

Transition Topics

A Guide to Secondary Transition for Students with Disabilities in Nebraska

Nebraska Department of Education
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TRANSITION TOPICS: A Guide to Transition for Students with Disabilities in Nebraska

The Nebraska Department of Education (NDE) has developed *Transition Topics: A Guide to Transition for Students with Disabilities in Nebraska* to assist the many people working with students with disabilities as they prepare for the transition from high school to adult living.

This guide was developed by various professionals who are committed to quality transition services. A special thank you is extended to the Transition Specialists, Committee Members, Educational Service Units, and Educators who took the time to offer their input and expertise. Thanks are also given to Lloya Fritz for the compilation and editing of this manual.

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INTRODUCTION TO GUIDE

The Nebraska Department of Education (NDE) has developed this *Transition Topics* guide to assist the many people working with students with disabilities in preparing for the transition from high school to adult living. Transition is a process that spans many years, requiring careful consideration and decision-making. There are many pieces that must be put into place to ensure that the student is prepared for life after high school. Over the years, NDE has developed technical assistance documents and other sources of information to address the many issues that must be considered in the transition process. You may have seen some of these documents before. However, it is important for you to know that many of these have been updated to reflect changes made in recent years. Be sure to review these and replace any previous copies of these documents or this guide with this updated version.

This *Transition Topics* guide brings many pieces of information together to provide a source of reference for educators, adult agency providers, parents, and others involved in transition. In addition to documents that have been developed by the Nebraska Department of Education, materials from other sources have been included to provide other information of interest to those involved in transition planning and services.

While this guide does not provide everything one might need to know about transition, it is hoped that it will serve as a starting point in answering questions. It may also be used as a training tool in staff development activities. It is not intended that *Transition Topics* be read cover to cover in one sitting; rather, it should be kept accessible for easy reference as questions arise. It is our hope that many will use *Transition Topics* to assist in providing quality transition services for students.

The entire *Transition Topics* guide may be found on the Nebraska Department of Education's Transition website at <http://ndetransition.site.esu9.org>.

Users are encouraged to reproduce and utilize materials as they wish. Additionally, users are encouraged to review the Resource section at the end of the guide for links to valuable information regarding other related sources.

TRANSITION OVERVIEW

In general terms, transition refers to the “bridge” between school and adult life for students. This is the process of preparing students for life after high school and includes planning for postsecondary education or training, employment, and community living.

In legal terms, transition is defined in federal law under the Individuals with Disabilities Education Act (IDEA). First enacted in 1975 and re-authorized in 1997 and 2004, IDEA addresses the educational requirements for students with disabilities. Transition services are also defined as follows in the Nebraska Department of Education’s Rule 51, Regulations and Standards for Special Education Programs.

The term “transition services” means a coordinated set of activities for a child with a disability that –*

(A) is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child’s movement from school to post-school activities, including post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;

(B) is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests; and

(C) includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation.

Transition services for students with disabilities may be special education, if provided as specially designed instruction, or related services, if required to assist a student with a disability to benefit from special education.

**Note: Language in IDEA frequently refers to the student as “child”. It is recognized that the term “student” is more appropriate for those involved in transition services.*

Transition Requirements for the IEP

IDEA and Rule 51 describe what the Individual Education Program (IEP) must include to meet the transition requirements, stating that:

Beginning not later than the first IEP to be in effect when the child is 16 and updated annually thereafter, the IEP must include:

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

IDEA goes further to state that: *Beginning not later than 1 year before the child reaches the age of majority under State law, a statement that the child has been informed of the child's rights under this title, if any, that will transfer to the child on reaching the age of majority...*

However, in Nebraska, rights regarding educational services do not change at the age of majority. (For more information on this topic, see the *Age of Majority* section of this guide.)

Changes in the Law

On December 3, 2004, H.R. 1350 (IDEA 2004) was signed into law. The official regulations for IDEA were published in the Federal Register on August 14, 2006. The following document, which includes information developed by the National Center on Secondary Education and Transition, is a useful tool in highlighting the key provisions of IDEA 2004.

WANT TO KNOW MORE?

- Further information regarding IDEA 2004 may be found at the U.S. Department of Education's website at <http://idea.ed.gov/>
- Nebraska's Rule 51, Regulations and Standards for Special Education Programs, may be found at http://www.education.ne.gov/legal/webrulespdf/CLEAN51_2010.pdf

AGE OF MAJORITY

Questions often arise regarding the topic of age of majority. It is important that educators, parents, and students understand Nebraska's position on the transfer of special education rights at the age of majority.

IDEA Requirements

IDEA 2004 regulation 300.520 specifies that a State *may* provide that, when a child with a disability reaches the age of majority under State law that applies to all children (except for a child with a disability who has been determined to be incompetent under State law) :

- 1) the public agency must provide any notice required by this part to both the child and the parents; and
- 2) all rights accorded to parents under Part B of the Act transfer to the child.

Previously, IDEA 1997 also included language that allowed states to enact procedures that would transfer special education rights from parents to students when the student reached the age of majority.

Nebraska Requirements

A sub-committee of the Special Education Advisory Council (SEAC) reviewed the topic of age of majority in 1999 and made a recommendation to the Nebraska Department of Education (NDE), Special Education Office. The sub-committee recommended that the **rights should not be transferred** from the parent to the student when the student reaches the age of majority. The NDE Office of Special Education accepted the committee's recommendation and outlined the decision in a May 14, 1999 memo. This position has again been reviewed by a stakeholder committee and the recommendation remains the same.

The memo outlining Nebraska's position is posted on the state's transition website at: <http://ndetransition.site.esu9.org/2010/12/17/age-of-majority/>.

In Nebraska, special education rights do not transfer from parents to students when the student reaches the age of majority.

DISCUSSION POINTS:

Age of Majority

1. How does Nebraska's Rule 51 address the age of majority?

Because of Nebraska's position on this issue, Rule 51 does not include specific language to allow for the transfer of special education parental rights at the age of majority. However, because most of Rule 51 mirrors federal law and regulations, there are sections within the Rule that refer to age of majority. For instance, 92 NAC 51-007.03A10b states:

*To the extent appropriate, with the consent of the parents or **a child who has reached the age of majority**, the school district or approved cooperative must invite a representative of any participating agency that is likely to be responsible for providing or paying for the transition services.*

Since special education rights are not transferred from the parent to the student in Nebraska, in order to meet the regulation above, the district would need to seek consent from the parent to invite a representative of a participating agency, not the student.

2. Where can we find general information regarding age of majority?

Complimentary copies of "Reaching the Age of Majority" booklets are available to all 2011 Nebraska graduating seniors courtesy of the Nebraska State Bar Foundation.

The booklet is designed to educate youth of the rights and responsibilities that come with adulthood and is the volunteer work of legal professionals. Topics include alcohol; contracts; crime victims; health and human services; insurance; internet safety; landlord tenant law; parties; sex crimes; tax responsibilities; and weapons, guns, and fireworks.

To obtain copies of the booklet, go to: <http://www.nebarfnd.org/age-of-majority>

WANT TO KNOW MORE?

Questions regarding the age of majority as it relates to special education in Nebraska may be directed to:

Lindy Foley, State Transition Coordinator

Nebraska Department of Education

P.O. Box 94987

Lincoln NE 68509-4987

402-471-4318

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MEASURABLE POSTSECONDARY GOALS

The Law

IDEA 2004 and Nebraska's Rule 51 state that measurable postsecondary goals must be:

- Included in the IEP of every child beginning no later than the first IEP to be in effect when the child is 16 (or younger if determined appropriate by the IEP team);
- Updated annually; and
- Based upon age appropriate transition assessments related to:
 - Training;
 - Education;
 - Employment; and
 - Independent living skills (where appropriate).

