-342-0823. It is our mission to ensure that Floridians with disabilities have the free and appropriate public education that is their right. And we believe there is no time to waste.

*Sincerely,
The Staff of the Advocacy Center for
Persons with Disabilities, Inc.*

Youth in the care and custody of the State of Florida have the right to state assistance in becoming independent and self-sufficient adults. Each year over 1,000 youth in state care become legal adults without the support of a permanent family. Recognizing that if it can't give them a family, it can at least provide institutional support, in the last few years the State of Florida has made numerous advances in law and policy to enhance its support to youth who become adults while in state care.

Florida's Children First is committed to advocating for the rights of youth in state care. We thank the Advocacy Center for Persons with Disabilities for collaborating on this important project. The laws and programs are in place to provide a framework for successful transition planning, but they are not well known. We hope that by using this publication, youth and the adults who work with them will gain a better understanding of how Florida and federal law can be used together to provide for a successful transition to adulthood.

*Sincerely,
The Staff of Florida's
Children First, Inc.*

CONTENTS



WHAT IS TRANSITION?	4
WHY PLAN?	5
PARENTAL INVOLVEMENT IN EDUCATION PLANNING	6
SCHOOL BASED TRANSITION PLANS	8
TRANSITION PLANS FOR YOUTH IN STATE CARE	10
WHAT SHOULD THE PLANS COVER?	11
HOW IS TRANSITION PLANNED?	14
WHO PLANS THE EDUCATION TRANSITION?	16
TIPS FOR TEAM LEADERS	18
USE FINANCIAL RESOURCES WISELY	20
WHAT HAPPENS WHEN A STUDENT WITH A DISABILITY TURNS 18?	21-22
WHERE WILL I LIVE? HOW WILL I PAY FOR IT?	23
GUARDIANSHIP OPTIONS AND ALTERNATIVES	24
HOW LONG CAN STUDENTS WITH DISABILITIES STAY IN SCHOOL?	26
WHEN AND HOW DO STUDENTS WITH DISABILITIES GO TO WORK?	28
WHO IS ELIGIBLE FOR VOCATIONAL REHABILITATION?	29
WHAT DOES THE FLORIDA DIVISION OF VOCATIONAL REHABILITATION DO?	32
WILL VOCATIONAL REHABILITATION HELP ME BUILD A CAREER, OR JUST GET A JOB?	33
WHAT ELSE SHOULD BE INCLUDED IN A TRANSITION PLAN?	35
WHAT IS ASSISTIVE TECHNOLOGY AND WHO PAYS FOR IT?	36
ARE THERE SPECIAL CONSIDERATIONS ABOUT SOCIAL SECURITY BENEFITS?	38
ACRONYMS	39
GLOSSARY	40
TRANSITION RESOURCES	42
OTHER RESOURCES AND ORGANIZATIONS	45

All children – whether or not they have a disability — have rights, needs, talents and dreams. For students with disabilities, the key to a smooth transition to adulthood lies in recognizing the possibilities unique to their gifts and goals. Transition, which usually takes place between the ages of 14 and 22, can be much more successful if a student has access to all the supports and services that permit him or her to live as fully and independently as possible.

Under the Individuals with Disabilities Education Act (IDEA) and the Rehabilitation Act, students with disabilities have the right to substantial assistance in making the most of their transition years. However, they don't always get the services to which they're entitled. That can be because the laws and regulations are not well understood, or because providers are short on money or time, or because the student's transition team lacks an energetic, knowledgeable and determined leader.

If you are a young person moving toward adulthood — or the parent, teacher or friend of one — this handbook is designed to help you understand what services are available and how to gain access to them.



If you are a young person moving toward adulthood — or the caseworker, independent living coordinator, parent, surrogate parent, foster parent, teacher or friend of one — this handbook is designed to help you.

What Is Transition?

It's the process that takes young people with disabilities from childhood to adulthood and helps them move from being dependent to being independent both socially and financially.

Transition is the process that takes young people with disabilities from childhood to adulthood.

The transition process promotes movement from school to post-school activities as well as from living in state care to independent living. Youth in state care will have two types of transition plans. One plan is school based, the second plan is based in the youth's case plan through the agency responsible for caring for the youth (the Community Based Care provider or DCF).

Although they are separate, both plans should be coordinated so that the goals are consistent and everyone working with the youth knows who is responsible for each activity. Planning should include everyone involved in the youth's life: the youth, his or her caseworkers, educators, service providers, family, foster family and friends. The participants should agree on the contributions they will make and how they will work together. They will design a plan with timelines and measurable outcomes and agree to follow up with support.

The school based plan must be designed to produce an outcome based on the individual youth's needs, preferences and interests. The young person and his or her team select goals for adulthood. The desired outcome can include any number of goals, such as post-secondary education, vocational training, integrated employment, supported employment, continuing and adult education, adult services, independent living and community participation.

The activities and services in the school based plan are then designed to reach those goals. The activities in the process can include instruction, related services, community experiences, the identification of an appropriate living arrangement, the development of employment and other post-school, adult-living objectives, functional vocational evaluation, and, when needed, the acquisition of daily living skills.

The case plan for transition from foster care to independent living should plan for the same outcomes as the school based plan. It will also have specific items that have been identified in Florida law as being necessary to include for youth in state care. A well-managed transition gives young adults the chance to have the greatest possible independence, competence, enjoyment and mastery of life.

For a transition plan to be effective, the combined efforts of everyone involved are necessary – the youth, caseworkers, foster family, family and friends, educators, and professionals from government and private agencies.

With that team in high gear, the youth in transition will have more adult opportunities and a much better chance to succeed. The transition years can be a time to prepare for adulthood, make the living arrangements that will work and line up the services and technology that can supply freedom and competence.

All youth in state care are entitled to assistance with the transition from state care to independent living. As far as school-based transition plans, federal laws and regulations require that some people with disabilities (those covered by IDEA, the Individuals with Disabilities Education Act) have assistance in their transitions. Others with disabilities (those covered by Section 504 of the Rehabilitation Act, but not by IDEA) have a right to transition services if they request them. Much can be gained by requesting them.

A few of the goals and services to be considered during transition are:

Education Related

- type of high school diploma to achieve
- college (2 year or 4 year)
- continuing and adult education
- vocational or trade school

Work Related

- career, trade or profession
- integrated employment (alongside non-disabled colleagues)
- vocational counseling
- vocational rehabilitation
- vocational training
- self employment
- supported employment

Community Integration Related

- adult services
- assistive technology
- community participation (experiences such as attending church, taking public transportation, using the library)
- daily living skills
- financial literacy
- health care
- housing
- independent living

All youth in state care are required by state law to have a case plan that includes a description of their needs and a description of how they are going to receive services to address their needs. Florida Statute §39.6012. As youth get older, the case plan must include “an educational and career path” component to help prepare them for independent living. Florida Statute §409.1451.

Students in special education are required by federal law to have Individual Education Plans (IEPs) and, as adulthood approaches, educational transition IEPs as well.

Young people with disabilities who are covered by the Rehabilitation Act but not by IDEA sometimes don't

choose to take advantage of all the planning that schools, caseworkers, parents, surrogate parents or government officials can provide for them. However, there are benefits in exhausting every opportunity. Creative planning can open the door to assistive technology, additional services or expert advice that may give a student much more freedom and personal power in adult life.

The IEP spells out the kind of education a student needs, along with the support services required to achieve it. Later plans – both transition and vocational — deal with the student's goals and needs for adulthood.

Begin Planning Early!

Florida law requires that transition planning begin for youth in state care at age 13 with the adoption of an education or career plan. The Individuals with Disabilities Education Act (IDEA) requires that school-based transition planning begin at age 16.

Youth with disabilities need caregivers, caseworkers, teachers and other supportive adults who understand how they learn, how much they can learn (often more than teachers think), how they can prove what they've learned and how they can use that information as adults. They also need adults who understand what skills the youth needs to acquire to live in the community.

The earlier the transition team understands a youth's needs, the likelier they are to be fulfilled.

Why Plan?

Anything works better if it is planned. Besides, it's the law

There are many ideas, services and technologies for people with disabilities and planning can put them within reach.



Parental Involvement In Education Planning

What Role Do Parents Have in Planning When Their Children Are in State Care?

It is very important for youth with disabilities who receive special educational services to have a “parent” involved in educational decision making.

Under Florida education law, the term parent includes parents, guardians, persons in a parental relationship to a student or any person exercising supervisory authority over a student in the place of a parent. Florida Statute §1000.21(5).

Parental Rights NOT Terminated

Parents of youth in the dependency system retain their right to participate in educational decision-making for their children unless that right was specifically taken away. That means that parents have the right to receive notice and participate in all meetings and decisions the same as parents whose children are not in state care.

Parental Rights Terminated or Educational Rights Removed

Parents cannot participate in making decisions for their children after their parental rights are terminated. Parental rights are terminated through a court process called “TPR” – termination of parental rights. Parents may also be prohibited from making decisions, such as educational decisions, for their children if the court specifically orders that they may not make such decisions. If the parents are not available to participate in the youth’s education, then someone else must – either a relative, a foster parent or a surrogate parent.

Youth Living with Relatives

Many youth in state care live with grandparents, aunts, uncles or cousins. The adult relatives responsible for caring for those youth are considered “parents” for education purposes and can make the same educational decisions as parents.

Foster Parents

Foster parents can be considered “parents” for education purposes. Fla. Stat. §1000.21(5). But in order for a foster parent to serve as a surrogate parent, he or she must have an “on-going, long-term parental relationship” with the child. Foster parents who have cared for a child for only a short time, or are not interested in the child’s education should not be considered as “parents” and a surrogate parent should be appointed.

Surrogate Parents

A surrogate parent is an adult who has been appointed to represent the educational interests of an exceptional student who does not have a parent or guardian. A surrogate parent has all the rights and responsibilities of a parent in the educational process. 20 U.S.C. §1415(b)(2)(A) and Florida Statute 39.00165. Surrogate parents can, for example:

- Observe the student in school
- Review the student’s records
- Meet with teachers
- Participate in IEP and other meetings concerning the youth
- Help make decisions about the youth’s education
- Develop a Transition Plan
- Give or withhold consent for actions proposed by the school district
- Ask the school to take actions related to the student’s education
- Sign permission slips for field trips, records and photograph releases
- Invoke the procedural safeguards of the law (requesting due process hearing for example)

A surrogate parent can be appointed either by the School Board or the dependency court. Many students with disabilities in state care have a surrogate appointed through the school system. Youth and their advocates should seek the appointment of a surrogate parent if there is no adult serving in that role.

Who CAN be a Surrogate Parent?

The basic requirement is that the person be over the age of 18 and complete training that shows that they have the knowledge, skills, and experience to do the job. Guardians ad litem and some foster parents are eligible to be surrogate parents.

Who CANNOT be a Surrogate Parent?

People who work for the state or local education department and people who work for any agency responsible for caring for the youth are not eligible. This includes employees of the Department of Children & Families, Juvenile Justice, the Agency for Persons With Disabilities, Community Based Care providers and sub-contracted agencies. This means that case workers and counselors in the school system cannot be surrogate parents. The exception is that foster parents who also work for the school system may serve as the surrogate parent for the youth in their care.

All youth in state care should have a designated educational decision maker.



When youth are in state care there is often a great deal of confusion as to who is responsible for acting as the parent for educational purposes.

For purposes of the Individuals With Disability Education Act, a caseworker or group home employee can never be an educational decision maker. A foster parent can be an educational decision maker only if he or she has an ongoing parental relationship with the child.

But a foster parent, caseworker or caregiver at a group home may act as a parent in the school setting by approving participation in school activities such as sports, field trips and clubs; attending events, and providing excuses for absences.

If there is any doubt, ask the court to designate an educational decision maker.

School Based Transition Plans

What are they?

Who has them?

Basically, four plans have been created under federal law to protect young people with disabilities from discrimination in education and employment.

Depending on which laws cover them and what stage of transition they're in, young people with disabilities will have one or more — probably at least two — of these four official types of school-based plans:

The IEP

Individualized Education Plan — is a detailed, legal document that indicates the supports and services a student with a disability will receive in order to be provided a free and appropriate public education.

