

Transition Information: Massachusetts

Timeline

- *By the age of 14:*
 - The transition process must begin when the IEP is developed at age 14. At this point, the IEP must include a statement of needed transition services, which must be discussed with the school district.
 - Students should be invited to their IEP meetings starting at the age of 14 and should be allowed to participate in deciding about their own future.
- *By the age of 16:*
 - By 16, the IEP should include annual goals and post-school outcomes. The transition team should determine if the individual will be going to college or finding employment after he or she leaves secondary school.
- *Before the age of 17:*
 - The guardianship/conservatorship process should begin. (The age of majority in Massachusetts is 18).
 - The individual must be notified of this transfer of rights by the student's 17th birthday.
 - If families and students feel uncomfortable with the transfer of the decision-making abilities to the student, the prospective guardian needs to petition for guardianship at the local probate court.
 - The vocational rehabilitation process should begin at least 2 years prior to high school graduation.
- *Before the age of 18:*
 - Apply for Social Security benefits, Social Security Disability Insurance and Medicaid.
 - If ineligible for Medicaid, look into other health insurance options, as it is likely the individual will no longer be covered by the parents plan after age 19 if not enrolled in college or covered by Medicaid.
 - Add your name to the waiting list for residential placements in the state. Regardless of future residential plans, it is good to be on the waitlist, as these lists can be extremely long, and it is easy to remove your name than it is to add it.
- *At age 18:*
 - Register to vote.
 - Upon an individual's 18th birthday, he or she changes from a system of being entitled to certain rights and privileges to a system of eligibility.
 - Male students should register for the draft, no matter the level of functioning.
 - If applicable, individuals should apply to adult agencies for vocational and day programs, as well as for supported living.
 - At 18, individuals have the choice to continue the special education program or pursue another program.

Starting the Transition Process:

The transition process must begin when the IEP is developed which is when the student is 14 years old. At this point, the IEP must include a statement of needed transition services, which must be discussed with the school district. The IEP must be reviewed annually to assess the student's progress and the completion of his or her annual goals. Students should be invited to their IEP meetings starting at the age of 14 and should be allowed to participate in deciding about their own future.

Also, at that age, the IEP should include post-school outcomes and the services needed to prepare them for achieving that long-term goal. If other agencies are going to be involved in those outcomes, it is important to notify and inform them about what their involvement will be in the child's future. All the decisions that are made should be related to the development of the student through instruction, community services and the accomplishment of the goals set in the IEP. It should also be based on the individual's preferences. There is also now a *Transition Planning Form* for students over the age of 14 to help develop the IEP: www.doe.mass.edu/sped/28MR/28m9.doc

It is important under Massachusetts state law to file a *Chapter 688 referral* two years before the student graduates high school or at age 20: www.doe.mass.edu/sped/688

Filing a Chapter 688 referral creates a documented need for services and supports for adults with severe disabilities. The primary goal of filing a Chapter 688 referral is to plan for needed adult services for students. You are eligible for this service if you are receiving SSI/SSDI and have an IEP. The process helps to ensure that sufficient public funds are available for all students to use adult services when they need them.

Education:

After individuals turn 18, they have the right to make all education-related decisions by themselves unless a court appoints a guardian for them. At that age, they have the choice to continue the special education program or pursue another program. The IEP should include a plan that the student can refer to and should indicate the decisions that were made regarding the graduation plan he or she wishes to pursue. Also, it should indicate any necessary course work that should be completed in preparation for the long-term educational and vocational goals and also if the student is planning on pursuing higher education.

In regard to high school graduation, the state provides minimum requirements for graduation, which LEAs can add to. In terms of the diploma options made available to students with disabilities, they can either get a standard high school diploma by completing the requirements, or receive a certificate provided by local communities. This certificate is not equivalent to a standard high school diploma.

The only allowance provided to disabled students concerning their requirements is an appeals option available to defend their performance, which is available to all students

regardless of disability. Massachusetts does require all students to complete state exit exam to get their diplomas. Individuals who fail this exam have the options of taking an alternate exam, petitioning for an exemption, or retaking the exam again.