Required Areas

It is the intent of the law that a goal be developed for each of the areas of training, education, and employment. A goal for independent living skills is required only if determined appropriate by the team. The question has been raised whether there must be a separate goal for each of the above areas or whether "combination" goals are acceptable. It is recognized that it may be appropriate to address training and education together in one goal. If a team chooses to combine all areas (training, education, employment, and independent living) into one all-inclusive goal, it must ensure that the goal remains measurable.

Training may include a program leading to a high school completion document or certificate (e.g., Adult Basic Education, General Education Development); short term employment training (e.g., Workforce Investment Act, Job Corps); or Vocational Technical School (less than a two year program).

Education may include enrollment and studies at a community or technical college (two year programs); college or university (four year programs); or continuing education.

Employment may include part-time or full-time employment. This includes competitive employment, sheltered work, non-paid experiences, or employment in an enclave setting.

Independent living skills refers to the skills necessary to be self-reliant and self-sufficient. Such skills may center on personal grooming and hygiene, self-advocacy, budgeting and personal finances, home maintenance and repair, community involvement, transportation, or other daily living skills.

Assessments

Goals must be based upon age appropriate transition assessments. This is a critical piece, in that many students are unsure of what they want to do after leaving high school. Transition assessments serve to assist students in discovering their strengths, interests, and preferences in order to help them determine their future plans. Assessments serve to identify the skills the student possesses, as well as identify the skills the student needs to acquire.

Age appropriate transition assessments may include both informal and formal assessments. The assessments to be used to determine appropriate measurable postsecondary goals will depend upon the individual needs of the student and are best determined on an individual basis. The IEP team may choose to utilize assessments completed by other sources, such as Vocational Rehabilitation, in order to avoid duplication and to ensure coordination.

ASSESSMENT EXAMPLES

Informal Assessments

Observations
Parent/Family Surveys
Curriculum-Based Assessments
Student Interviews/ Discussions

Formal Assessments

IQ testing
Interest Inventories
State and/or District Assessments
Academic/Vocational/Independent
Living Skills Assessments

Appropriate Measurable Postsecondary Goals

While IDEA and Rule 51 do not specifically define the term “postsecondary goals”, it is generally understood that this refers to those goals that a student hopes to achieve after leaving high school. In order for a goal to be measurable, it must communicate in specific and concrete terms the observable results to be attained. Goals must have a measurability that is the same across people evaluating the goals. In other words, multiple people should be able to agree whether the goal has been reached. Given that a student’s goals are likely to change as s/he moves through the high school years, it is particularly important that the goals be reviewed and updated annually.

Goal Examples

There are different interpretations as to the degree of specificity required for these goals; therefore, it is recommended that the individual district and/or IEP team determine how specific the goal must be. It may be appropriate to begin writing the postsecondary goals in broader terms in the early years and narrowing the focus as the student moves toward completion of high school. The key is to ensure that the goals clearly describe what the student intends to achieve after high school and that the goals are measurable. In order to emphasize the fact that these are the student’s goals, teams may choose to write goals in first person (i.e., “I will ...”).

The following examples were developed by the National Secondary Transition Technical Assistance Center. Click on the link below these sample goals to view more examples.

An example of a measurable postsecondary **training** goal may be:

After high school, Jeremy will improve his social, self-advocacy, and self-care skills by attending instruction at a center-based adult program.

(Source: http://www.nsttac.org/tm_materials/f11postsecondaryeducationgoals.aspx)

An example of a measurable postsecondary **education** goal may be:

Allison will obtain a four-year degree from a liberal arts college with a major in Child Development.

(Source: http://www.nsttac.org/tm_materials/f11postsecondaryeducationgoals.aspx)

An example of a measurable postsecondary **employment** goal may be:

Jeremy will be employed part-time in the community with supports.

(Source: http://www.nsttac.org/tm_materials/gemploymentpostsecondarygoals.aspx)

An example of a measurable postsecondary **independent living skills** goal may be:

Upon completion of high school, Jeremy will independently prepare for work each day, including dressing, making his bed, making his lunch, and accessing transportation.

(Source: http://www.nsttac.org/tm_materials/hindependentlivingskills.aspx)

Transition Services

The ongoing planning and support of the IEP team is critical for fulfilling their responsibility of preparing the student to meet his or her measurable postsecondary goals after leaving high school. IDEA 2004 and Rule 51 require that the IEP identify the transition services (including courses of study) needed to assist the child in reaching his/her postsecondary goals. The IEP team must address and refine plans each year for the student's course of study, transition activities, and linkages to post school agencies and supports.

Documentation

There is not a specific place in the IEP where the measurable postsecondary goals must be written. IDEA and Rule 51 state that, once information has been written in one part of the IEP, the information does not need to be duplicated in any other areas.

In Conclusion

Measurable postsecondary goals are to serve as the guide for a student's transition plan. In the early years of transition planning for a student, these goals may be broad descriptions reflecting the student's preferences, interests or vision. They should be refined each year as the student moves toward exiting high school. The development of measurable postsecondary goals, identification of the needed transition services, and implementation of the transition plan all must come together to ultimately prepare the student for a successful life after high school.

WANT TO KNOW MORE?

- Further information regarding assessments is provided in a technical assistance document, "Implementing the Transition Assessment Process", produced by the Nebraska Department of Education. To access: <http://ndetransition.site.esu9.org/files/2010/12/TransAssessTADoc-4.pdf>.

- The National Secondary Transition Technical Assistance Center (NSTTAC) provides many transition resources, including those related to assessment and measurable postsecondary goals. To view these resources and more, visit their website at: <http://www.nsttac.org/>.

DISCUSSION POINTS:

Measurable Postsecondary Goals

Because neither the law nor the regulations give specific guidance regarding measurable postsecondary goals, it is difficult to provide definitive answers to questions that may arise. The following discussion is provided to assist teams in meeting the requirements of the law.

1. How does a team develop appropriate postsecondary goals?

IDEA and Rule 51 require that goals be based upon appropriate transition assessments. It is important that goals are based upon and supported by the results of these assessments. Given that the team begins developing these goals when the student reaches age 16, there is ample time to review and refine them before the student exits high school. Depending upon the desires of the student, it may be necessary for the team to have considerable discussion to ensure that the goals that are developed are actually achievable for the student.

Information provided by the Office of Special Education and Rehabilitative Services (OSERS) in the June 2010 document, "Questions and Answers on Individualized Education Programs (IEPs), Evaluations, and Reevaluations" states that, "the requirement applies, whether or not the child's skill levels related to training, education, and employment are age appropriate. In all cases, the IEP team must develop the specific postsecondary goals for the child, in light of the unique needs of the child as determined by age-appropriate transition assessments of the child's skills in these areas." (<http://www2.ed.gov/policy/speced/guid/idea/iep-qa-2010.pdf>)

2. Are there specific assessment tools that should be used in order to determine the measurable postsecondary goals?

There are no specific assessments that must be completed for this purpose. The key is that the assessments, whether formal or informal, are appropriate to the student's age and that they assist in identifying the student's strengths, interests, and preferences.

3. Who is responsible for writing the measurable postsecondary goals?

The measurable postsecondary goals are to be developed within the IEP team process. Therefore, there is no one specific person responsible for this. It is important that this is a team decision and, most importantly, that it accurately reflects the student's plans for him/herself.