IDEA requires that all the students it covers — that is, students in special education — have IEPs, which are written by teams that vary in composition according to the needs of each student. IEPs are updated at least every year. If you feel your plan needs to be changed or clarified you can request an interim review.

Students who are covered by IDEA and required to have IEPs are between the ages of 3 and 22, are evaluated by the appropriate professionals, and are determined by a multidisciplinary team to be eligible because of one or more of 13 specific categories of disability. The categories are Autism Spectrum Disorder, Deaf or Hard-of-Hearing, Dual Sensory Impaired (deaf-blindness), Cognitively Impaired, Physically Impaired, Other Health Impaired, Emotional/Behavioral Disability, Specific Learning Disabilities, Speech or Language Impairment, Traumatic Brain Injury, and Visually Impaired.

Those who are covered by IDEA are also eligible for assistance under Section 504 of the Rehabilitation Act, but during the person's school years, the requirements of IDEA are more specific. To be sure

a child receives the services he or she needs, IDEA spells out a concrete and specific process. That process guarantees that useful steps will be taken to give the child equal access to an education.

504 Plans

Students with disabilities who are not covered by IDEA — that is, students who need accommodations in education but do not need specially designed instruction — have a plan similar in purpose to the IEP. Because it comes from Section 504 of the Rehabilitation Act, it is most often called a “504 Plan.”

A 504 plan, like an IEP, specifies the steps to be taken to give the young person an equal chance to be educated. It describes the kind of education that is right for him or her and the accommodations to make it possible.

Section 504 of the Rehabilitation Act covers people who have a physical or mental disability that substantially limits one of the legally defined major life activities — walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself or performing manual tasks — but do not need the special instruction and related services that are covered by IDEA.

The 504 plan can and should be handled as carefully and thoroughly as the law requires for an IEP. The person with a disability, his or her parents or surrogate parent and an advocate has a right to insist on a thorough process and all necessary services and benefits for which the student is eligible.

TIEP

By age 16 IDEA requires a student's IEP team to address transition services the student needs to achieve their post school desired outcomes. When transition services are addressed the IEP becomes a TIEP.

Students who have 504 plans are not legally required to have separate transition plans, but they are entitled to transition planning as part of their 504 plans.



IPE

The student who attends school with an IEP or a 504 Plan is likely to leave school with a new kind of plan — an Individualized Plan for Employment (IPE).

The IPE is a blueprint for successful employment for the person who uses the services of the Florida Division of Vocational Rehabilitation (DVR) or the Division of Blind Services (DBS).

A student who is eligible for vocational rehabilitation has a right to an IPE developed by DVR or DBS before he or she leaves school. Without the plan, the student can't gain access to services from DVR or DBS. It is a roadmap to reach his or her desired and appropriate employment goal in adult life.

School Based Transition Plans



504 Plan Frequently Asked Questions:

1. When is a 504 plan used?

A child with a disability who does not need special education and services under the Individuals with Disabilities Education Act (IDEA) may be eligible under Section 504 of the Rehabilitation Act.

2. Who is eligible for a 504 plan?

A child must have a physical or mental impairment that ***substantially limits one major life activity***, such as walking, seeing, hearing, speaking, breathing, learning, reading, writing, performing math calculations, working, caring for oneself and performing manual tasks.

Transition Plans For Youth In State Care

The State of Florida requires that the Department of Children and Families provide youth and young adults with opportunities and services that are appropriate for their age and special needs in order to build life skills and increase the ability to live independently and become self sufficient. Florida Statute §409.1451(3)(a).



Case Plans

All planning for youth in state care begins with a dependency case plan. A case plan includes a description of the youth’s needs and a description of how the State is going to provide services to address their needs. The case plan has a number of required components. Once a child turns 13 the case plan should include a transition component. That is, it should include a “written description of the programs and services that will help the child prepare for the transition from foster care to independent living.” Fla. Stat. §39.6012(3)(c). Case plans must be approved by the dependency court. Florida Statute §39.603(1).

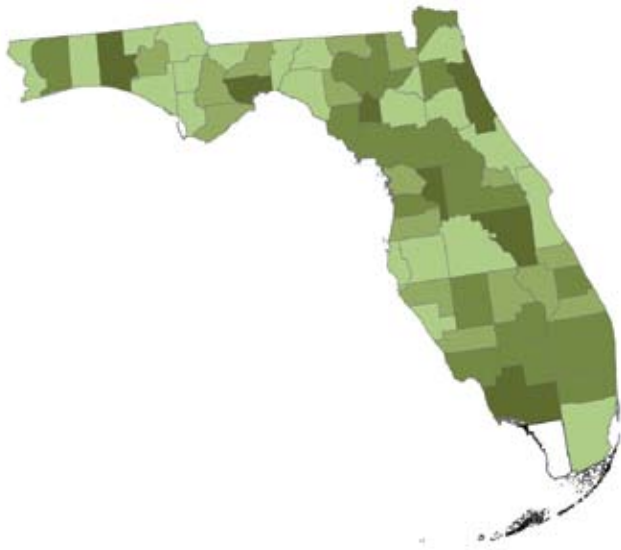
Normalcy Component of the Case Plan

For many years youth in state care were not able to participate in the same types of activities as their peers. In order to fix that problem, the state is now required to include a “normalcy” component in the case plan. Fla. Admin. Code 65C-30.007(10). Youth should be encouraged and supported in taking part in extracurricular activities, obtaining work, attending social events, learning how to drive and doing all the other normal things that youth do.

Transition Plan Component of the Case Plan

Pre-Independent Living (ages 13-15)

The state (via the Community Based Care provider) is required to conduct a “pre-independent living assessment” for all youth between the ages of 13 and 15. It should then identify services needed to meet the needs identified in the assessment. The state must then conduct a staffing once a year to ensure that the youth receives the services and training necessary to develop independent living skills. Florida Statute §409.1451(4)(a).



Life Skills Services (ages 15-17)

Beginning at age 15, the State is required to conduct an independent life skills assessment. It then must hold a staffing at least every six months to make sure that the youth receives the training and services needed to develop

independent living skills as identified in the assessment. The type of services available include: banking, budgeting, interviewing, parenting, time management, organizational skills, educational support, employment training and counseling.

Educational & Career Path Component of the Case Plan

Beginning at age 13, the youth's case plan must include "an educational and career path" component based on the abilities and interests of each child. Florida Statute §409.1451(3) (b)1. The youth, foster parents and a teacher are supposed to be involved in developing the path. The path must be incorporated in the case plan and must be reviewed at each judicial hearing.

The youth, assisted by foster parents and DCF or the CBC, must chose one of these post-secondary goals:

1. Obtaining a 4-year university degree.
2. Obtaining a 2-year college degree.
3. Obtaining a career/technical certificate.
4. Beginning employment or apprenticeship after completing high school or enlisting in the military.

The youth can change that goal while in foster care or after leaving foster care. The foster parents, caseworkers and other adults must help the youth identify:

1. The core courses necessary for a chosen goal.
2. Any elective course that would provide additional help in reaching a chosen goal.

3. The grade point requirement and any additional information necessary to achieve the goal.
4. A teacher, school staff member, employee of the department, community-based care provider, or community volunteer who will be willing to work with the youth as an academic advocate or mentor if the foster parent is not sufficient or available.

Transition Plan for "Transitional Support Services"

In addition to the general transition planning requirements in all case plans, the term "transition plan" also has a specific meaning in relation to "Transitional Support Services." Young adults who were previously in foster care may be eligible for short-term funding and services if it will help them achieve self sufficiency. In order to receive the funds, the young adult must work with DCF or the CBC to develop a "joint transition plan." This transition plan must have specific tasks to complete and the young adult must be accountable for completing or making progress toward completion of the tasks. Florida Statute §409.1451(5)(c).



What Should The Plans Cover?

Even though there are several different "plans," for youth in state care, they should all be incorporated into the case plan that is approved by the court.

What Should The Plans Cover?

The plans are designed individually, and reflect each person's vision and values.

All supports and services that a young person with a disability needs to prepare for the fullest possible life as an adult.

If the dependency system, education system, vocational rehabilitation agencies and private and government social services can provide a service or support, and the person covered by the plan needs it, the plan should show the way to get it.

IEP and 504 - the Education Plans

The IEP and the 504 plan ideally begin in childhood, the earlier the better, and deal primarily with the child's education. Early planning is the bedrock of the transition plan. Even if the 504 plan is developed later, it still provides the necessary structure for the transition plan.



An IEP or a 504 Plan should be reviewed at least annually — and can be reviewed anytime, upon request — to reflect the student's progress and evolving situation, and to stimulate ideas about what will help him or her take advantage of new services and technology as they become available.

An IEP or 504 Plan Should Spell Out:

- all the student's educational needs related to his or her disabilities
- the services to be provided and when they are expected to start and end
- which agencies or individuals will provide the services and who will pay for them
- measurable goals for the student, with dates to begin working toward them and to reach them (assessments conducted by professionals can be a basis for the goals, and new assessments periodically can measure the progress and inspire new goals)
- program modifications and supports that will be needed to help the student reach the goals in the least restrictive environment. "Least restrictive environment" means that, as much as possible, the student learns in the regular curriculum, learns alongside other students (those who have disabilities and those who do not) and participates in extracurricular activities with other students (those who have disabilities and those who do not)
- technology devices or other assistance that might make it possible for the student to participate fully and equally in mainstream school life, and who, or what agency, will supply it

TIEP, the Transition Plan - or the Transition Portion of a 504 Plan

Adulthood brings new needs, rights and opportunities. As a student grows to adulthood, his or her IEP could change significantly, and the transition plan should play an ever-larger role in this process.

The transition plan will cover not only schooling but also vocational training and living skills – in short, whatever the young person will need to make a successful transition to adult life. The transition plan — whether a TIEP or a portion of a 504 plan — should spell out:

- the high-school program the student needs and the type of diploma the student is working towards
- the student's desired post-school outcome
- the kind of work the student wants to do and can do with the right training, supports and services, and how he or she will prepare for that work
- any job training the student will need, whether it will be in a formal classroom setting, in the community, or both
- post school adult living arrangements
- functional vocational assessments, if needed
- any life skills the student has yet to learn
- services or assistive technology devices the student will need and which agencies can supply them

IPE - the Vocational Rehabilitation Plan

The IPE states the student's employment goal and the services the student will need to achieve it.

It is important for a student with a disability and his or her vocational rehabilitation counselor to choose an employment goal specific enough to make it clear which services are needed to reach it.

The goal should not be, for example, health care. It should be a particular job in health care — nurse's aide, records technician or surgeon. Instead of business, the goal should be receptionist or comptroller. Instead of law enforcement, it should be security guard, detective or prosecutor. The goal can always be changed if it proves to be too much, too little or simply the wrong direction.

With a specific goal, an IPE can then list in detail the services that are needed and who will pay for them. The services can include further education, transportation, mental-health therapy, medical treatment, technology and anything else necessary for the student to reach his or her goal. The IPE can also specify responsibilities of the young person, such as reporting progress to the counselor or regular attendance at classes.

The plans are designed individually, and reflect each person's vision and values.



What Is The Purpose Of Each Education Plan

Education plans should be detailed strategies for achieving the best possible adult life

A transition plan has the same purpose but looks ahead to the needs, changes and possibilities of adulthood

An IPE, or employment plan, focuses on preparing for work as an adult

An Independent Living Plan builds self-sufficiency and the self-confidence needed to successfully enter the adult world.

How Is Transition Planned?

The transition team meets regularly to figure out what will work for the youth, then commits to executing its strategy.

Independent Living Plans:

Each Community Based Care provider will determine who is responsible for transition planning for youth with disabilities. Usually the caseworker and independent living staff will work together with the youth to create a transition component to the youth's case plan. The Florida Statutes specify when staffings must take place for youth in state care, who must be invited, and what must be covered.

