

Strategies for Youth and Adults with Disabilities to Successfully Transition from High School to College

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Disability Rights Ohio



We have the
legal right of way.

Overview of Disability Rights Ohio



- DRO is Ohio's federally mandated protection and advocacy agency.
- Federal and state law gives us authority to provide legal advocacy, investigations of abuse/neglect, policy advocacy, outreach, and education.
- We take direction from the person with a disability who we represent, although the input of family and friends is important.
- We are a Nonprofit corporation with a Board of Directors who determines the priorities we will focus on each year. A full list of our priorities is on our website www.disabilityrightsohio.org.
- For example, we provide assistance with community integration issues, educational issues, we investigate allegations of abuse and neglect, and I assist with employment issues.

Strategies for Youth and Adults with Disabilities to Successfully Transition from High School to College



- I. Know Your Legal Rights
- II. Obtain Transition Services & Supports through Opportunities for Ohioans with Disabilities (OOD)
- III. Use Your Resources

Know Your Legal Rights



Transitioning from IDEA to ADA: Legal rights & responsibilities change after high school

- When your kids leave special education, they leave legal protections of the IDEA (Individuals with Disabilities Education Act)
- The ADA (Americans with Disabilities Act) and Section 504 of the Rehabilitation Act offer legal protections that differ from those to which you've grown accustomed.

5 Key Difference Between the IDEA & ADA



1. Identification of Disability
2. Definition of Disability
3. Eligibility Determination
4. The Laws Legal Requirements
5. Parents' Involvement

Identification of a Disability



- Under IDEA, ***school districts must identify*** the needs of students who may require special education.
- Under the ADA, persons with disabilities must ***self-disclose*** and ***document*** their own disability if they wish to request “reasonable accommodations” from employers or college programs

Identification of a Disability Planning Considerations



- Self-disclosure is a very personal choice.
- To help young adults and adults understand the concept of disclosure they can get and use a free copy of the National Collaborative on Workforce and Disability/Youth workbook called 411 on Disability Disclosure.
- The workbook helps young people think about and practice disclosing their disability and understand how disclosing may impact their education, employment, and social lives.

Definition of Disability



- The IDEA determines a student's eligibility for protections and services of IDEA based on 13 categories.
- The ADA requires that the person must be able to document both the presence of a disability and the specific “functional limitations” that this disability presents in relation to the job or college learning.

Definition of Disability

Planning Considerations



- If the student plans on college – contact the disability services office – during the junior year of high school.
- Most college programs will require recent documentation by a qualified professional using adult measures – and a statement of functional limitations from the qualified professional.

Eligibility Determination



- IDEA requires that school districts evaluate a student's eligibility for special education services based upon the 13 special education disability categories and demonstrated need for specially designed instruction.
- However, under ADA, the obligation for documentation and the expense of related evaluations are the responsibility of the person who is requesting “reasonable accommodations”.

Eligibility Determination



- To determine eligibility, you'll need the **diagnosis of a medical professional** or a **qualified professional's recent diagnosis using the Diagnostic Statistical Manual (DSM)** (Again – documentation requirements vary and are set by the employer or post-secondary program).
- If **updated evaluations** are needed, they can be funded through Ohio's vocational rehabilitation agency known as Opportunities for Ohioans with Disabilities (OOD).
- Under new **Workforce Innovation and Opportunities Act (WIOA)**, ***A student can apply for OOD transition services at 14.***

The Laws Legal Requirements



- IDEA requires school districts to provide special education students with a free, appropriate public education that meets their unique needs. The individualized plan is documented in the IEP and reviewed by the IEP team at least annually.
- **ADA does NOT** require an individualized education or support plan. **There are no IEPs beyond high school**

The Laws Legal Requirements



- ADA is a civil rights law. It does NOT require anything beyond “***reasonable accommodations***” that provide “equal access” to the same opportunities as people without disabilities.
- Cannot request ***modification*** of the “essential components” of job or educational program.

The Laws Legal Requirements

Planning Tips 1-3



1. If the student plans to attend a college – meet with child’s disability support staff then ask about the specific types of “reasonable accommodations” that would be provided by program for child’s specific disability and functional limitations. Should be done at least by the junior year. Earlier is often better.
2. It is important that the student choose a college program based on specific information about the accommodations and support services that will be available.
3. In the last one or two years of high school, students should gain experience using accommodations similar to those available in the college program of their choice

The Laws Legal Requirements

Planning Tips 4-5



4. Each accommodation must be decided on a case-by-case basis. **Some common accommodations** are: Extended time on tests; note takers; student or professional tutors; oral tests; large print materials; adjustable furniture; quiet room to take tests;
5. Some **uncommon but reasonable accommodations** may be needed for housing and dining, E.g. making dorm room and bathroom accessible for student who uses wheelchair.