4. *What is the district's accountability for students achieving their measurable postsecondary goals?*

A student may or may not achieve the postsecondary goals s/he identifies due to a variety of reasons beyond the control of the district. However, the district is accountable for developing annual IEP goals to reasonably enable the student to meet his/her postsecondary goals and providing the needed transition services and course of study to improve the academic and functional achievement of the student to facilitate movement from school to post-school.

Information provided by the Office of Special Education and Rehabilitative Services (OSERS) in the June 2010 document, "Questions and Answers on Individualized Education Programs (IEPs), Evaluations, and Reevaluations" states that, "There is no requirement for public agencies to determine whether the postsecondary goals have been met once a child is no longer eligible for FAPE under Part B of the IDEA." (<http://www2.ed.gov/policy/speced/guid/idea/iep-qa-2010.pdf>)

The OSERS guidance further states that, "...the LEA must provide a summary of the child's academic achievement and functional performance, including recommendations on how to assist the child in meeting the child's postsecondary goals. However, nothing in the IDEA requires the LEA to measure the child's progress on these postsecondary transition goals, or provide any special education services to the child after the child has graduated from a regular high school or exceeded the mandatory age range for FAPE."

CONSENT TO INVITE A PARTICIPATING AGENCY

Participation of Other Agencies

State and federal regulations require that, to the extent appropriate and with the consent of the parents, the school invite to the IEP meeting a representative of any other agency that is likely to be responsible for providing or paying for transition services. Clarifying information on this requirement is provided in a June 2010 document produced by the U. S. Department of Education's Office of Special Education and Rehabilitative Services (OSERS), "Questions and Answers on Individualized Education Programs (IEPs), Evaluations, and Reevaluations".

Information provided by OSERS indicates that this consent requirement is intended to protect the confidentiality of discussions that occur at IEP Team meetings. Specifically, this relates to meetings that other agency representatives attend because they may be providing or paying for transition services. OSERS goes on to say that, "Because the discussions at each IEP Team meeting are not the same, and confidential information about the child is always shared, we believe that consent of the parent ... must be obtained prior to each IEP Team meeting if a public agency proposes to invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services."

The OSERS Questions and Answers document further states that the words "to the extent appropriate" are included to "allow the public agency to determine that such a representative is not needed at a particular meeting. This phrase does not represent a limitation on the responsibility of the public agency to obtain the consent of the parents ... to invite such a representative." (Source: <http://www2.ed.gov/policy/speced/guid/idea/iepga-2010.pdf>)

WANT TO KNOW MORE?

- A sample document has been developed by a group of Nebraska professionals for documenting consent to invite a participating agency. While this is not a required format, it is an example of a document that provides the required elements. This sample form may be found at the end of this section or at: <http://ndetransition.site.esu9.org/files/2010/12/SampleConsentForm.pdf>.

DISCUSSION POINTS:

Consent to Invite a Participating Agency

1. *What is meant by a participating agency?*

A participating agency is one that is likely to be responsible for providing or paying for transition services. Such agencies may include, but are not limited to: postsecondary, vocational, continuing, and adult education providers; employment (integrated or supported) agencies; independent living providers; or, providers of other adult agency services. Examples of participating agencies in Nebraska include Vocational Rehabilitation (VR) or the Division of Developmental Disabilities (DDD).

2. *Why is consent needed?*

The consent requirement was included in the August 2006 Part B regulations to protect the confidentiality of discussions that occur at IEP meetings.

3. *How often must consent to invite a participating agency to an IEP meeting be obtained?*

A response to this question from the Office of Special Education Programs (OSEP) states that school districts must obtain a separate consent for each IEP team meeting. Thus, it is not permissible under this regulation for a district to obtain the consent one time and use that consent for the remainder of the years a student receives transition services (Gray Letter, March 2008: <http://www.pattan.net/files/OSEP/CY2008/Gray031708.pdf>).

4. *What information must be included in the request for consent?*

The definition of consent at 92 NAC 51-003.11 specifies that: (1) the parent has been fully informed of all information that is relevant to the activity for which consent is sought, in his or her native language, or other mode of communication; (2) the parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and list of records (if any) that will be released and to whom; and (3) the parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time. If a parent revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked).

5. *How does the team know what agency to invite and the appropriate time to include them?*

Regulations state that, to the extent appropriate, representatives of participating agencies who may be providing or paying for transition services must be invited to the IEP. Clarification provided by OSERS states that the words “to the extent appropriate” were included to allow the school to determine that such a representative is not needed at a particular meeting.

Suggested steps to assist the IEP team in determining who should be invited and when include:

- Discuss the possible need for outside services.
- Discuss agencies and the services they provide. It may be helpful to review the information found in this *Transition Topics* guide under “Adult Agencies” and “Postsecondary Education”.
- Provide written resource materials and contact information to families for their review. It may be the preference of the family to contact and meet with the agency outside of the IEP meeting.
- Determine the appropriate time to involve the participating agency in IEP meetings. If the student is in the early years of transition planning, a referral to an agency for adult services may be appropriate, but attendance may not be necessary until closer to the student’s exit from high school.
- Once it is determined that the participating agency should be included in the IEP meeting, the process for obtaining consent and inviting the agency should then be followed.

6. *What if an agency is invited to an IEP meeting, but does not attend?*

Previously, IDEA required that, if an agency was invited to attend and did not send a representative, the school take steps to obtain participation of the other agency in planning transition services. This additional requirement was eliminated in the re-authorization of IDEA 2004. However, it is still recommended as an effective practice that attempts should be made to secure this participation and that those attempts are documented.



CONSENT TO INVITE OUTSIDE AGENCY REPRESENTATIVE(S) TO THE IEP MEETING WHEN POSTSECONDARY GOALS AND TRANSITION SERVICES ARE BEING CONSIDERED

(92 NAC 51-007.03a10b)

School District: _____ Date: _____

Student's Name: _____ Date of Birth: _____

Dear _____,
One of the purposes of your child's annual Individualized Education Program (IEP) meeting is to consider postsecondary goals and the transition services needed to assist your child in reaching those goals.

Description of the action proposed (92 NAC 51-009.05B1): The district proposes to invite an agency representative to assist with the transition planning for your child.

Explanation of why the district proposes the activity (92 NAC 51-009.05B2): The district proposes to invite the representative(s) because it is likely that the agency will be responsible for providing or paying for transition services.

A description of other options the IEP Team considered and the reasons why those options were rejected (92 NAC 51-009.05B3): The agency representative(s) listed below are those determined to be appropriate for this IEP meeting. No other agency representative was considered to be necessary; however, we will discuss agency participation at the IEP meeting and will obtain your input.

Agency Representative(s):
A description of each evaluation procedure, assessment, record, or report the school district uses as a basis for the proposal (92 NAC 51-009.05B4): A review of your child's IEP and/or transition records indicates that an agency representative(s) be invited, with your consent, to the IEP meeting to assist with the transition planning for your child.

A description of any other factors which are relevant to the school district's proposal (92 NAC 51-009.05B5): In order to assist the agency representative(s) in preparing for the IEP meeting, the district proposes to release the following education record(s):

- No records
- All records about student and any other information requested by recipient
- Scholastic grades
- Psychological evaluations
- Activity records
- Discipline records
- Health records
- Standardized test scores
- Special education records
- Other _____

Please check the appropriate boxes below, sign, date and return one copy of this request to the school district.