Frequency of Independent Living Staffings:

Ages 13 and 14 – staffing must take place at least once a year

Ages 15 to 18 – staffing must take place at least every six months

Who Should Attend Independent Living Staffings? (All Must be Invited)

- The Youth
- The Services Worker & Supervisor
- The Youth's caregiver
- The Youth's guardian ad litem
- The Youth's attorney
- The independent living service provider
- Any other individuals significant to and familiar with the Youth
- Family members likely to be involved with the Youth after the Youth leaves foster care
- The Youth shall be encouraged to invite any adults who are important in the Youth's life
- The attorney for the State

What Must Be Discussed at Independent Living Staffings?

- The Youth's educational and work goals
- Youth's progress and any obstacles the Youth is facing
- What life skills the Youth needs including budgeting, banking, and getting a driver's license
- Youth's progress toward developing already identified skills
- Permanency arrangements including the Youth's wishes regarding adoption
- Information on the Subsidized Independent Living program
- Information on the Road to Independence Program
- Information concerning tuition fee exemption and the Bright Futures Program
- Any other identified obstacles and needs the Youth has with regard to Independent Living

In addition...

For Youth Age 17

- The Youth's plans for living arrangement after age 18
- The life skills services that may need to be continued past age 18



School Based Plans:

The school has primary responsibility for creating and maintaining the IEP or 504 plan and the TIEP, although many other institutions and agencies should help. The IPE is primarily the responsibility of the vocational rehabilitation counselor. The student with a disability and his or her vocational rehabilitation counselor write the IPE together, generally with the advice and counsel of others.

If educators do not begin transition planning by age 16 or younger, they can be prompted to do so. Family members, caseworkers, and other adults close to the student's family, along with the student him- or herself, can make a request to the school. The request should be written, and the person making it should keep a dated copy.

The first step in the planning process is a comprehensive evaluation of the student. It should be done as soon as the youth enters school or as soon as the question of a disability arises. Either the caregivers, case worker, parents or the school staff may initiate it. If the school asks for an evaluation, the staffers must obtain prior consent from the parent, guardian, caseworker or surrogate parent.

The evaluation will help determine whether the student has a disability, whether the disability is covered by IDEA and State Board of Education Rules or the Rehabilitation Act, and what education services the student needs in order to succeed.

When the student is determined to have a disability, the school staff calls a meeting to write an IEP or a 504 plan, depending on the nature of the disability. (Before the meeting, the parent or adult responsible for the youth's education should receive a copy of the assessment in time to study

it, and understand it.) If they don't agree with the findings of the assessment they can request and independent educational evaluation (IEE).

The meeting should include (and under IDEA is required to include) the parents, or person acting as the parent, teachers, counselors and anyone with special expertise and knowledge pertaining to the student. The same professionals, depending on the needs of the student, should help develop and maintain a 504 plan.

Together, the members of the team decide what the student needs, what services will be provided and what outcomes are anticipated.

The meetings are repeated at least annually through the school years. The written record of the decisions made at the meetings becomes the current IEP (or 504 plan) document.

The same process produces the TIEP.

How Transition Is Planned.



Who Plans The Education Transition?

Who plans the transition? The student's team, composed of the student, his or her main advocate (a family member or other determined advocate) and all professionals necessary to provide educational and other services.

The Student and his or her Team

Include the Student

Federal law requires a public agency (such as a school) that is planning for a student with a disability to invite him or her to the IEP meeting if transition will be discussed.

If the student does not attend the meeting, the public agency must take other steps to ensure that the student's preferences and interests are considered.

The IEP team

Under IDEA, the IEP transition team should include the student, parents (or persons acting as the parent), and school staff who know the student, as well as representatives of every agency that might play a role in meeting the student's needs. These agencies can include:

- developmental services agencies
- alcohol, drug abuse and mental health programs
- community colleges
- the Florida Division of Blind Services (DBS)
- the Florida Division of Vocational Rehabilitation (DVR)
- deaf service centers
- children's medical services
- children and family services
- community mental health services
- the Centers for Independent Living (CIL)
- Social Security programs
- speech-language programs
- any other agency with services or programs that might contribute to the student's successful transition to adult life.

The 504 team

The composition of the 504 team is less formally dictated by law than the IDEA team, but it's a good idea to have the same sort of mix, to cover all the services and opportunities the student might need and want. The student or anyone responsible for that person can request the participation of experts.

The Transition Team

The transition can be planned by the members of the IEP or 504 team, plus additional contributors such as professionals in the fields of higher education, adult living arrangements and employment.

IPE (an employment plan)

The IPE plan is written by the student and his or her vocational rehabilitation counselor, who enters the picture when the student is determined eligible for services from DVR or DBS.

The counselor will be more valuable, however, if he or she has been involved in the student's education planning from early on.

Any involved family members and other members of the student's IEP (or 504) team should contribute to drafting the plan, but it's the student and VR counselor who must agree on the final version.

Preparing for your IEP Meeting

IDEA states if the purpose of the IEP meeting is to consider your post secondary goals and transition services you should be invited to the meeting. Since these meetings are so important to your future, the more you can be part of them, the better the team will work together. Everyone wants you to be successful.

As you go through transition, it's important for you and your IEP team to communicate well. The IEP maps out what you will learn in school and what you need to learn it. It tells your teachers how they can best help you learn and prepare for what you will do when you leave school. Your IEP could include goals such as balancing a checkbook, improving your reading skills, or socializing with groups of people. Depending on your goals, your IEP team will plan, step by step, how to get you there.

Before the Meeting:

- Get a copy of your IEP and go over it with your caregivers, teachers or other trusted adults until you understand it
- Ask questions about the parts you don't understand
- Think about what you want to do. Write out your ideas ahead of time, and practice what you want to tell your team about your goals
- Do your homework by learning what classes or training you need to achieve your goals
- Invite someone you trust to attend the meeting to encourage and support you. It could be a relative, friend, guardian ad litem, or attorney
- Be sure you get enough sleep the night before and eat a good breakfast the day of your transition IEP meeting

During the Meeting:

- Discuss with your team how your disability will affect your goals and plans
- Know your strengths and your weaknesses
- Focus your abilities and possibilities, but be realistic
- Know your rights. What will you do if your IEP team makes a decision you don't agree with? Remember: If you have concerns, the law guarantees you another meeting, and you have a right to a hearing if you disagree
- Believe in yourself and your success

Diploma Options

One of the choices a student must make is what type of diploma to work towards. In Florida there are several options:

- Standard Diploma
 - Special Diploma Option One
 - Special Diploma Option Two*
- * Some small districts do not offer an Option Two Special Diploma

Students should consider the choices carefully. Often youth in foster care have been moved so many times that they are behind in high school credits. Finishing school with peers by obtaining a special diploma sounds like a good idea. But, many former foster youth have been unpleasantly surprised to learn that they have to take the GED in order to get into community college.

Special diplomas may or may not be accepted by vocational school, community college, or military recruiters. Certificates of completion are not accepted by community college, military recruiters and are not recognized by employers.

Learn more at:

- High School Diploma Options for Students with Disabilities: Getting the Right Fit." (FDOE 2004) English: http://www.fldoe.org/ese/pdf/hs_options_ese.pdf. Spanish: <http://www.fldoe.org/ese/pdf/hsotpspa.pdf>
- "Diploma Decisions for Students with Disabilities," <http://www.fldoe.org/ese/pdf/diploma.pdf>.

Preparations



Here are a few tips for the team leader, whether it is the student, a family member, a friend or professional advocate ...

Preparing for Your Education Planning Meeting

- Read and get familiar with the laws that cover the youth's rights. Bring copies to the meetings
- If an agency representative says, "It's not our job," research the issue and you may be able to respond, "Yes, it is"
- Know the agencies and organizations that are equipped to help. Some will give you invaluable information, some will provide services and some will advocate to enforce the law if necessary. Others may need prodding
- Remember that any of the plans can be amended to add services whenever necessary. Should you learn of one that would help you attain your goal, get it written into the plan
- Make your requests in writing and get the answers in writing. If the youth is denied services, request in writing that the decision, its reason and the grounds for denial be provided in writing
- Go up the chain of command. If an agency representative denies a service and you disagree, go to that person's supervisor, then to the agency head. Then follow the agency's appeal procedures. If you don't know the rules and procedures, ask for them. They should be available in writing
- In dealing with denial of services and other problems, you can obtain information and referral, and possibly legal representation from the Advocacy Center for Persons with Disabilities or your local legal aid program
- Make certain the plans contain measurable goals. Without measurability, it is difficult to determine if the student is making adequate progress toward his or her goal
- Ask for an assessment to show the need for services. For example, instead of requesting speech therapy for a child,



Tips For Team Leaders

request a speech assessment. Then, if you disagree with the assessment, in the school setting, you have the right to an independent evaluation at public expense

- Ask for assessment reports prepared by professionals who can accurately measure the student's needs and abilities. Future assessments will measure his or her progress. Services should be provided based on the assessment findings. Assessments are mandatory for students covered by IDEA, and are both desirable and available for 504 students. Youth in state care with a mental health diagnosis or severe behavioral problems, should have a current Comprehensive Behavioral Health Assessment (CBHA), if they don't, request that one be provided
- Ask for a copy of all assessments before any meeting at which it will be discussed. Study the assessment and be ready to proceed with it or ask for another if it doesn't seem adequate and correct
- Take other stakeholders to the planning meetings. While advocating you'll be more effective if you're not alone. Take experts who will back up your judgment, friends or counselors who can speak knowledgeably about the situation, professionals who know the system and other advisers who can help

the team stay on track. Your companions may not need to speak at all, yet may nonetheless give weight to your analysis of the situation

- Don't back down to please the professionals working with you. Back down only when you decide you've been wrong about the youth's needs and strengths
- Generally, you'll accomplish more if you show respect for the professionals, even if they become impatient with you — but respect does not mean you have to agree with them. You may go online and read the Web sites of advocates and lawyers who have worked successfully with people with disabilities. Many of their tips are excellent and of no cost to you
- Remember that most decisions are not final. Stick with what works. Keep your written records in order. Should you encounter resistance, call another meeting, ask for another assessment, be persistent, quote the laws again, pull out the regulations. If you have tried to resolve the conflict yourself and have been unsuccessful contact the Advocacy Center for advocacy and legal help



Use Financial Resources Wisely

Many youth in state care receive government benefits each month. Often, though, the money is not used to meet the youth's specific needs.

Youth with disabilities who are in state care often receive funds from Social Security. Most of these young beneficiaries receive Supplemental Security Income (SSI) payments but others may receive Social Security Disability Insurance (SSDI). Still other youth might receive Veterans benefits, private insurance benefits or child support.

Money received for the youth is placed into a "Master Trust" fund which is held either by the Department of Children and Families or the Community Based Care provider.

Those funds belong to the youth and should be used to benefit the youth.

DCF/CBCs are legally allowed to reimburse themselves for the cost of care (payment to foster parents or group homes) out of those funds. But before they do that, they must:

- Notify the youth, the GAL and others of the intent to deduct cost of care.
- Provide the youth with a form to seek a waiver of cost of care or request to increase personal allowance.
- Leave at least \$15 a month in "personal allowance" in the fund.

Youth and their advocates should make sure that SSI/SSDI or other funds are used in part to supply youth with services and supports to ameliorate their disability and promote "normalcy."

Examples of appropriate use of funding includes:

Tutoring, sports, music/drama/dance lessons, scouts, camp, assistive technology. If the youth and case worker cannot identify the youth's needs, a CBHA or other assessment should be used.

The amount of a waiver sought by the youth should relate to the specific need. Youth who are supporting their own children should seek to waive the entire cost of care.

Youth can also seek an increase in personal allowance to pay for monthly expense. Or they may ask to waive all cost of care for several months to save for a specific purpose (e.g. summer camp, or the deposit on an apartment).

If the youth is receiving SSI, there is an asset limitation of \$2,000, but all youth who exit care should seek a waiver so that they can have \$2,000 available for transition expenses when they turn 18.

If the request for a waiver is denied, the youth may seek a fair hearing with DCF. Many legal aid programs are willing to represent youth who have been denied a waiver.



Best Bets For **Your**
BUDGET

There is a legal presumption that adults have the capacity to handle their own affairs. If it appears that a young person will be unable to make important decisions (such as those about education, money management or health care) without assistance at the age of 18, a legal guardianship or other alternatives may be appropriate to consider. (See pages [24](#) and [25](#) for a discussion of these legal options).