Guardianship/Conservatorship:

The age of majority in Massachusetts is 18 years old. This means that the right to make decisions about the welfare of the disabled student will transfer to the student from their initial guardians on the individual's 18th birthday. Therefore, they must be notified of this transfer by the student's 17th birthday.

If the person is thought to be incapable of making medical, financial or other related decisions, a court can appoint a guardian for him or her after a petition for guardianship has been filed by the desired guardian in the local circuit court.

There are many forms of guardianship or conservatorship under Massachusetts law that either give the rights of an incapacitated person to another individual so that they can make the disabled individuals' decisions (guardianship), or the right to protect the individual when the person is incapable of making financial and property decisions (conservatorship).

There is also limited guardianship, which allows the court to designate certain responsibilities to another individual. This curtails the removal of an individual's total liberty. Similarly, a limited conservatorship delegates certain responsibilities pertaining to property and finances to another individual. To avoid the process of getting conservatorship, a "protective order" can be created instead that gives the court the power to alter any financial transactions that were or were not in the best interests of the person.

Temporary guardianship and conservatorship allocates certain responsibilities to one person if there is an emergency that lasts for 90 days. To get any of these forms of guardianship except the temporary ones, a medical certificate must be obtained within 30 days of the petition being filed in court by a licensed or certified physician or psychologist.

Vocational Rehabilitation:

The Massachusetts Vocational Rehabilitation Program assists individuals with disabilities to obtain and maintain employment. This may include identifying job goals based on individual interests and aptitudes, providing funds for college and vocational training, assessing worksite accommodations, educating an employer about the Americans With Disabilities Act, or assisting an individual returning to work after adjusting to a new disabling condition. Vocational rehabilitation services can often reduce or remove barriers to employment. When beginning the transition process, visit the Massachusetts VR website and find your local office.

Social Security:

Benefits should be applied for before the student's 18th birthday and then be re-evaluated after the student's 18th birthday. It is also important that the office be contacted well in advance before the student's 18th birthday to understand that eligibility and application process.

Applicants may apply online or by contacting Social Security directly. Local Social Security offices can be found using SSA's office locator or by calling (voice) 800-772-1213 or (TTY) 800-325-0778.

Social Security Benefit Application: www.socialsecurity.gov/disabilityonline

Social Security Administration: www.socialsecurity.gov/locator

Disability and Supplemental Security Income Information:
www.ssa.gov/dibplan/index.htm#ssi

Housing Resources:

Massachusetts Public Housing Agency Contact Information:
www.hud.gov/offices/pih/pha/contacts/states/ma.cfm

Disability.gov Housing Resources:
www.disability.gov/housing

US Department of Housing and Urban Development: HUD in Massachusetts:
portal.hud.gov/portal/page/portal/HUD/states/massachusetts

Other Massachusetts Resources

Special Education

Massachusetts Department of Elementary & Secondary Education

75 Pleasant Street

Malden, MA 02148

(781) 338-3375

(781) 338-3371

specialeducation@doe.mass.edu

www.doe.mass.edu/sped

Transition from School to Adult Life: www.doe.mass.edu/sped/links/transition.html

Massachusetts Rehabilitation Commission

Massachusetts Executive Office of Health and Human Services

Fort Point Place

27 Wormwood Street

Boston, MA 02210-1616

(800) 245-6543

(617) 204-3600

www.mass.gov/eohhs/gov/departments/mrc

Office of Career/Vocational Technical Education

Massachusetts Department of Elementary & Secondary Education

75 Pleasant Street

Malden, MA 02148

(781) 338-3910

www.doe.mass.edu/cte

Massachusetts Developmental Disabilities Council

1150 Hancock Street, Suite 300

Quincy, MA 02169

(617) 770-7676 X100

(617) 770-9499 (TTY)

www.mass.gov/mddc

Advocates for Autism of Massachusetts

www.afamaction.org