- I understand the school district is proposing to invite to the IEP meeting a representative(s) of an outside agency. I give my consent for the agency representative(s) I have checked below to be invited to the IEP meeting. I understand that my consent is voluntary and may be revoked at any time before the identified representative(s) has/have been invited. I also give my consent to release the following education records as indicated below.
- All records about student and any other information requested by recipient
 - Scholastic grades
 - Psychological evaluations
 - Activity records
 - Discipline records
 - Health records
 - Standardized test scores
 - Special education records
 - Other

<u>Agency</u>	<u>Consent to Invite</u>	<u>Consent to Release Records</u>
_____	Yes _____ No _____	Yes _____ No _____
_____	Yes _____ No _____	Yes _____ No _____
_____	Yes _____ No _____	Yes _____ No _____

 Signature of Parent Date

- I understand the school district is proposing to invite to the IEP meeting a representative(s) of an outside agency. I **do not** give consent for the above indicated agency representative(s) to be invited to the IEP meeting or for the release of records to that agency.

 Signature of Parent Date

REEVALUATION ISSUES FOR TRANSITION STUDENTS

Requirements

IDEA 2004 and the Nebraska Department of Education's Rule 51, Regulations and Standards for Special Education Programs address the issue of reevaluation for students with disabilities. Specifically, Rule 51 states:

- *A reevaluation conducted under 006.05 must occur at least once every three years, unless the parents and the school district agree that a reevaluation is not necessary. (92 NAC 51-006.05B2)*
- *A school shall evaluate a child with a disability before determining that the child is no longer a child with a disability. (92 NAC 51-006.06E)*
- *The evaluation is not required before the termination of a student's eligibility due to graduation from secondary school with a regular high school diploma, or to exceeding the age eligibility for FAPE. For a child whose eligibility terminates under these circumstances, a school district shall provide the child with a summary of the child's academic achievement and functional performance which shall include recommendations on how to assist the child in meeting the child's postsecondary goals. (92 NAC 51-006.0E1)*

District Decision Points

Based upon the regulations, the district must ask the following questions in determining the need for reevaluation:

1. Is the three year reevaluation of the student due?
2. Is the student exiting school with a regular diploma?
3. Has the student reached the maximum age for special education eligibility (i.e., through the school year in which the student reaches 21 years of age)?
4. Is the district determining that the student is no longer eligible for special education (i.e., completed program, no longer meets verification criteria, etc.)?

Team Decision Points

While a student may not need to be reevaluated based upon the regulations, there may be other reasons to complete a reevaluation. Questions that the IEP team may wish to consider in determining the need for reevaluation include:

- ✓ Will information gained from reevaluation add value to the transition planning process for the student?
- ✓ Does the student intend to participate in post-high school programs or services?
- ✓ What are the requirements for admission to the intended programs or services?
- ✓ Will the student need accommodations in order to complete testing required for admission to a postsecondary institution?
- ✓ If accommodations for testing are needed, what documentation is required by the test publisher?
- ✓ If adult agency services are requested, what documentation is required to determine eligibility for those services?
- ✓ What are the implications if reevaluation indicates that the student no longer meets the verification criteria for special education services while still in high school?

DISCUSSION POINTS: Reevaluation Issues

- 1. *The student plans to graduate in May with a regular diploma. His three year reevaluation is due in March. Must the district conduct a reevaluation?***

Yes, a three year reevaluation must be conducted regardless of when the student is scheduled to graduate. However, in this example, a reevaluation will not need to be conducted again in May when the student graduates with a regular diploma.

- 2. *The student plans to graduate in May with a regular diploma. His last reevaluation was conducted in the previous school year. Must the district reevaluate the student?***

No, an evaluation is not due based upon 92 NAC 51-006.05B2. Since the student is graduating with a regular diploma, no reevaluation is due under 92 NAC 51-006.06E1. However, the district must provide a summary of the student's academic achievement and functional performance (Summary of Performance).

- 3. *The school district is ending special education for the student because he no longer meets eligibility criteria. Must the district reevaluate the student?***

Yes, before determining that the student is no longer a student with a disability, the district must conduct an evaluation as per 92 NAC 51-006.06E.

- 4. *The student is exiting special education and will be awarded a certificate of attendance at age 19. Must the district reevaluate the student?***

Yes, the student is not exiting the program with a regular diploma or aging out, so the district must reevaluate the student.

GRADUATION CONSIDERATIONS

GRADUATION CONSIDERATIONS FOR STUDENTS WITH DISABILITIES

A Decision-Making Framework For IEP Teams

**A Technical Assistance Document of the
Nebraska Department of Education
Special Populations Office**

2004

Revised:

February 2013

**GRADUATION CONSIDERATIONS
FOR
STUDENTS WITH DISABILITIES**

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BACKGROUND

When is a student ready to graduate from high school? School and state standards clearly define what curriculum requirements students must meet in order to graduate from the general education program with a regular diploma. However, there is no established criterion for students in special education who are not likely to meet the graduation requirements for a regular diploma. This makes answering the question, “When is a student ready to graduate from high school?” difficult for students with disabilities.

In light of this issue, the Nebraska Department of Education Office of Special Education saw the need to provide guidance. The Nebraska Planning Council on Developmental Disabilities awarded a grant to the Department of Education to develop a guide to assist students with disabilities, their families, and other members of Individual Education Program (IEP) teams in determining when a student is ready for graduation from high school. As a result of this grant, a task force of interested parents and professionals was brought together to discuss the issue of graduation readiness for students with disabilities. Through a series of facilitated meetings, the group gathered information and developed recommendations that resulted in the content of this guide.

TASK FORCE MEMBERSHIP

Task Force members for this project were:

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OVERVIEW OF ISSUE

Most students with disabilities graduate with their peers and receive a regular diploma. However, there are some students with disabilities who may not be able to meet the standard curriculum requirements needed to graduate from high school with a regular diploma. Students with disabilities are eligible for special education services until they meet the graduation requirements to receive a regular, signed diploma or until the end of the school year in which they reach age 21. There are no specific curriculum requirements that students with disabilities must meet in order to graduate from high school. Instead, they may graduate with a signed, regular diploma when they meet the transition goals in their Individual Education Program.

Being entitled to receive educational services until age 21 allows students with disabilities to continue their education beyond the traditional four years of high school. For these students, the decision of when to graduate is to be an individualized one, made by the Individual Education Program (IEP) team. However, it is widely recognized by families and educators that it can be a difficult decision to make and that there are no clear guidelines to help direct that decision.

If a student with disabilities does not meet the standard curriculum requirements for a regular diploma, how is it determined when s/he is ready to leave educational services? Or, if a student meets the curriculum requirements but does not meet the transition goals in his/her IEP, is s/he ready to graduate? If students with disabilities are eligible for educational services until age 21, should they automatically stay in school until then? Should they graduate with their peers and move into the adult world after four years of high school? How can the IEP team develop a plan for graduation? The short answer to all of these questions is that the decision of when a student should graduate is to be based upon the goals established for the individual student. That makes it sound much easier than it really is. What goals should be developed and what needs and circumstances should the team consider? How will they know when the student is ready and has gained the maximum benefit from his/her high school education? This guide will attempt to assist the student and his/her Individual Education Program team as they try to answer these questions.

LEGAL BASIS

What are the legal requirements regarding graduation?

Nebraska State Statute (79-729) specifies that all students who graduate from Nebraska high schools must possess certain minimum levels of knowledge, skills, and understanding. Each high school must require at least 200 credit hours for graduation, with at least 80 percent of those credit hours from the core curriculum. However, these requirements do not apply to students with disabilities whose Individual Education Programs (IEPs) prescribe a different course of instruction.