Turning 18: The person normally has more rights, more risks and more responsibilities.

There are six things that change when youth in state care turn 18:

- 1 *The state is no longer responsible for providing food, shelter and clothing to youth who were adjudicated dependent.*
State assistance might be available, but is not guaranteed.
- 2 *When they turn 18, young people acquire the rights and access to records that their parents or the state had exercised, including:*
 - the right to be notified and consent to evaluations;
 - the right to invite additional participants to IEP meetings;
 - the right to be notified and consent to specialized education and related services.

Tips For Helping Youth Prepare For Transition

Talk to young people about their hopes and dreams for adulthood.

Help the youth meet adults with disabilities who can serve as mentors and role models.

Work with the youth to learn about his or her disability, the transition process and self-advocacy.

Observe the youth's skills at socializing, organizing, workplace behaviors and independent living.

Assign the youth chores.

Give the youth the opportunity to budget and spend money.

Role-play situations that the youth might encounter.

Help the youth learn to use public transportation.

Discuss the youth's medical and transition needs with his or her physician.

Call the youth's teachers to request that transition and financial planning begin as soon as possible.

Help the youth plan for future living arrangements by budgeting with real numbers. (example: build a budget using newspapers to research what jobs pay and the cost of apartments).

Take field trips to find prices for the items needed for a home.

What Happens When A Person With A Disability Turns 18?

***An 18-year-old is
an adult and
presumed to be able
to handle his or her
own affairs unless
a legal proceeding
gives some
or all the
responsibility
for him or
her to a parent or
guardian.***

Parents & surrogate parents are still notified of meetings regarding their child's education, even after he or she turns 18.

- Under the federal Family Educational Rights and Privacy Act, an 18-year-old can give his or her parents or other adults access to educational records by signing a release.

- 3 ***Young people who received Supplemental Security Income (SSI) benefits for a disability may lose them as adults, depending on the nature of their disabilities.***
An 18-year-old receiving SSI benefits should expect to have his or her eligibility re-determined — using a different, adult disability standard — in the month before the 18th birthday.

See page 38 for more information.

- 4 ***The health insurance may change. Adults whose health insurance covers youth should check their policies to determine whether the coverage will continue after the youth turns 18 and if it does, for how long.***
Some policies, but not all, have continued coverage as long as the youth is in school.
Most youth in state care have

Medicaid as their health insurance. Former foster youth are eligible to stay on Medicaid, until age 21, so long as they live in Florida.

- 5 ***An 18-year-old is old enough to vote. Americans may vote at age 18 unless declared incompetent by a court of law.***

To register in Florida, one must turn 18 by Election Day and be a U.S. citizen and a legal resident of the county in which one plans to vote. As of 2009, youth will be able to register to vote at age 16, or anytime thereafter. Voter registration forms are available at many government offices, and from county supervisors of elections. Voting is an important way to have a say about the laws and policies that affect you.

See [Voting in Florida: A Guide for Citizens with Disabilities](http://www.advocacycenter.org/voting/) for more information about voting rights at: <http://www.advocacycenter.org/voting/>

[Voting_in_Florida-A_Guide_for_Persons_with_Disabilities. PDF: http://www.advocacycenter.org/news/index.html](http://www.advocacycenter.org/news/index.html)

- 6 ***Young men are required to register for military service.***
All males are required to register with the Selective Service within 30 days of turning 18 unless institutionalized or hospitalized.

Independent Living Benefits:

Most former foster youth are eligible for financial assistance after they turn 18. In addition to the Road to Independence Program (described on page 27), there are aftercare and emergency funds available. Talk to your Case Worker and Independent Living Coordinator about how to obtain those funds.

SSI & Medicaid Waivers:

If you are eligible to receive SSI as an adult, it is expected that you will use the SSI funds to pay for your living expenses. Adults who are on a Medicaid waiver may have some of their living expenses paid by the waiver. Talk to your support coordinator about what will happen when you turn 18.

Supported Housing:

If you are not ready to live on your own, and don't have a friend or family to help you, you may want to obtain "Supported Housing." That means that people will help make sure that things are ok at your home and that you have the things you need. You will still be responsible for taking care of your home. There are many different organizations that provide supported housing. In some communities there are supported housing programs for former foster youth. But even if that is not available, most communities have supported housing for adults with disabilities. Some resources include:

- The Division of Blind Services
- Centers for Independent Living
- Florida Supportive Housing Coalition:
<http://www.flshc.net/>
- APD for persons with developmental disabilities,
<http://apd.myflorida.com/customers/living/>

Getting Your Own Place

Being on your own is exciting and challenging. It's also a lot of hard work. As you plan, ask yourself if you're truly ready to shop, cook, clean and deal with repairs, bills, laundry and landlords. If the answer is no, talk to your caseworker about the independent living skills you need to learn.

If the Answer is Yes, it's Time to Develop a Plan:

- Who will help you in an emergency?
- Will your apartment need accommodations?
- Who will handle your Social Security and health benefits?
- Can you really afford to live on your own?
- Do you need to open a checking account?
- Do you know how to cook, clean, do laundry, pay bills?
- How will you get to work, school, the bank, the grocery store?
- Which family members and friends will be part of your support system?
- How will you keep in touch with your family and friends?

Remember:

Being on your own gets everyone down at times.

Having a network of people you love and trust will smooth your path.

Where Will I Live? How Will I Pay For It?

There are many government programs that may be able help you with living expenses. Be sure to learn about what help you can expect as an adult before you turn 18, and ask DCF or your CBC for assistance to apply for all services and programs you might be eligible for.

Guardianship Options For Adults Who Cannot Manage Their Own Affairs

*What is Guardianship?
For adults, guardianship
takes away a person's right
to make decisions about
his or her life in those
areas that a court
has decided
the person is not
competent to make their
own decisions. Any person
for whom a guardian has
been appointed is called a
"ward."*



*Remember that one
should never
seek to take away
rights where a
person has the
capacity to make
their own decisions.*

Types of Guardianship Under Florida Law

Full (Plenary) Guardianship, Florida Statute 744.102 (8)(b)

A person(s) is appointed by the court to exercise all delegable legal rights and powers of the person who has a disability. It requires that there be an adjudication of the person as incapable of handling any personal decisions, money and property; i.e., what the Florida law once called incompetent and now calls incapacitated. Few people require this type of guardianship.

Guardian Advocate, Florida Statute 393.12
or Limited Guardianship, Florida Statute 744.102(8)
(a) are preferred as less restrictive alternatives to full guardianship.

Limited Guardianship, Florida Statute 744.102 (8)(a)
A person(s) is appointed to exercise only specified rights and powers which are named by the court. A limited guardianship occurs when the court has found that the individual is partially incapacitated and lacks the capacity to make some, but not all, of the decisions necessary to care for his/her person or property.

Emergency Temporary Guardianship, Florida Statute 744.3031

A temporary guardian may be appointed for the person or property, or both, for a person who is alleged to be incapacitated, prior to the appointment of a full guardian. A temporary guardian may be appointed only after a petition for incapacity has been filed. In order to appoint a temporary guardian, the court must find specifically that there appears to be imminent danger that the physical or mental health or safety of the person will be seriously impaired or that their

property is in danger of being wasted, misappropriated, or lost unless immediate action is taken.

Permanent Guardianship of a Dependent Child: F.S. 39.6221 - This is an additional type of guardianship available to certain youth in state care that allows the court to appoint a relative or other adult to assume responsibility for the child until he or she turns 18. It does not require a finding of incapacity. Youth in these dependency guardianships assume all rights and responsibilities of adulthood upon turning 18.

Voluntary Guardianship, Florida Statute 744.341
If the court determines that the individual is not incapacitated, and the individual files a voluntary petition for guardianship, the court may appoint a guardian or co-guardians of the property of a person who, though otherwise mentally competent, is unable to manage property. A voluntary guardianship may be terminated by the ward.

Preneed Guardian, Florida Statute 744.3045
An adult who is competent may designate a person to serve as his or her guardian in the event that he or she becomes incapacitated in the future.

Guardian Advocate (Mental Health)
Florida Statute 394.4598
The court may appoint a guardian advocate for a patient deemed incompetent to consent to mental health treatment.

Guardian Advocate (Developmental Disabilities)

Florida Statute 744.3085

Guardian advocates assist persons with developmental disabilities. They may be appointed by the circuit court under this statute, or by the probate court under Florida Statute 393.12.

Guardian Advocate (Developmental Disabilities)

Florida Statute 393.12

A Probate court may appoint a guardian advocate without an adjunction of incapacity if the person lacks the capacity to make some, but not all, of the decisions necessary to care for his/her person, property or estate. Any interested person may petition for the appointment of a guardian advocate. The ward may also voluntarily petition. Only those rights the person cannot manage are removed. The four areas that some people with developmental disabilities may have difficulty handling, or for which society insists they have a substitute decision maker are:

- Giving informed consent for medical, dental and surgical procedures
- Managing money and/or property
- Applying for governmental benefits or entitlements
- Deciding on residential choices

There are important procedural differences between a Limited Guardianship under Chapter 744 and Guardian Advocacy under Chapter 393. Chapter 744 requires a three member examining committee to make a recommendation that the person lacks certain capacities before a court can order appointment of a guardian. Under Chapter 744, the examiners may have little or no expertise in disability, and the process may be much more time consuming and expensive for the petitioner. On the other hand, the potential ward has due process protections that

do not exist under Chapter 393. Under Chapter 393, there is no requirement for an examining committee to be appointed, or for any court finding of incapacity of the ward before a guardian advocate is appointed. Instead, the Court may look at the individual's support plan, their IEP or other documents to determine the level of disability and need for assistance.

Under either procedure, once a guardianship is established, the bottom line is the same. The individual loses their right to make important decisions about key aspects of their own life.

The statutes require that even when a right has been taken from the individual and given to a guardian or guardian advocate, the guardian is still required, to the extent possible, to consider the ward's wishes and to allow the ward to participate in decisions affecting the ward's life.

Whether a person can give consent to a decision depends on the complexity and the seriousness of the decision to be made. Those who can recognize their own need for help with decision-making may not require guardianship, but only advice, information, and assurance when evaluating other options that may be available rather than pursuing guardianship. There are **ALTERNATIVES**.

Alternatives to Guardianship

FAMILY AND FRIENDS - Sometimes attentive support from family and friends can be enough to assist the person to manage his own personal and financial affairs.

ADVANCE DIRECTIVES - This is a document that expresses a person's desires concerning healthcare, or other affairs. As the term indicates, this option is written in advance of the need. The person must be competent at the time he or she signs the directive and capable of giving informed consent. Examples of these directives include:

DURABLE POWER OF ATTORNEY - This legal document gives the designated person the legal authority to make decisions of specific matters for the person who created it. A DURABLE power of attorney can be exercised until the death of the person who gave it, even if the person becomes incapacitated.

LIVING WILL - A legal document that directs the providing, withholding, or withdrawal of life-prolonging medical procedures if you are unable to make your own decisions and you have a terminal illness or are in a persistent vegetative state.

HEALTH CARE SURROGATE - A written document naming another person as your representative to make medical decisions for you if you are unable to make them yourself. You can include instructions about any treatment you want or do not want, similar to a living will. You can also designate an alternative surrogate. If you designate a health care surrogate and alternate be sure to ask them if they agree to take this responsibility, discuss how you would like matters handled, and give them a copy of the document.

It is important that any advance directive be witnessed by at least two individuals. Laws on health care advance directives are in Chapter 765 of the Florida Statutes (available at your local library or at www.leg.state.fl.us).

How long can students with disabilities stay in school?

High School:

Students who are covered by IDEA may receive different kinds of diplomas. If they do not receive a standard diploma, they are entitled to remain in school until their 22nd birthday. However, many schools often choose to continue services until the end of the semester or school year in which the student turns 22.

A student who has earned a standard diploma or has reached the age of 22 usually forfeits the right to a “free and appropriate public education” or to an IEP unless he or she is entitled to some form of compensatory education.

Courts sometimes order compensatory education for a student who did not receive appropriate education services at the appropriate time. When that happens, educational services may be delivered after the student turns 22 or receives a standard diploma.