Parents' Involvement



- Before High School graduation, parents are integral members of the IEP team.
- After graduation parents ***cannot access*** information about their adult child from employers, post-secondary institutions, healthcare providers, financial institutions, or government agencies without their clear prior written permission **Planning Tip**
 - As students get older, they should learn to self-advocate their needs at their IEP and VR meetings

Obtain Transition Services & Supports through Opportunities for Ohioans with Disabilities (OOD)



Disability
Rights OHIO

Transition services through OOD are for students with disabilities, ages 14-21, who have

1. a physical, cognitive and/or mental impairment
2. that causes a substantial barrier to his/her ability to get or keep a job;
3. can demonstrate a need for VR services; and
4. be able to benefit from VR services in terms of an employment outcome.

When should a student apply for OOD transition services?

- It depends on the student's stage of career development, so referral to OOD should be made on a case by case basis
- There are 5 potential entry points for referral:
 1. Student is interested in career tech or college training,
 2. getting a job after graduation,
 3. is an at-risk youth,
 4. student needs extended education services and defer diploma, and/or
 5. the student receives online/home school.

OOD Application & Eligibility



Disability
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Process

- In order to ***expedite eligibility determination***, schools and other partners are encouraged to provide any information regarding the student's ***functional limitations*** and ***existing documentation*** they may have about a student's disability at the time of referral for services (e.g. ETR, IEP, FED form, OEDI, COEDI, other related medical and psychological reports).
- OOD's agency goal is to make an eligibility determination within 30 days.

OOD Application & Eligibility Process



- It should not take 60 days if existing information is readily available and the school *helps coordinate the first meeting (i.e. initial interview), which must include the student and if applicable, his/her parent or legal guardian*
- Educators can refer students by submitting ***OOD's Request for Pre-employment Transition Services for Potential Eligible Students with Disabilities*** form located on its website under Transition Students tab.

What services can the student expect to receive while in school?



- **Job Exploration Counseling** (Discuss career options and learn about in-demand jobs),
- **Work-based Learning experiences** (Experience and gain knowledge about the workplace),
- **Counseling for Enrollment in College** (Explore training options available after graduation),
- **Work Readiness Training** (Improve social and independent living skills), and
- **Instruction in Self-advocacy** (Learn skills needed for greater independence)

What is Post-Secondary?



- “Post-secondary“ refers to any education training beyond high school.
- post-secondary education training under OOD’s policy refers to **the instruction and related expenses determined necessary** for the eligible individual **to obtain a degree, license or professional certificate from an accredited institution** which is required to achieve the **agreed upon job goal**.
 - Examples
 - Colleges/Universities
 - Technical Institutes

What services may students receive during Post-Secondary?



- Tuition assistance
 - FASFA's Student Aid Report (SAR)
 - Least Cost School
 - Exception written proof that LCS cannot accommodate disability related needs
- Books and supplies
- Rehabilitation Technology
 - Computer and adaptive equipment
- Room and Board
 - Only if there is a disability and/or program related need for an eligible individual to live on-campus
- Transportation
- Personal Care Attendants

Use Your Resources



- **If you or someone you know is having difficulties please inform them to contact DRO's Education team or our Client Assistance Program (CAP)**
- **CAP is a federally mandated program that advocates for and protects the rights of individuals with disabilities who are *applying for or receiving rehabilitation services* from the Ohio *Bureau of Vocational Rehabilitation* (BVR), the *Ohio Bureau of Services for the Visually Impaired* (BSVI), and/or the *Independent Living Centers throughout Ohio*.**

Use Your Resources



- **As a CAP advocate**, I assist consumers of OOD in resolving many different conflict issues and I provide assistance in transition planning and appeals.
- Anyone can request assistance by calling our intake department. They can be reached M-F 9am to 4pm by calling 614-466-7264 or you can submit an intake request on our website.

Use Your Resources



- **Centers for Independent Living (CIL)** assists young adults and adults with ASD transition by providing independent living skills training, and peer support.
- 13 CILS throughout Ohio
- CIL in Cleveland is Linking Employment, Abilities and Potential (LEAP)
 - <http://www.leapinfo.org/>

Use Your Resources



Websites:

- **Life After IEPs** - <http://lifeafterieps.com/>
 - **Mary Mazzoni**: Founder
- **National Collaborative on Workforce and Disability/Youth** a free user-friendly workbook called 411 on Disability Disclosure.
 - <http://www.ncwd-youth.info/411-on-disability-disclosure>;
 - <http://www.ncwd-youth.info/411-on-disability-disclosure-for-adults>
- **Getting the Most from the Public Vocational Rehabilitation System:**
 - http://www.communityinclusion.org/article.php?article_id=129
- **Opportunities for Ohioans with Disabilities (OOD)**
 - <http://ood.ohio.gov/>

Questions



Contact Disability Rights Ohio

- **Earnestine Hargett**, Senior Advocate
 - Education
- **Melissa Day**, Advocate
 - Opportunities for Ohioans with Disabilities
 - Social Security Benefits
- **Intake 614-466-7264** or online at
 - www.disabilityrightsohio.org/intake-form