What are the legal requirements regarding graduation for a student with disabilities?

All special education services are governed by federal law, as defined in the Individuals with Disabilities Education Act (IDEA). IDEA does not require that an Individual Education Program contain specifically identified graduation criteria or a graduation plan. However, IDEA 2004 specifies that the IEP must include appropriate measurable postsecondary goals based upon age appropriate transition assessments. Assessments are to be related to training, education, employment, and where appropriate, independent living skills. Schools are responsible and accountable for developing transition goals for each student through the IEP team and implementing the educational processes needed for teaching the student in preparation for graduation and transitioning into the community.

Graduation criteria can be described in terms of accomplishment of the student's transition goals, plus receipt of other services that have been identified in the student's IEP. This means that the decision of when to graduate a student with disabilities rests with the IEP team. This is true even if the student meets the established credit hour requirements for graduation, but does not meet the transition goals specified in his or her IEP. The decision of when to graduate that student still rests with the IEP team.

Are there other requirements regarding graduation?

An important legal requirement related to graduation addresses parental notification. Regulations require that prior written notice be given to the parents of the student with a disability when a change of placement is to occur. Graduation is considered a change in placement. A school district may not graduate a student without providing this notice in a reasonable timeframe. In meeting the requirements for providing notice, the Individual Education Program team must have a plan developed that determines when graduation will occur for the student. A meeting is to be held prior to graduating a student with a disability to review the IEP to ensure that graduation requirements will be met and that the goals and objectives of the IEP will be completed.

An additional requirement regarding graduation for students with disabilities is addressed in IDEA 2004. This requirement states that students graduating with a regular diploma or aging

out shall be provided a summary of their academic achievement and functional performance. This summary is to include recommendations on how to assist the student in meeting his or her postsecondary goals.

What about other questions related to graduation?

A related question that often arises when discussing graduation relates to the student's participation in a graduation ceremony. If a student doesn't end his/her educational services after the traditional four years of high school, when should s/he take part in a graduation ceremony? Some students with disabilities may participate in the graduation ceremony with their peer or age group (sometimes referred to as "social graduation"), but do not receive a signed diploma. They may receive a certificate of attendance or an unsigned diploma at that time, which allows them to continue receiving educational services. Others may wait to participate in a graduation ceremony after they've officially ended educational services. This is a decision to be made by the team, based upon the individual student's preferences.

Appendix A of this document discusses these options and the Nebraska law that addresses requirements related to a certificate of attendance and participation in the high school graduation ceremony.

Appendix B of this guide addresses other commonly asked questions related to graduation. Specific questions regarding individual students should be addressed to personnel of the student's local school district.

A FRAMEWORK FOR TRANSITION PLANNING

The following suggestions are intended to assist in guiding the student and his/her IEP team through the transition planning process. This is not a comprehensive list of all that needs to be done and some items may not be applicable for all students, but it may be used as a guide. It is important to remember that transition planning is not a one-time event, but is a process that spans the student's high school years.

Prior to age 16, the student should begin to:

- Identify interests, preferences, and needs and know how to communicate these to others.
- Identify broad goals for the future, including plans for independent living and employment.
- Identify and develop a plan to learn skills necessary for independent living. This should address issues such as communication, personal care, daily living skills, money management, and transportation.
- Explore career options, possibly by participating in job exploration activities.
- Discuss plans for graduation.

By age 16, the student should:

- Identify and develop a plan to learn skills to lead to employment. The plan may include classroom instruction, job exploration activities, part-time employment, or volunteer work.
- Determine whether s/he plans to continue with education after high school. If so, the high school course of study needs to be designed to meet admission requirements of the post-secondary program.
- Work through the application process for adult service agencies, if it is anticipated that such services will be needed.
- Practice independent living skills such as budgeting, shopping, cooking and housekeeping, as appropriate.
- Review and further develop plans for graduation.

By age 18, the student should:

- Inquire about the application process for Supplemental Security Income (SSI).
- Continue coordination with adult service agencies, as needed.
- Continue job exploration activities.
- Visit colleges or vocational/tech schools, if applicable. Work with high school and college personnel to ensure admissions requirements and needs for accommodations are met.
- Continue to review and further develop plans for graduation.

DECISION-MAKING FRAMEWORK

As the task force discussed considerations regarding graduation, recommendations resulted in two related arenas: *decision-making principles* and *areas for IEP team exploration*. The *decision-making principles* describe the desired quality of decision-making processes that determine each student's course of action toward readiness. They offer an inclusive perspective regarding how to promote continuity and coordination across the state in the context of established legal, procedural and local parameters.

This section contains the foundation of what emerged from facilitated discussions among an array of individuals who care about and work with students with disabilities. The content is intended to support students and the rest of their IEP team members in the process of decision-making, and to encourage inclusive dialogue well before the event of graduation. The discussion results have significant value because they demonstrate how different views can come together to develop a shared understanding of what is most important in preparing each student for graduation and post-school experiences.

These guidelines express the collective belief of the task force that it is desirable for decisions about graduation to include all stakeholders early and be a reflection of:

- | | |
|---|---------------------------------|
| ~Commitment and interdependence | ~Practicalities |
| ~Natural relationships | ~Short and long-term vision |
| ~Realism | ~Formal partnerships |
| ~Logical sequences or building blocks | ~Inclusive information exchange |
| ~A wealth of community resources | ~Self-determination |
| ~A broad spectrum of perspectives and experiences | ~Passion for what is possible |

Expressed in the form of *decision-making principles*, the material offers a template, or standard, for making realistic and well-considered choices. Rather than fading into the background, they serve as evaluation criteria at any stage of decision-making and provide an individualized and principled basis for the steps each student takes toward readiness. They also provide a common language when considering how to ensure that a decision-making process is responsive. When used along with the guidelines regarding *areas for exploration* (to follow), the task force is confident that decisions will result in the most realistic and durable outcomes that address the unique needs of each student and others in his/her environment.

All members of IEP teams – parents, students, educators, providers, etc. – are encouraged to implement decision-making processes that satisfy the principles below. The elements are not in ascending or descending order; each item provides a way to measure the suitability of a process and a common basis for adopting, abandoning or adapting how decisions are made regarding graduation readiness. This approach ensures mutual accountability for outcomes that fully address students' needs.

Decision-Making Principles

Best practices provide consistency and meaningful decision-making processes regarding graduation that:

- Apply to the range of special education students who move from public education and may or may not enter adult services such as those in the Developmental Disabilities System, Behavioral Health System, Vocational Rehabilitation or others; and
- Reflect a transition planning continuum involving academic, life, social, emancipation and other skill development or preparation in a variety of learning/experiential settings; and
- Are driven by the importance of:
 - Flexible, individualized, student-centered progress;
 - Maturation, social, life/functional, and/or vocational skills, information, tools and experience;
 - Coordinated, two-way, geographically realistic and early cross-system involvement and information exchange;
 - Positive experience that enhances opportunities for success as a productive community member and minimizes trauma;
 - Student input (wants, interests, concerns and dreams);
 - Multiple perspectives and mutual support for students' benefit;
 - Parent/family input (wants, interests, concerns, dreams and observations); and
 - A planning and decision-making process that fosters more clarity and predictability.

Decisions that are consistent with these criteria lay the foundation for a thorough exploration of factors affecting transition and graduation readiness.