Unless compensatory education is ordered, public schools are not responsible for determining and meeting a student’s educational needs if he or she has a standard diploma or is older than 22.

Post-Secondary Education: (After High School)

After high school, a student may seek a post-secondary education at a college, university or trade school, but the school will be responsible only for education and any accommodations necessary to achieve equal access under the law.

A post-secondary educational program will not usually conduct meetings or write plans, but will support students with disabilities via arrangements

such as a reduced course load, recording devices, sign-language interpreters, readers, extended time for testing, or adaptive software and hardware for computers.

To receive accommodations, the student must notify the school that he or she has a disability and requires certain accommodations, services or technology.

The post-secondary school is not required to lower its academic standards for a student with a disability. The school may be required to allow more time to take a test, for example, but is not required to alter the content of the test. Nor is it required to fundamentally alter the nature of its programs or accept excessive financial burdens for students with disabilities.

Tuition Assistance:

Florida offers a tuition exemption (free tuition) and fee waivers to state (public) post-secondary schools to former foster youth. [Fla. Stat. §1009.25(2)(c)].

In order to be eligible the youth must be:

- In foster care at age 18; OR
- Living with a relative on their 18th birthday because the youth was placed there by a dependency court judge ; OR
- Have spent at least 6 months in foster care after their 16th birthday and were then placed in guardianship by the court; OR
- Adopted from the Department of Children and Families after May 5, 1997

Living Expenses: Road To Independence Program (RTI):

The Road to Independence Program provides former foster youth with funds and services to help them obtain the education and training needed to become independent and self-supporting. The RTI program is available to youth who are still in high school as well as those who are in post-secondary programs (2-year college, 4-year college, or vocational program).

In order to qualify, the youth must:

- Apply after age 17 but before age 21 (the award can be renewed until age 23)
- Have been adjudicated dependent and spent at least 6 months in foster care prior to his or her 18th birthday (this includes time spent in shelter care)
- Have been living in licensed foster care or subsidized independent living on the 18th birthday OR have been adopted or placed into a dependency guardianship after the age of 16
- Be a Florida resident
- Be enrolled in school full-time (except a youth who has a documented disability can enroll part-time)

Youth with documented educational, medical, mental, developmental or physical disabilities are eligible for the same opportunities and services as youth with no disabilities. The law requires the Department of Children and Families to provide reasonable accommodations and services to ensure equal opportunities.

Students with a disability may attend school part time and still receive full RTI benefits. Youth must however, make satisfactory progress in order to continue receiving funds, whether they go full or part time.



***Florida offers
assistance to help
former foster youth
continue with their
education after 18.***

When Do Students With Disabilities Go To Work? How?

Their schools, communities and/or vocational rehabilitation agency will teach them to write a resume, prepare for an interview, look for work or build a career.

They may choose to go directly to work when they finish high school, or to seek a wide variety of post-secondary outcomes: community college, university, vocational training, or some other aspect of adult education. If the transition planning has gone well, youths who finish school will move into the next stage as planned — with employment, vocational rehabilitation and/or a combination of services that will make it possible to perform to their greatest potential.

Educators and vocational experts should work together to ensure that the transition from school to work is smooth and seamless.

Two state agencies in Florida may help young people prepare for and find employment. The Division of Vocational Rehabilitation (DVR) serves people with “physical, mental, or emotional disabilities.” The Division of Blind Services (DBS) serves individuals with bilateral visual disabilities.

DVR and DBS offer a broad range of services based on the student’s vocational goals and barriers to employment. To make the most of these services, the student needs a DVR or DBS representative on his or her IEP team long before leaving school.

Client Choice

People with disabilities who are eligible for services have the right to choose among many public and private providers. Services should be customized to each person’s needs and include the full range of available services.

Vocational rehabilitation is a process that provides the services needed to reach an employment goal, including transportation assistance, education and vocational training, tuition, books and fees, physical and mental restoration services, assistive technology, vehicle and home modifications, equipment, tools,

uniforms, durable medical equipment, family care services, help to establish a small business, job placement services, job coaching/supported employment and more. People who are eligible for vocational rehabilitation services may choose to receive these services from either a state agency or a private provider.

The Florida Division of Vocational Rehabilitation and the Florida Division of Blind Services are state agencies mandated to provide such services to eligible clients. Remember, you have the right to choose. You can ask for a vendor list, which may include doctors, medical professionals and many other types of vendors who are approved to accept DVR and DBS fees. You can also choose among many private providers, including Employment Networks (EN), which are providers certified under the Ticket to Work Program to provide rehabilitation and employment services to Social Security beneficiaries with disabilities. The Social Security Administration pays those ENs participating in the Ticket to Work Program. However, the ENs only receive payment when their clients are able to work at a sustained level. If you are not willing or able to work at this level, ENs may not be willing to be your provider. All ENs have the right to choose not to work with you, just as you have the right to choose not to work with them.

Other resources include the One-Stop centers, which provide job referrals and placement assistance, employment counseling, testing, job development, labor market information, employment skills workshops, support services, and business services. Often the two state agencies will contract with one or more of these organizations to provide services. In some cases, a client may be involved with one or more service providers without being involved with the state agencies.

Top 10 Transition Tips to Access and Negotiate Services with the two Vocational Rehabilitation Service Agencies in Florida

- 1 Fill out an application for VR services so that an official decision can be made on your eligibility. Make sure students and their parents complete the application well before the student leaves high school.
- 2 Obtain as much information as possible about VR so you understand the eligibility criteria and your ability to negotiate services as an eligible client. Be a wise consumer!
- 3 Youths with disabilities must be able to describe their disability and how the disability may prevent them from working without VR services. This is one of the questions that will be asked in order to determine eligibility. Prepare to answer this question realistically.
- 4 The Rehabilitation Act requires that a student found eligible for VR services must leave the school system with a completed Individualized Program for Employment (IPE). It is in your interest to work with VR to establish eligibility while you are still in school so that you will be approved to receive services under an IPE by the time you leave school.
- 5 If you are determined eligible, an Individualized Program for Employment (IPE) will be developed and you should be given "informed choice" in selecting the services you require to become employed. You should be allowed informed choice when selecting services, vendors, providers, and the job goal.
- 6 VR is an employment program. Establishing an employment goal that you and VR can agree to is central to receiving services. Focus on establishing a job goal rather than only requesting training. Training will only be provided if it is necessary to achieve your job goal. Be ready to explain why any requested training will help you obtain your employment goal.
- 7 Plan for a meaningful career. Set a long-range goal other than entry-level employment. If you have the ability, capability and interests to succeed in an occupation that requires advanced training, make sure to negotiate this from the beginning with your VR counselor.
- 8 Your IPE can be amended if there are additional services you require to become employed. Make sure to stay in close communication with your VR counselor.
- 9 Know your rights and exercise them when necessary! Use the VR chain of command if you encounter problems that you cannot resolve with your counselor's assistance.
- 10 If you are verbally denied a service, always request the decision in writing with the reason and the policy that is being used to deny you. Don't take no for an answer if services will help you become employed.

According to the Rehabilitation Act of 1973, a person who is determined by qualified personnel to require services because of a physical, mental, or emotional disability that interferes substantially with employment is eligible for vocational rehabilitation.

People with visual disabilities in both eyes are eligible for vocational rehabilitation via the Division of Blind Services, currently housed at the state Department of Education (DOE). Those with any other disabilities who are eligible for vocational rehabilitation receive services from the Division of Vocational Rehabilitation, also at DOE.

Those who have Social Security benefits (SSI or SSDI) based on their own disabilities are presumed to be eligible for vocational rehabilitation, unless there is clear and convincing evidence that they are too significantly disabled to benefit from VR services.

Who is Eligible?

Anybody with a disability who wants to work and can, with the right supports and services.



Who Is Eligible For Vocational Rehabilitation?

In theory, anyone who needs vocational rehabilitation because of a disability that creates a barrier to employment.

... a person who is determined by qualified personnel to require services because of a physical, mental, or emotional disability that interferes substantially with employment is eligible...

When Should A Young Person Apply For Vocational Rehabilitation?

Early

The time to apply for vocational rehabilitation should be specified in the student's IEP or 504 plan, or a state VR counselor can recommend the best time.

Either way, it's better for a student not to wait until his or her senior year to apply.

Being declared eligible often takes much longer than the official guidelines suggest. The student, parent, or advocate should be in close touch with education and DVR or DBS officials to know when to apply.

If the vocational rehabilitation agency is prepared to participate in the student's transition process, an early application can make an important difference in the outcome. (In Florida, the Division of Blind Services is ready with transition programs and effective counseling when the student is 14; DVR services generally start later.)

In any case, preparation for vocational rehabilitation takes time — to apply for services, undergo any evaluations that may be required, be found eligible and assigned a counselor, formulate a strategy, and write and negotiate the employment plan or IPE.

Some students have benefited from applying as early as age 14. Others — especially those seeking services from DVR instead of DBS — have found that applying for VR services in the junior year of high school leaves enough time to take advantage of the entire transition process. That can change, so it's a good idea to discuss the timing with counselors at school and the state agencies.

A student who does not apply for VR services while

he or she is in school can still apply later and be approved — there is no age limit for eligibility — but in most cases, the sooner the services begin, the more likely they are to succeed.

When Should a Young Person Apply?

Before the last year of high school, in some cases long before.

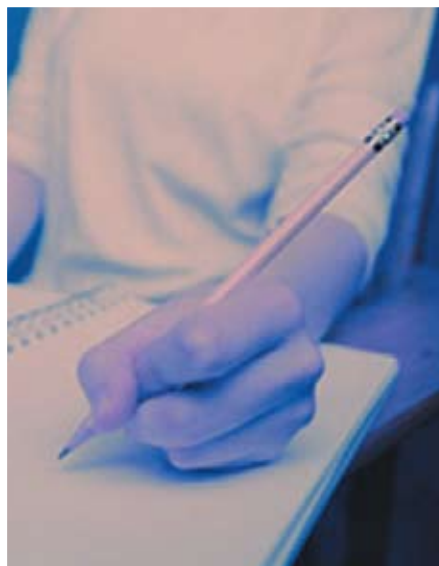
Ticket to Work

People with disabilities who are also beneficiaries of Social Security may receive employment-related services and supports under the Ticket to Work and Work Incentives Improvement Act of 1999. The Ticket is a voucher for services that will help eligible beneficiaries with their transition to work.

The Florida Division of Vocational Rehabilitation and the Florida Division of Blind Services are providers to whom eligible clients may choose to assign their Ticket, but there are dozens of other providers in the state of Florida. To learn more about other providers, please visit <http://www.ssa.gov/work/ServiceProviders/providers.html> or <http://www.yourtickettowork.com>.

People with disabilities can lose their eligibility for Medicaid and Medicare if they go to work. If you are receiving benefits and thinking about working, it could affect your benefits. Please talk to your benefits planner. If you have problems, call the Advocacy Center for Persons with Disabilities, Inc. which provides services under the PABSS (Protection and Advocacy for Beneficiaries of Social Security) Program. Call toll free at 1-800-342-0823.

To learn more, please contact the Work Incentives Planning and Assistance program serving your area. See Transition Resources section, page 46 for a list.



Florida has two VR agencies, the Division of Vocational Rehabilitation and the Division of Blind Services. Both are part of the Florida Department of Education. For more information, please call or visit their websites:

Division of Vocational Rehabilitation

Division of Blind Services
VR helpline – 1-866-515-3692 (toll free)
1-800-342-1828 (toll free)
<http://rehabworks.org>
<http://www.state.fl.us/dbs>

Who is eligible for vocational rehabilitation?

You are eligible if you have a physical, mental or emotional disability that interferes substantially with employment.

When can I apply?

Work with your teachers and school administrators to make sure that applying for VR services is on your IEP or Section 504 plan. Don't wait until late in your senior year to apply. Make sure you fill out an application so that VR can make a formal decision on your eligibility well before you leave the school system.

What is the advantage of having VR make a decision on my eligibility for services before I leave high school?