AREAS FOR IEP TEAM EXPLORATION

While the *principles for decision-making* provide the foundation that guides the decision-making process, the second set of guidelines developed by the task force describes the areas that the Individual Education Program team may wish to explore when developing the transition plan and making a plan for graduation. These can be grouped under five *areas of exploration*:

- *Individual Perspectives & Awareness* – area related to the student’s understanding and awareness of him/herself and the world;
- *Academic* - area related to the student’s educational or academic abilities;
- *Vocational* – area related to the student’s abilities in regard to his/her employment future;
- *Personal/Social/Interpersonal* – area related to the student’s abilities in regard to self and interactions with others; and
- *Independent Living* – area related to the student’s ability to live in the adult world.

There are key questions that should be asked in each of the five areas of exploration. Examples of the key questions are on the following page. These questions are intended to serve as a springboard for discussion and consideration. Other questions may need to be added, depending upon the individual circumstances of the student.

KEY QUESTIONS IN AREAS FOR EXPLORATION

Following is a set of questions that the IEP team may wish to consider when discussing each area to be explored. The team should begin asking these questions as they begin the transition planning process for the student and continue to review and ask them at least annually throughout the student's high school years. As the team examines the areas (such as Academic, Vocational, Independent Living, etc.), it is important that these questions be asked in each context related to the student's life. These questions are:

- ❖ *What is important to the student personally? What does s/he want?*
- ❖ *What does the student want and need to know? How aware is the student of his or her options?*
- ❖ *What do the parents want and need to know? How aware are they of the options available?*
- ❖ *What natural supports are available for the student?*
- ❖ *What information is needed to assist in the decision-making process?*
- ❖ *What voices, perspectives, or experiences of others should be considered?*
- ❖ *What do the student's environment and community have to offer?*
- ❖ *What services and/or supports might the student need to be successful in the adult world? If adult agency services or post-secondary education are recommended, what needs to be done to prepare the student?*

In considering these areas for exploration, the IEP team may wish to break down the process into questions that are *oriented to the student* and those that are *oriented to the student's environment*. Exploring the issues *oriented to the student* includes looking at the strengths, abilities, preferences, and interests of the student. This includes examining the expectations demonstrated or expressed by the student. Exploring the issues *oriented to the student's environment* takes into consideration school, home, family, relationships, community, and opportunities that are available. Understanding how the environment may impact the student is an important piece of the process.

Once these areas have been explored, it is important that the team take the next step to identify what action needs to be taken to assist the student in reaching his/her goals. These actions, identified as "*steps to reach expected outcomes*" will form the basis for the transition activities that will take place during the student's high school years. The transition activities will then lead the student to be prepared for graduation and entry into the adult world.

The following chart represents examples of questions that might be asked in each area for exploration and steps to be taken to reach expected outcomes for the student. As with the rest of the transition planning process, these and other questions should be asked and reviewed throughout the high school years.

AREAS FOR EXPLORATION				
Individual Perspectives and Awareness	Academic	Vocational	Personal/Social/ Interpersonal	Independent Living
<p>Areas Oriented to the Student:</p> <p>~ What are the student's likes and dislikes?</p> <p>~ What are the student's expectations and/or fears?</p> <p>~ What impact do relationships have?</p> <p>~ How does the student see him/herself?</p> <p>~ How does the student see him/herself in relation to others?</p> <p>~ What are the student's expectations regarding services or supports after graduation?</p>	<p>Areas Oriented to the Student:</p> <p>~ What are the student's academic abilities?</p> <p>~ What academic skills will the student want/need to use outside of school (such as reading for pleasure, daily life math skills, writing and computer skills)?</p> <p>~ To what extent does the student feel s/he is reaping benefit from the academic experience?</p> <p>~ What are the student's expectations regarding post-secondary education or training?</p>	<p>Areas Oriented to the Student:</p> <p>~ What are the student's occupational interests?</p> <p>~ What personal and vocational skills does the student have to offer (social skills, workplace behavior and attitudes, quality and accuracy)?</p> <p>~ What vocational experiences has the student had (worksite visits, job-shadowing, completing applications, interviewing, part-time jobs, etc.)?</p> <p>~ To what extent does the student feel s/he is reaping benefit from his/her vocational experiences?</p> <p>~ What are the student's expectations regarding his/her employment future?</p>	<p>Areas Oriented to the Student:</p> <p>~ What are the student's abilities in communication?</p> <p>~ What are the student's abilities in interacting with others and participating in group activities?</p> <p>~ How appropriate are the student's personal management skills and behaviors?</p> <p>~ To what extent does the student exhibit socially responsible behavior (complying with rules/laws, sexual awareness, etc.)?</p> <p>~ What are the student's abilities in the areas of self-awareness and self-confidence?</p>	<p>Areas Oriented to the Student:</p> <p>~ What are the student's abilities in the area of independent living? Skills to be considered include: personal care, household maintenance, financial management, medical needs, recreation and leisure, transportation, community access, etc.</p> <p>~ How willing is the student to relocate in order to live independently?</p> <p>~ What is the student's ability to seek assistance when needed?</p> <p>~ What are the student's expectations regarding his/her ability to live independently?</p>

Individual Perspectives and Awareness	Academic	Vocational	Personal/Social/Interpersonal	Independent Living
<p><i>Areas Oriented to the Student's Environment:</i></p> <p>~ What are the parental or family expectations, dreams, and fears for the student?</p> <p>~ What observations do parents/family have?</p> <p>~ What are the parents' expectations regarding services or supports for the student after graduation?</p>	<p><i>Areas Oriented to the Student's Environment:</i></p> <p>~ Based on the perspectives of others, to what extent is the student reaping benefit from the academic experience?</p> <p>~ What is the relationship between the student's academic abilities and his/her employment goals?</p> <p>~ What are the parents' expectations regarding post-secondary education or training?</p>	<p><i>Areas Oriented to the Student's Environment:</i></p> <p>~ What vocational experiences and supports are available to the student during high school?</p> <p>~ What vocational supports will be available to the student post-high school (vocational training and assessments, job coaching and placement, etc.)?</p> <p>~ What are the parents' expectations regarding the student's employment future?</p>	<p><i>Areas Oriented to the Student's Environment:</i></p> <p>~ What opportunities are available for the student to learn and practice personal, social, and interpersonal skills?</p> <p>~ What is the impact of the student's environment on relationships and friendships?</p>	<p><i>Areas Oriented to the Student's Environment:</i></p> <p>~ How willing are the parents/family to relocate or have their son/daughter relocate?</p> <p>~ What supports will be available to the student post-high school for independent living (daily living, housing, medical care, transportation, etc.)?</p> <p>~ What are the parents' expectations regarding the student's ability to live independently?</p>

Individual Perspectives and Awareness	Academic	Vocational	Personal/Social/ Interpersonal	Independent Living
<p><i>Steps to Reach Expected Outcomes:</i></p> <p>~ Identify the activities and experiences needed to assist the student in gaining a greater understanding of self.</p> <p>~ Develop and implement a plan for providing the needed support, training, and experience to expand the student's awareness and identify his/her perspectives. Such activities may take place in the classroom, in the home, and/or in the community.</p>	<p><i>Steps to Reach Expected Outcomes:</i></p> <p>~ Identify the academic skills that the student needs to gain in order to be prepared for life after high school. If post-secondary education services will be utilized, consideration should be given to the requirements for success in those services.</p> <p>~ Develop and implement a plan for providing the needed support, training, and experience in academics. The needed academic skills may be taught using alternate teaching strategies or experiences as necessary. Such activities may take place in the classroom, in the home, and/or in the community.</p>	<p><i>Steps to Reach Expected Outcomes:</i></p> <p>~ Identify the vocational skills the student needs to develop in order to be prepared for employment or for further vocational training. If adult agency services will be needed, consideration should be given to the skills required for success in those services, while maximizing his/her independence.</p> <p>~ Develop and implement a plan for providing the needed support, training, and experience in vocational skills. Teaching the needed vocational skills may include classroom training, experiences in the home, and/or on-the-job experiences.</p>	<p><i>Steps to Reach Expected Outcomes:</i></p> <p>~ Identify the support, training, and/or experiences the student needs to develop appropriate and effective personal, social, and interpersonal skills.</p> <p>~ Develop and implement a plan for providing the needed support, training, and experience in the area of personal, social, and interpersonal skills. Such activities may take place in the classroom, in the home, and/or in the community.</p>	<p><i>Steps to Reach Expected Outcomes:</i></p> <p>~ Identify the support, training, and or experiences the student needs to be prepared for independent living or to receive further training in independent living skills. If adult agency services will be needed, consideration should be given to the skills required for success in those services, while maximizing his/her independence.</p> <p>~ Develop and implement a plan for providing the needed support, training, and experience in independent living skills. Such activities may take place in the classroom, in the home, and/or in the community.</p>

IN SUMMARY

There is no easy answer to the question, “How do we determine when a student with disabilities is ready to graduate from high school?” However, it is hoped that this guide will assist students with disabilities, their families, and educators when making this important decision.

It is intended that the use of this guide will ensure both a meaningful decision-making process and allow for an individualized exploration process for each student. The process will provide students and their IEP teams with a principled plan of action that respects each student’s circumstances and environment. Following this process allows for careful consideration to assist in developing a plan for graduation that will be right for the student and ensure his/her successful entry into the adult world.

GRADUATION OPTIONS FOR STUDENTS WITH DISABILITIES

The Individual Education Program (IEP) team is responsible for determining whether a student has completed a course of study that makes him/her eligible to receive a signed, regular diploma. Even if the student with disabilities will continue his/her education program until the end of the school year in which s/he reaches age 21, the IEP team may recommend that the student would benefit from participation in the graduation ceremony with peers. Since this has often been a source of confusion for families and districts in Nebraska, legislation in 2008 (LB 1153) addressed this issue, resulting in the following state law.

Certificate of Attendance and Participation in High School Graduation Ceremony

Nebraska State Statute 79-770, enacted July 18, 2008, states: At the request of a parent or guardian, a school district shall issue a certificate of attendance to a student who receives special education services under the Special Education Act, who has reached seventeen years of age, and who has not completed his or her individualized education plan. A school district shall allow a student who receives a certificate of attendance under this section to participate in the high school graduation ceremony of such high school with students receiving high school diplomas. A student may receive only one certificate of attendance and may participate in only one graduation ceremony based on such certificate. The receipt of a certificate of attendance pursuant to this section shall not affect a school district's obligation to continue to provide special education services to a student receiving such certificate.

This section does not preclude a student from receiving a high school diploma by meeting the school district's graduation requirements established pursuant to section 79-729 or in his or her individualized education plan or receiving a diploma of high school equivalency under section 79-730 upon completing the requirements of such section. The school district may allow a student who has previously participated in a graduation ceremony based on a certificate of attendance to participate in an additional graduation ceremony when such student receives a high school diploma.

Source: Laws 2008, LB1153, § 1. Operative date July 18, 2008.

Graduation Options

Prior to the enactment of Nebraska State Statute 79-770, the Nebraska Department of Education's Transition Advisory Committee developed the following information regarding best practices in graduation options for students with disabilities. These options are still valid and it is recommended that this issue be addressed in the district's graduation and/or school board policy, and district policy handbook.

Upon completion of a course of study that meets the following requirements, the student will be awarded a regular diploma using any of the following program options:

Option 1

A student completes a standard course of study based upon meeting all requirements for graduation and IEP/Transition goals.

The student would be eligible to receive a signed, regular diploma and participate in the graduation ceremonies.

Option 2

A student completes the standard or modified course of study, but not the IEP/Transition goals.

The student may participate in graduation ceremonies with his/her peers without receiving a signed regular diploma. The student may continue to receive services and supports from the school district until the IEP/Transition goals are met or until the student completes the school year in which s/he reaches the age of 21. At this time, the student will receive a signed, regular diploma.

Option 3

A student completes his/her IEP/Transition goals, but not the standard course of study.

When a student's disability prevents him/her from completing the standard course requirements for graduation, the IEP team must identify IEP/Transition goals for graduation that are consistent with the student's individual needs. Upon completion of those goals, the student will be allowed to graduate with a signed, regular high school diploma. A student may elect to participate in graduation ceremonies with peer classmates or upon completion of his/her course of study.

Graduation Considerations

- It is recommended that graduation be addressed in all transition plans. Plans for graduation should be considered in development of the course of study and reviewed annually.
- The receipt of a signed, regular diploma terminates the service eligibility of students with special education needs.
- It is recommended that all diplomas awarded by a school district be identical in appearance, content and effect, except that symbols or notations may be added to individual student's diplomas to reflect official school honors or awards earned by students.
- A student who receives a document such as a certificate of attendance, unsigned diploma, or blank folder is eligible to continue receiving special education services until receipt of a signed, regular diploma or until the end of the school year in which the student turns 21.
- It is recommended that the IEP team review and document that all requirements for receipt of a signed, regular high school diploma have been met.

**DISCUSSION POINTS
REGARDING GRADUATION**

1. Are special education rights transferred from parents to students when the student reaches the age of majority?

The Individuals with Disabilities Education Act (IDEA) allows each state to enact procedures that would transfer special education rights from parents to students when they reach the age of majority. However, in Nebraska, there is no such procedure to do that. Special education rights do not transfer from parents to students when they reach the age of majority.

2. Must an IEP contain graduation criteria?

IDEA does not include a requirement that an IEP contain specifically identified graduation criteria or a graduation plan. However, the IEP must include appropriate measurable postsecondary goals and the transition services (including courses of study) needed to assist the student in reaching those goals. Graduation criteria can be described in terms of accomplishment of those goals, plus receipt of certain transition services. The decision to graduate a student must be made by the IEP team. A district should convene a meeting prior to graduating a student with a disability in order to review the IEP to ensure that graduation requirements will be met and the goals of the IEP will be completed. In addition, graduation constitutes a change of placement, and therefore requires prior written notice.

3. If a student quits school at the age of sixteen, is s/he still eligible for special education services?

A school district is responsible for providing special education services for students until they meet graduation criteria for a regular, signed diploma or until the end of the school year in which they reach age 21. If a student drops out of school, the district should notify the parents and the student that the student is still eligible to receive special education, and make every effort to continue to provide special education for that student. If the student and parents refuse services, the school should obtain documentation to that effect. As best practice, the district should continue to send notice to the student and parents each time the IEP is scheduled for review, and keep on file the most recent copy of that student's IEP.

4. Can a student participate in a graduation ceremony and continue to receive transition services the following year?

If it is age or socially appropriate for students to participate in the graduation ceremony with their peer group, they can do so. However, the issuance of a regular signed diploma would end eligibility for special education services for those students. A certificate of attendance, an unsigned diploma or a blank folder would be appropriate to give to these students at the ceremony, thus allowing them to continue with transition services until IEP transition goals are met or until the end of the school year in which they reach age 21. See Appendix A for further discussion related to this question.