The law requires that if you are eligible, you must leave school with an approved VR Individualized Program for Employment (IPE). With an IPE, you can begin receiving services from VR as soon as you leave high school. Otherwise, you may experience unnecessary delays that can cost you years of your life.

What help can I request from VR if I am determined eligible?

If you are found eligible, you and your counselor will develop and agree to an IPE that will list your employment goal and the services you need to reach it. The services are individualized and unique to your situation, so feel free to discuss your specific needs with your counselor. You should be able to explain why your requests will help you succeed in your rehabilitation program.

What services can VR provide me?

Vocational exploration, career and interest assessments, trial-work experiences, on-the-job training, job coaching, supported employment, career planning, counseling and guidance, assistive technology (aids, devices and training), assistance with transportation to participate in your rehabilitation program, vocational training programs, college training, medical and psychological diagnosis and treatment, support services, rehabilitation engineering evaluations and services, and job placement.

Remember, services may be unique to you. Don't hesitate to discuss your needs with your counselor.

Does VR only help me obtain entry-level employment?

No. The Rehabilitation Act requires that individuals with disabilities have an active voice in choosing employment goals and meaningful careers consistent with their interests, strengths, resources, priorities, concerns and capabilities. VR will pay for an advanced degree if that is appropriate.

If I have a problem with VR agency decisions on my case, whom can I contact to learn more about my rights?

Your counselor and the counselor's supervisor should help you understand your rights to challenge any decision you disagree with. The Client Assistance Program (CAP) at the Advocacy Center for Persons with Disabilities is also available to provide information, advice, negotiation or possible representation in disputes with VR agencies in Florida. Please call 1-800-342-0823 if you need additional assistance or information to resolve disputes with DVR or DBS.

The Division of Vocational Rehabilitation is required to serve all eligible clients. If DVR can't pay for everyone, the agency must — under federal supervision — go to a process called an "order of selection," serving the most severely disabled clients first. Florida DVR has implemented a "Financial Needs Participation" Policy requiring some clients to help pay for services. Florida DVR may also implement an "order of selection."

If A Person Is Eligible For VR, Are The Services Available?

Yes, if they are agreed upon in advance and individualized to the student's needs.

What Does The Florida Division Of Vocational Rehabilitation Do?

DVR helps people with disabilities choose the kind of work they'd like to do, learn to do it and get the chance to do it.

DVR Provides or Arranges Many Services Including:

- assistance with transition
- vocational exploration
- career and interest assessments
- trial-work experiences
- on-the-job training
- job coaching
- supported employment
- career planning
- counseling, guidance and referrals
- technology (aids, devices and training)
- assistance with transportation to rehabilitation
- vocational training
- college
- medical and psychological diagnosis and treatment
- physical and mental restoration services
- help with additional costs during rehabilitation
- interpreters for the hearing impaired and readers for the visually impaired
- personal assistance (including training in directing personal assistance) during rehabilitation
- support services (group homes, sheltered work shops, supported work programs, job coaches, for example)
- assistive technology evaluations and services,
- job placement

The choice of services in the plan should be reviewed at least annually. Amendments are possible whenever they are needed.

What Does DVR Do?

It equips people with disabilities for Independent Living, Self-sufficiency and with opportunities for a satisfying career.

It Should Do Both

The purpose of vocational rehabilitation is greater than landing a first job. The Rehabilitation Act requires that people with disabilities have an active voice in choosing employment goals in keeping with their interests and abilities.

DVR sets no time limit on services and will help as long as the person is progressing toward his or her employment goal and participating actively in that direction. Someone with the desire and aptitude to be a lawyer, doctor, scientist, or minister should not settle for a job as a receptionist in the firm where those professions are practiced, unless it is only a step in a plan that goes further. Career goals should be consistent with the student's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.



The Rehabilitation Act requires that people with disabilities have an active voice in choosing employment goals...

Are There Ways To Make VR Work Better?

Yes

For applicants who want to be approved as eligible — and then, when approved, for persons receiving vocational rehabilitation — there are ways to make working with DVR more successful.

When Applying:

DVR determines eligibility according to the person's disability and barriers to employment. Applicants, with help from their families and teams, are more likely to succeed if they:

- obtain as much information as possible about VR services and eligibility criteria (see Resources Section for contact information)
- prepare to describe their disabilities without exaggerating or minimizing the effects
- are ready to explain how a disability prevents them from working



Being prepared will help not only with one's eligibility determination but also with negotiating services after eligibility is determined.

Negotiating the services:

A VR client is more likely to succeed if, with support from a counselor or other advocate, he or she:

- establishes a job or career goal FIRST — training will be provided only if it's necessary to achieve the desired outcome
- explains why the training requested will help achieve that goal
- sets a career goal that is the most advanced and

meaningful work the participant hopes to do, not just entry-level employment

- targets that occupation from the start with the VR counselor
- stays in close communication with the counselor, since an IPE can be amended if additional services are needed

The Client Assistance Program at the Advocacy Center for Persons with Disabilities (toll free 1-800-342-0823) can provide information and referral to DVR and DBS clients and those trying to enter the programs. After investigating the facts of a case, CAP may negotiate or advocate for a client, or represent that person in appealing a decision made by a VR agency.

How can a person with a disability make the most of vocational rehabilitation?

By setting realistic but challenging goals — and preparing to negotiate for everything necessary to achieve them.

How to Get the Most out of Adulthood:

Many students with disabilities hope to work, earn money and have more interesting, satisfying lives as a result.

Whether a young person with a disability will need supported employment, accommodations to attend college, cash benefits, or any combination of those and other services, are all factors that person must explore. He or she should have the right to have help deciding on a plan or a vocational/trade school.

Any student receiving Social Security benefits should contact the Work Incentive Planning and Assistance organization (WIPA) serving their area. The WIPA organizations provide information to assist the student to learn about his or her benefits. They can also provide critical information on the impact that work activities might have on a person's overall benefits. To locate your local WIPA see the chart on page 46. With a knowledgeable and energetic transition team, a student with a disability can have many choices, possibly including:

- Social Security benefits — Some students will be eligible for cash benefits and the Ticket to Work program offered by the Social Security Administration. Enacted by Congress in 1999, the "Ticket" is a voucher for employment-related services and supports that help beneficiaries of Social Security return to the workplace. Social Security also offers a wide array of work incentives, which can enable a beneficiary to work and still receive benefits. See the Social Security "Red Book" for more information on benefits and work incentives. <http://www.socialsecurity.gov/redbook/eng/main.htm>. For a student receiving Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI), those options

need to be explored before the age of 18, when his or her eligibility is re-determined.

- Adult Support Services, long term or temporary, including supported living programs, group homes, sheltered workshops, supported employment and job coaches.
- Centers for Independent Living (CILs) — The centers, located throughout the state of Florida, train people with disabilities on the specifics of living independently, such as self-advocacy, finding housing and using public transportation. The centers also advocate for services, seek physical access and acquire adaptive equipment such as motorized mobility devices, computers that talk, faucets with lever handles or electronic eyes.

A Center for Independent Living can work with a student who is still in school, then provide follow-up services when he or she reaches adulthood. The centers can also assist with referrals to other adult service agencies.



What Else — Besides Work — Should A Person Include In A Transition Plan?

... there is more to life than work — social activities, recreation, athletics, spiritual and emotional pursuits ...

What Is Assistive Technology? Who'll Pay For It?

It's any device or system that can maintain or improve the capabilities of a person with a disability and the training or other support to ensure its availability. There are several options for payment.

Payment for assistive technology may come from any of several sources — the special education system, the Division of Vocational Rehabilitation, the Division of Blind Services, Medicare, Medicaid, private insurance or the SSI program's "Plan for Achieving Self Support."



Which agency will pay? The answer depends on the disability, age and situation of the person who needs it. It also depends on how the technology is expected to impact that person. If, for instance, the technology makes it possible for a student to be educated in the least restrictive environment, as the law requires, then it may be considered the school's responsibility.

When school officials are deciding whether to place a student with a disability in a regular classroom, before they look at other placements, they must consider how assistive technology can help the student succeed in the least restrictive environment.

A student's IEP or 504 Team can determine the need for assistive technology based on a professional evaluation. If the student needs the technology for home study, or in the transition to adulthood, the school may pay for both the equipment and the training to use it. A student with a disability may also need — and has a right to — some form of technology in order to participate fully in school activities.

In that case, Section 504 of the Rehabilitation Act may require that the school provide the technology, as well as any training necessary to use it. DVR and DBS are required to equip an eligible person for employment.

Assistive technology services include evaluation, maintenance, repair and training for students, their families and the professionals working with them.

Examples of AT Devices or Aids:

- Augmentative communication systems, including talking computers
- Assistive listening devices, including hearing aids, personal FM units, closed-caption TVs and teletype machines (TDDs)
- Specially adapted learning games, toys and recreation equipment
- Computer-assisted instruction
- Electronic tools (scanners with speech synthesizers, tape recorders, word processors)
- Curriculum and textbook adaptations (audio format, large print format, Braille)
- Copies of overheads, transparencies and notes
- Adaption of the learning environment, such as special desks, modified learning stations, computer touch screens or different computer keyboards
- Durable medical equipment

What Is Assistive Technology? Who'll Pay For It?

A major source of financing for assistive technology is Medicaid, which regularly pays for such items as custom and power wheelchairs, augmentative and alternative communication devices, specialized beds, bath equipment, high and low-tech lifting devices, and other technology that helps overcome the effects of disabling conditions.

Sources of Medicaid funding vary based on whether the person with a disability is under or over age 21, which state he or she lives in, and which program or waivers he or she qualifies for.

Medicare helps pay for durable medical equipment, defined as equipment that:

- can withstand repeated use
- is primarily and customarily used to serve a medical purpose
- generally would not be useful to a person who isn't ill or injured
- is appropriate for use in the home



It's any of dozens — maybe hundreds — of devices or systems that increase the competence and independence of the user. And there are almost as many sources of funds to pay for them. The person with a disability who needs assistive technology should start by asking for an evaluation (or several), and when the need is established, the next step is to find a funding source for it — by asking the school, planning team and state, federal and private agencies.



Are There Any Special Considerations About Social Security Benefits?

Yes, the Social Security system is very detailed and complex. It is always best to consult with a professional for information and advice about Social Security benefits.

Most minors who receive a benefit from the Social Security Administration (SSA) receive Supplemental Security Income (SSI). SSI is a needs based program to provide for the disabled individual's basic living expenses, such as food, shelter and clothing. A person does not need to have a work history to receive SSI.

Unlike SSI, SSDI is an insurance program. When an individual works, they pay into the system, and when needed, the individual and their dependents receive a benefit. Youth who receive a SSDI benefit usually receive it based on the work record of a parent or grandparent who paid into the system, and is now disabled, retired or deceased. A minor need not be disabled to receive SSDI. Youth who are not disabled can continue to receive benefits until 2 months after age 19 if still enrolled in secondary or elementary school. Youth who are considered disabled under the adult definition can continue to receive SSDI payments after they turn 18 for so long as they remain disabled.

Disability Definition for a Child

A minor is considered disabled for SSA purposes based on how a physical or mental condition or illness affects development and functioning in typical daily environments (i.e., school, home, community). At age 18, a review is scheduled to determine whether or not the condition or illness meets the SSA definition of disability for an adult.

Disability Definition for an Adult

The Social Security Administration considers an adult to be disabled when the illness or condition prevents substantial work activity for 12 months or longer. Therefore, the main issue for adults is how the condition or illness affects the person's ability to work.

If you work, whatever your age, it is important to report your earnings to SSA. Earnings can affect the amount of an SSI benefit, and can even affect eligibility for SSI or SSDI. If SSA later finds that you were paid too much, or are no longer considered "disabled" because of work activity, you could be asked to repay the amount that you were overpaid by SSA.

Remember, if you are working, there are many Social Security Work Incentives that can be used to offset your earnings. When reporting income, it is important to also report any work incentives that you would like for SSA to consider, to reduce a portion of your countable earnings. See the Social Security Red Book for information on work incentives. <http://www.socialsecurity.gov/redbook/eng/main.htm>.

If a finding is made that the person is considered no longer disabled, SSA is required to send written notice of the decision, including all appeal rights. In order to continue the SSI benefits during an appeals process, **the appeal must be requested within 10 days of the notice of discontinuance.**

If a finding is made that the person is considered no longer disabled by their illness or condition, § 301 Continued Payment Under a Vocational Rehabilitation or Similar Program may allow an SSI recipient to continue to receive SSI benefits. Benefits may continue if the person is participating in a vocational rehabilitation program at the time the disability ended, and the program will increase the likelihood of eliminating the future need for disability benefits. Section 301 Continued Payment Under a Vocational Rehabilitation or Similar Program also applies to Beneficiaries aged 18 through 21, participating in an individualized education program developed under policies and procedures approved by the US Secretary of Education for assistance to States for the education of individuals with disabilities under the Individuals with Disabilities Education Act (IDEA).

What is a Social Security Representative Payee?

SSA's Representative Payment Program provides financial management for the SSDI and SSI payments to beneficiaries who are deemed incapable of managing their SSDI or SSI payments. A representative payee will always be appointed for a minor receiving benefits. Adults who are deemed capable of managing their own funds do not require a payee.

Generally, SSA will look for family or friends to serve as payee. When friends and family are not able to serve as payee, Social Security looks for qualified organizations to be a representative payee. The beneficiary may appeal SSA's decision to appoint a representative payee.



Acronyms

APD	Agency for Persons with Disabilities	FSL	Family and Supported Living Waiver
AWI	Agency for Workforce Innovation	HCBS	Home and Community Based Services Waiver
CBHA	Comprehensive Behavioral Health Assessment	IDA	Individual Development Account
DAC	Disabled Adult Child	IDEA	Individuals with Disabilities Education Act
DBS	Division of Blind Services	IEP	Individual Education Plan
DCF	Department of Children & Families	IPE	Individual Plan for Employment
DNP	Disability Navigator Program	PASS	Plan for Achieving Self Support
DJJ	Department of Juvenile Justice	SSA	Social Security Administration
DVR (VR)	Division of Vocational Rehabilitation	SSDI	Social Security Disability Insurance
EPSDT	Early Periodic Screening Diagnosis & Treatment (Medicaid)	SSI	Supplemental Security Income
ESE	Exceptional Student Education	TIEP	Transition Individual Education Plan
FACTS	Florida Academic Counseling and Tracking for Students	WIPA	Work Incentives Planning and Assistance
		DOE	Department of Education

Glossary

Americans with Disabilities Act (ADA)

Enacted in 1990, the ADA guarantees people with disabilities civil rights protections in employment, public accommodations, government services and telecommunications. Title II of the ADA covers public programs, activities and services such as the Division of Vocational Rehabilitation and the Division of Blind Services. Most requirements of Title II are based on Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based on disability in federally assisted programs and activities. The ADA then extended Section 504's non-discrimination requirement to all activities of public entities – such as the State of Florida – and not only those receiving federal funds.

Agency for Persons With Disabilities (APD)

APD is the Florida state agency that administers the state and federal funds provided to individuals with developmental disabilities.

Assistive technology

High-tech adaptive and accessibility aids for people with disabilities and special needs.

Augmentative/Alternative Communication Systems (AAC)

Systems of communication, such as communication boards, that can help with writing, spelling, typing, word selection, conversation, speech synthesis, manual reading or other communication needs resulting from a disability.

Department of Children & Families (DCF)

DCF is the Florida state agency that administers the child welfare system, along with some mental health and substance abuse programs for children and youth. It also determines eligibility for welfare programs such as Medicaid, food stamps and Temporary Assistance for Needy Families,

Dependency

Children and youth who have been abused, abandoned or neglected are brought in to the state's system of care through the "dependency process." That happens when a judge makes a determination of abuse, abandonment, or neglect and declares the child to be dependent on the state for care. Youth may remain at home under the supervision of the Department of Children & Families, or they may be placed in out-of-home care.

Disability

A physical or mental impairment that substantially limits one or more major life activities.

Due Process Rights

Rights that give youth, caregivers, school or agency personnel ways to solve problems and settle disagreements. In the education setting, they include the right to participation, the right to have notice, the right to give consent and the right to a due process hearing. The hearing is a formal meeting run by an impartial hearing officer, where parents, caregivers and school officials can resolve disagreements fairly.

Early and Periodic Screening, Diagnosis and Treatment (EPSDT).

Comprehensive health services for Medicaid-eligible children – up to age 21. It includes routine medical check-ups, as well as treatment for illness, injury and chronic medical conditions. Almost all youth in the dependency system are eligible for Medicaid. Young adults who exist the foster care system at age 18 remain eligible for Medicaid up to age 21. Florida also calls this "Child Health Check Up"

Exceptional Student Education (ESE)

In Florida, special education services and programs for students who have a disability or who are gifted.

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

504 Plan

An individualized plan for a student with a disability who may not meet the eligibility criteria for Exceptional Student Education (ESE), but who requires accommodations under Section 504 of the Rehabilitation Act of 1973.

Free Appropriate Public Education (FAPE)

A federal regulation (34 CFR 300.121) specifying that all children with disabilities aged 3 through 21, including children with disabilities who have been suspended or expelled from school, are entitled to a free and appropriate public education. Districts must provide FAPE to all students with disabilities who have not reached age 22 and have not earned a regular high school diploma.

Independent Living (IL)

This term is used generally to describe services provided to youth who will exit the foster care system at age 18. It is also used to refer to specific programs available to young adults such as the Road to Independence program.

Individual Educational Plan (IEP)

A written plan to identify the special education and related services designed to meet the individual needs of a student with a disability. The IEP is developed by the student and his or her teachers, parents, caregivers and others as appropriate. It is reviewed annually, but may be revised at any time, upon request.

Individualized Plan for Employment (IPE)

A vocational rehabilitation plan that targets a specific job goal and services that are necessary in order to reach the goal. The plan can be amended at any time and should be reviewed annually.

Least Restrictive Environment (LRE)

Placement of a student with disabilities in a regular class or in a special program for the amount of time that is appropriate for the child. Taking a child out of a regular school setting should only be done when the

nature and severity of the disability is such that education in regular classes with supplementary aids and services cannot be achieved satisfactorily.

Medicare

Medicare is the federal program that provides health care coverage to Americans who are 65 or older, or who have a disability, no matter what their income. Adults with disabilities may be eligible for Medicare if they became disabled before age 18 and have a parent who paid into Social Security is either disabled or retired.

Medicaid

Medicaid is a jointly-funded, Federal-State health insurance program for certain low-income people. It covers children, the aged, people with disabilities, and people who are eligible to receive federally assisted income maintenance payments. Almost all youth in foster care are eligible for Medicaid and Florida now covers youth until age 21.

Out of Home Care

Children and youth who are under the jurisdiction of the dependency court and who are removed from the home of their parents or guardians are placed in Out of Home Care. Placement may be in a foster home, group home, shelter, with a relative caregiver or a non-relative caregiver. Youth over the age of 16 may participate in Subsidized Independent Living.

Road to Independence Program (RTI)

A federally supported state program that provides a monthly stipend to former foster youth who attend school full time (or part time if disabled) in order to help them pay their living expenses while in school.

Section 504 of the Rehabilitation Act of 1973

The Rehabilitation Act of 1973, amended in 1998, prohibits any recipient of federal funds from discriminating against persons with disabilities. Section 504 requires that all children with disabilities be provided a free, appropriate public education (FAPE) in the least restrictive environment.

Special Diploma, Option I (Florida)

A type of diploma for students with a disability who are not able to meet all requirements for a standard high school diploma. Students must meet district credit requirements and master the Sunshine State Standards for Special Diploma.

Special Diploma, Option II (Florida)

A type of diploma for certain students with a disability who are not able to meet all requirements for a standard high school diploma. An individual employment and training plan is developed by the IEP team. It lists specific competencies related to job preparation skills and adult living skills for the individual student. The student must master all competencies included in the plan and be successfully employed for at least one semester. Districts may offer Option 2, but are not required to do so.

Special education services

Specially designed instruction for a student with a disability. Special education adapts lesson delivery, content and instructional methods to the student's needs and provides services such as instruction in Braille, additional individualized practice or social skills training.

Standard Diploma (Florida)

The type of diploma earned by most Florida high school students. The state legislature and the local school district set the requirements. Other diploma options include a college-ready, vocational diploma and an international baccalaureate diploma. Students are required to earn at least 24 credits in a set of required and elective courses, have a 2.0 Grade Point Average, and pass the high school graduation test.

Supported Employment

Supported employment includes sites where most co-workers do not have disabilities and those who do have regular contact with those who don't.

Surrogate Parent

A surrogate parent makes education related decisions for children under the age of 18 who do not have a parent, relative or legal guardian to make those decisions.

System of Care

When a judge determines that a child has been abused, abandoned or neglected that child is said to be in the state's system of care. This term applies to children who live at home under the supervision of DCF, live in out of home placements or in subsidized independent living.

Ticket to Work

The Ticket to Work and Self-Sufficiency Program is the centerpiece of new legislation enacted under the Ticket to Work and Work Incentives Improvement Act of 1999. It is a nationwide initiative designed to assist people with the training and support they need to go to work by increasing their choices. SSA beneficiaries with disabilities can find employment, vocational rehabilitation (VR) and other support services from public and private providers.

Transition Services

A set of coordinated activities designed to help a student move from school to post-school activities. These may include independent living, work or continued education after high school, instruction, related services, community experiences, work toward post-school goals, and, if appropriate, daily living skills and functional vocational evaluation, all based on the student's needs and preferences.

Transitional IEP

An IEP that addresses the student's need for transition planning and services. The student's IEP must address these issues by the student's 16th birthday, or younger if deemed necessary by the student's IEP team. This IEP deals with issues related to making the transition to adult life after high school, including diploma decisions.

Transition Resources

FLORIDA

Statewide Agencies and Organizations:

ONLINE TRANSITION SERVICES WEBSITES

If you don't have a personal computer to reach these Internet sites, please take this list to your local public library and ask a library staff member for help in using the computer.

ADA Technical Assistance Program:
<http://www.adata.org>

Assistive Technology Funding and Systems Change Project:
<http://www.ucpa.org/>

Center for Mental Health Services:
<http://www.mentalhealth.org>

Council for Exceptional Children:
<http://www.cec.sped.org>

Federal Resource Center for Special Education Network:
<http://www.rfcnetwork.org>

Job Accommodation Network:
<http://janweb.icdi.wvu.edu/english/>

National Collaborative on Workforce & Disability/Youth (Dept. of Labor Office of Disability Employment Policy):
<http://www.ncwd-youth.info/>

National Association of State Directors of Special Education:
<http://www.nasdse.org/>

Advocacy Center for Persons with Disabilities, Inc.
Florida's Protection and Advocacy Agency
2728 Centerview Drive, Suite 102
Tallahassee, FL 32301
(850) 488-9071; (800) 346-4127 (TTY)
(800) 342-0823; (800) 350-4566
(Spanish and Creole Speaking Clients)
Web: <http://www.advocacycenter.org>

Florida's Children First, Inc.
1801 N University Dr., 3rd Floor, Suite C
Coral Springs FL 33071
(954) 796-0860
Web: <http://www.floridaschildrenfirst.org>

Work Incentives Planning and Assistance
(Social Security beneficiaries only)
Statewide Toll Free Number: 1-800-772-1213
Web: www.socialsecurity.gov/work/ServiceProviders/WIPADirectory.html

Bureau of Exceptional Education and Student Services
Florida Department of Education
325 W. Gaines Street, Suite 614
Tallahassee, FL 32399-0400
(850) 245-0475
Web: <http://www.fldoe.org/ese/>

*The Bureau of Exceptional Education and Student Services supports school districts and others in their efforts to provide exceptional student education programs for students ages 3 through 21 who have disabilities or who are gifted.

Florida Department of Education Publications Index related to Exceptional Student Education, Early Intervention and School Readiness, Intervention and Prevention, Student Support Services, Dropout Prevention, Juvenile Justice Education.
Web: <http://www.fldoe.org/ese/pub-home.asp>

State Education Agency Rural Representative (ISRD) Exceptional Student Education Program Development and Services
Bureau of Exceptional Education and Student Services
Florida Department of Education
325 W. Gaines Street, Suite 601
Tallahassee, FL 32399-0400
(850) 245-0478

State Vocational Rehabilitation Agency
Florida Division of Vocational Rehabilitation
Department of Education
2002 Old St. Augustine Road, Building A
Tallahassee, FL 32301-4862
(850) 245-3399; (800) 451-4327
Web: <http://www.rehabworks.org/>

Office of State Coordinator of Vocational Education for Students with Disabilities
Division of Workforce Development
Department of Education, Turlington Building
325 W. Gaines Street, Room 701
Tallahassee, FL 32399-0400
1-800-406-5555
Web: <http://www.fldoe.org/workforce>

Florida Guardian Ad Litem Program
Statewide Guardian ad Litem Office
600 South Calhoun Street
Suite 273 B
Tallahassee, Florida 32399
Phone: 850-922-7213
Fax: 850-922-7211
www.guardianadlitem.org

Florida Legal Services
2425 Torrey Drive
Tallahassee FL 32303
(850) 385-7900
www.floridalegal.org

Department of Children and Families

Family Safety Program Office
850--8762

Programs for Youth who are Deaf or Hard of Hearing**Deaf and Hard of Hearing Services and
School-to-Work Transition****Division of Vocational Rehabilitation****Department of Education**

2002 Old St. Augustine Road, Building A
Tallahassee, FL 32301-4862
(850) 245-3353 or (850) 245-3403 (V);
(850) 245-3413 or (850) 245-3404 (TTY)

Programs for Youth who are Blind
or Visually Impaired**Florida Division of Blind Services**

Department of Education
2551 Executive Center Circle West, Suite 200
Lafayette Building
Tallahassee, FL 32399
(850) 245-0300
1-800-342-1828
Web: <http://dbs.myflorida.com/>

State of Florida**Division of Administrative Hearings**

The Desoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
SUNCOM 278-9675
Fax Filing (850) 921-6847
Web: <http://www.doah.state.fl.us/internet/>

Florida Independent Living Council, Inc.

1018 Thomasville Road, Suite 100A
Tallahassee, FL 32303
(850) 488-5624 voice/TTY
(877) 822-1993 toll free
(850) 488-5881 fax

State Developmental Services

Agency for Persons With Disabilities
4030 Esplanade Way Suite 380
Tallahassee, Florida 32399-0950
(850) 488-4257
toll free: 866-273-2273

State Developmental Disabilities Planning Council**Florida Developmental Disabilities Council**

124 Marriott Drive, Suite 203
Tallahassee, FL 32301-2981
(850) 488-4180
1-800-580-7801
Web: <http://www.fddc.org/>

Mental Health**State Mental Health Agency****Mental Health Programs Office****Department of Children and Families**

1317 Winewood Boulevard, Building 6
Tallahassee, FL 32399-0700
(850) 488-8304

**State Mental Health Representative for Children and
Youth****Children's Mental Health Program****Mental Health Programs Office**

1317 Winewood Boulevard, Building 6, Room 290
Tallahassee, FL 32399-0700
(850) 488-8304
Web: http://www.state.fl.us/cf_web/

Assistive Technology**Florida Alliance for Assistive Services & Technology, Inc.
FAAST, Inc.**

325 John Knox Road
Building 400, Suite 402
Tallahassee, Florida 32303
(850) 487-3278
1-888-788-9216
Web: <http://www.faast.org>

Transition Resources

**ONLINE TRANSITION
SERVICES WEBSITES**

National Center on Secondary Education and
Transition:
<http://www.ncset.org/>

National Clearinghouse of Rehabilitation
Training Materials:
<http://ncrtm.org/>

National Information Center for Children and
Youth with Disabilities:
<http://www.nichcy.org>

National Transition Alliance:
http://www.dssc.org/nta/html/index_2.htm

National Transition Institute:
www.ed.uiuc.edu/coe/sped/tri/institute.html

National Transition Network:
<http://ici2.umn.edu/ntn/>

Policy Partnership for Implementing IDEA:
<http://ideapolicy.org/home.htm>

Transition Resources

ONLINE TRANSITION SERVICES WEBSITES

Presidential Task Force on
Employment of Adults with Disabilities
<http://www.workworld.org/ptfead.html>

Project Tech Link-Linking Educators
and Parents to Transition Best
Practices through Computer
Technology:
[http://www.vcu.edu/rtrcweb/techlink/
index](http://www.vcu.edu/rtrcweb/techlink/index)

School to Work Outreach Project:
<http://ici.umn.edu/schooltowork>

Social Security Red Book:
[http://www.ssa.gov/work/
ResourcesToolkit/redbook.html](http://www.ssa.gov/work/ResourcesToolkit/redbook.html)

TATRA (Technical Assistance about
Transition and the Rehabilitation Act)
Project:
<http://www.pacer.org/tatra/tatra.htm>

Technical Assistance Alliance for
Parent Centers:
<http://www.taalliance.org/>

Ticket to Work:
<http://www.yourtickettowork.com>

Florida Association of Rehabilitation Facilities, Inc.

2475 Apalachee Parkway, Suite 205
Tallahassee, FL 32301-4946
(850) 487-1471
Web: <http://www.respectofflorida.org/>

Organizations Especially for Caregivers

**Parent Training and Information Center (PTI)
Family Network on Disabilities of Florida, Inc.**
2735 Whitney Road
Clearwater, FL 33760-1610
(727) 523-1130; (800) 825-5736 (In FL only)
Web: <http://www.fndfl.org/>

**Parent to Parent of Florida
Family Network on Disabilities of Florida, Inc.**
2735 Whitney Road
Clearwater, FL 33760-1610
(727) 523-1130; (800) 825-5736 (In FL only)
Web: <http://www.fndfl.org/>

**Community Parent Resource Center
Parent to Parent of Miami, Inc.**
Community Parent Resource Center
C/O Sunrise Community
7990 SW 117 Ave, Suite 201
Miami, FL 33173
(305) 271-9797
Web: <http://www.ptopmiami.org/>

**Parent Teacher Association (PTA)
Florida Congress of Parents and Teachers, Inc.**
1747 Orlando Central Parkway
Orlando, FL 32809-5757
(407) 855-7604
Web: <http://www.floridapta.org/>

NATIONAL

Federal Agencies and Organizations

**Office of Special Education Programs
Office of Special Education and Rehabilitative Services
U.S. Department of Education**
400 Maryland Ave., S.W.
Washington, DC 20202
Telephone: (202) 245-7468
1-800-USA-LEARN
Web: [http://www.ed.gov/about/offices/list/osers/index.
html?src=mr](http://www.ed.gov/about/offices/list/osers/index.html?src=mr)

**U.S. Department of Education
Office for Civil Rights
Customer Service Team**
400 Maryland Avenue SW
Washington, D.C. 20202
Telephone: 1-800-421-3481
FAX: 202-245-6840; TDD: 877-521-2172
Email: OCR@ed.gov
Web: [http://www.ed.gov/about/offices/list/ocr/index.
html](http://www.ed.gov/about/offices/list/ocr/index.html)
OCR Complaint Process Website: [www.ed.gov/about/of-
fices/list/ocr/complaintintro.html](http://www.ed.gov/about/offices/list/ocr/complaintintro.html)

**Family Policy Compliance Office
U.S. Department of Education**
400 Maryland Avenue, SW
Washington, D.C. 20202-4605
complaints under FERPA or PPRA
Web: <http://www.ed.gov/offices/OM/fpco/>

**U.S. Department of Justice
Americans with Disabilities Act Home Page**
www.usdoj.gov/crt/ada/adahom1.htm
U.S. Department of Labor
Web: <http://www.dol.gov>

U.S. Rehabilitation Services Administration

Room 3329-MES
400 Maryland Avenue, S.W.
Washington, DC 20202-2551

National Transition Network (NTN) provides technical assistance and evaluation services to strengthen the capacity of individual states to improve school-to-work transition policies, programs, and practices
Web: <http://ici2.umn.edu/ntn/>

Transition Research Institute at Illinois

TRI, at the University of Illinois, is a research and evaluation institute that identifies effective practices and programs.
Web: <http://www.ed.uiuc.edu/sped/tri/institute.html>

OTHER RESOURCES AND ORGANIZATIONS

Center for Psychiatric Rehabilitation Boston University

940 Commonwealth Avenue West
Boston, MA 02215
p: 617/353-3549 f: 617/353-7700
“Handling your Psychiatric Disability in Work and School”
Web: <http://www.bu.edu/cpr/jobschool/>

Virginia Commonwealth University Benefits Assistance Resource Center

1314 West Main Street
Richmond, Virginia 23284-9063
Phone: 804-828-1851
Fax: 804-828-2193
Resources for Students, Caregivers, and Faculty
Web: <http://www.worksupport.com>

Institute on Community Integration University of Minnesota

102 Pattee Hall, 150 Pillsbury Drive SE
Minneapolis MN 55455
<http://ici.umn.edu/>

National Information Center for Children and Youth with Disabilities (NICHCY)

P.O. Box 1492
Washington, DC 20013
(800) 695-0285 v/tty
(202) 884-8441 fax
Web: <http://www.nichcy.org/>

ONLINE TRANSITION SERVICES WEBSITES

U.S. Administration on Developmental Disabilities:
<http://www.acf.hhs.gov/programs/ada>

U.S. Department of Health and Human Services: <http://www.hhs.gov>

U.S. Office of Disability Programs:
<http://www.ssa.gov/disability>

U.S. Office of Employment Support:
<http://www.ssa.gov/work>

U.S. Office of Special Education and Rehabilitative Services:
<http://www.ed.gov/about/offices/list/osers/index.html?src=mr>

U.S. Office of Disability Employment Policy
<http://www.dol.gov/odep/>

U.S. Rehabilitation Services Administration: <http://www.ed.gov/about/offices/list/osers/rsa/index.html>

U.S. Social Security Administration:
<http://www.ssa.gov>

Youth With Disabilities:
<http://www.ssa.gov/work/Youth/youth.html>

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IMPORTANT NOTICE:

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Florida Work Incentive, Planning and Assistance Organizations (WIPAs):

Abilities, Inc. of Florida

2735 Whitney Road
Clearwater, FL 33758
727-538-7370 ext. 365
Serving the counties of—Citrus, De Soto, Hardee,
Hernando, Highlands, Hillsborough, Levy, Manatee,
Pasco, Pinellas, Polk, Sarasota, and Sumter.

Brevard Achievement Center, Inc.

1845 Cogswell Street
Rockledge, FL 32955
321-632-8610
800-467-4486 (Flagler & Volusia Co.)
888-310-6525 (Brevard & Indian Co)
321-632-8610 TTY
Web: <http://www.bacbrevard.com/>
Serving the counties of—Brevard, Flagler, Indian
River, Lake, Martin, Okeechobee, Orange, Osceola,
Palm Beach, Putnam, Seminole, St. Lucie, and Volusia

Center for Independent Living in Central Florida

720 N. Denning Drive
Winter Park, FL 32789
407-623-1070
877-891-6448 (Toll Free)
407-623-1185 TTY
407-623-1390 FAX
Web: <http://www.cilorlando.org/>
Serving the counties of—Broward, Charlotte, Collier,
Glades, Hendry, Lee, Miami-Dade, and Monroe.

Goodwill Industries of North Florida, Inc.

4527 Lenox Avenue
Jacksonville, FL 32205
352-335-1311
877-346-3349 (Toll Free)
<http://www.goodwilljax.org/>
Serving the counties of—Alachua, Bay, Bradford, Cal-
houn, Columbia, Dixie, Escambia, Franklin, Gilchrist,
Gulf, Holmes, Lafayette, Liberty, Marion, Okaloosa,
Santa Rosa, Suwannee, Taylor, Union, Walton, and
Washington.

Independent Living Resource Center of NE Florida Opportunity Development Inc.

2709 Art Museum Drive
Jacksonville, FL 32207
904-399-8484
Serving the counties of—Baker, Clay, Duval, Gadsden,
Hamilton, Jackson, Jefferson, Leon, Madison, Nassau,
Wakulla, and St. John's.



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