5. Is a student entitled to receive adult agency services upon graduation?

School systems are required by the Individuals with Disabilities Education Act (IDEA) to provide educational services to meet the needs of students with disabilities. This is known as entitlement. It is important that students and families know that there is no entitlement for services in adult agencies such as Vocational Rehabilitation or the Division of Developmental Disabilities. These agencies have specific criteria that individuals must meet in order to be eligible for their services. Services may be provided only after the individual has made application, been determined eligible, and funding has been made available. For these reasons, it is especially important that connections are made early with adult agencies to ensure that there are no gaps in services once the student graduates.

6. Is a student who receives a General Educational Development (GED) diploma still eligible to attend high school?

A student who completes a GED is still eligible for a Free Appropriate Public Education (FAPE) if s/he has not received a regular high school diploma and has not reached the maximum age of 21 by the end of the school year.

SUMMARY OF PERFORMANCE

The Law

Transition requirements in IDEA 2004 and the Nebraska Department of Education's Rule 51, Regulations and Standards for Special Education Programs state that a Summary of Performance is required for every student whose eligibility terminates due to graduation with a regular diploma or due to exceeding the age of eligibility. Specifically, it states that the school *"shall provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals."*

Purpose

The Summary of Performance (SOP) is to provide specific, meaningful, and understandable information to be utilized by the student, his or her family, and any agency that may provide services after high school. The SOP increases the likelihood that students will successfully achieve their post-school goals by providing them with current and relevant information about their academic and functional performance.

The Summary of Performance is most useful when linked with the Individualized Education Program (IEP) process and when the student has the opportunity to actively participate in the development of the document. Recommendations to assist the student in achieving his/her postsecondary goals and identification of post-school services and supports will be helpful as the student enters the adult world.

The Summary of Performance serves as a supplement to other educational records, such as the Multi-Disciplinary Team (MDT) Report and IEP, and is to be provided to the student upon exit. While there is no requirement that a student ever share the document with anyone after high school, it can potentially be a valuable resource as s/he enters the adult world. Students should be encouraged to maintain a file or portfolio with this document, along with transcripts, letters of recommendation, career assessments, or other information that may be useful when pursuing a job, enrolling in postsecondary training or education, or applying for adult services.

Completion

Teams may find it useful to begin completion of the Summary of Performance early in the transition planning process, with updates as needed. Finalization of the document should occur in the spring of the student's final year in order to reflect the most current information at the time of the student's exit from high school.

IDEA does not specify the format, nor indicate the specific information that must be included in the Summary of Performance. Requirements simply state that the SOP must provide a summary of the student's academic achievement and functional performance, which include recommendations on how to assist the student in meeting postsecondary goals.

Format

A "Sample Summary of Performance" form was created by a group of Nebraska stakeholders in an attempt to assist districts in meeting the IDEA 2004 requirement. Use of this specific form is not required, although the components that are included will be useful in meeting the intent of the Summary of Performance requirement. A copy of the form is included in this Guide. Information on where to find an electronic template for this form is found below.

WANT TO KNOW MORE?

- A template version of the Summary of Performance form developed by Nebraska stakeholders is available at:
<http://ndetransition.site.esu9.org/files/2010/12/Summaryofperformance.pdf>
- Many versions of Summary of Performance forms have been created by other groups and other states. These may be found by entering "Summary of Performance" as the search criteria in your internet browser.

DISCUSSION POINTS:

Summary of Performance

Because neither the law nor the regulations give specific guidance regarding the Summary of Performance, it is difficult to provide definitive answers to questions that may arise. The following discussion is provided to assist teams in meeting the requirements of the law.

1. *Will the Summary of Performance provide the documentation needed to determine eligibility for adult agency services?*

It is not anticipated that a Summary of Performance (SOP) will provide all of the information necessary for adult agencies to determine eligibility for services. Each adult agency has specific documentation needs and it is not likely that the SOP will meet those needs. However, the SOP may include information that will assist another program in determining eligibility. For example, the SOP is one of the educational records that has been identified as a resource used to provide information to determine a student's eligibility for Vocational Rehabilitation services.

2. *Will the Summary of Performance provide the documentation needed to determine eligibility for postsecondary education or to receive accommodations in a postsecondary setting?*

No, it is not anticipated that a SOP will provide all of the information necessary to determine eligibility for enrollment in postsecondary institutions or for accommodations in the postsecondary setting. A student who has requested academic adjustments, auxiliary aids or modifications of policies, practices, or procedures from a postsecondary institution may provide the SOP as part of the documentation to demonstrate that s/he has an impairment that warrants accommodations or modifications.

3. *If a reevaluation is completed for a student, is a Summary of Performance still needed?*

It is unlikely that a reevaluation will include all of the components required of the Summary of Performance. The SOP requirements state that the school *“shall provide the child with a summary of the child’s academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child’s postsecondary goals.”* Typically, a reevaluation will not meet these requirements.

4. *What areas should be considered when addressing academic achievement and functional performance?*

Academic achievement includes areas such as reading, writing, math, and learning styles. Functional performance includes areas such as problem solving and decision making, organization, attention, social skills and behaviors, communication, career and technical skills, daily living skills, and self-advocacy skills.

5. *How might a student use the Summary of Performance after graduating from high school?*

The Summary of Performance may be useful in pursuing employment and in applying for adult agency and postsecondary services, as discussed below.

Employment

When applying for jobs, a student may wish to share the document with a prospective employer during the interview process to assist in identifying his/her accomplishments. The SOP may also assist the student in identifying for the employer the types of supports s/he may require to be successful on the job.

Even if the student doesn't wish to share the document with an employer, s/he may wish to review the SOP to help prepare for possible interview questions. Once on the job, having a clear description of the needed services and supports may assist the student in advocating for his/her needs in the workplace.

Adult Agencies

While the SOP will not provide all of the documentation or information needed to determine eligibility for adult agency services, it may serve as a supplement to the required information. Additionally, adult agencies typically require that a plan be developed to address the services and supports the individual needs. The SOP may be a very useful tool in the development of this plan by providing information that describes the student's goals, career interests, levels of academic performance, need for accommodations, and the functional levels of the student's social and independent living skills.

Postsecondary Education

As previously mentioned, the Summary of Performance will not provide all of the documentation or information needed to determine eligibility for admission to a postsecondary institution or to qualify for accommodations in that setting. However, the documentation in the SOP may provide some of the information needed to determine whether the student qualifies for accommodations or academic adjustments. Students may also find that the SOP is helpful as they advocate for themselves on campus and in the classroom.

ADULT AGENCY SERVICES

Entitlement vs. Eligibility

Once a student leaves high school, it is possible that he or she will require the services and support provided by an adult service agency. There are many such agencies and the types of individuals they serve and range of services they provide are varied. It is not possible to provide the details on all of these programs in this guide. However, here is some important information to clarify the difference between educational services and adult programs.

While still in high school, students are entitled to educational services under the Individuals with Disabilities Education Act (IDEA). Being entitled to education services means that the school system must provide services to meet the student's educational needs.

Once a student graduates, entitlement to services ends. An adult who needs agency services must be determined eligible and authorized for those services.

Eligibility Requirements

It is important to understand that eligibility requirements vary depending upon the agency and services requested. For instance, an individual may want job placement services. Vocational Rehabilitation provides these services, but only if the person meets certain eligibility requirements. An individual wishing to receive residential or vocational services from the Division of Developmental Disabilities will not automatically receive these services, as s/he must meet their specific eligibility requirements and funding must be available. Similarly, services from other agencies such as the Division of Behavioral Health or Commission for the Blind and Visually Impaired are available only to eligible persons.

Planning for Adult Services

Even if it is not certain whether a student will need additional services after completing high school, it is advised that these be considered as early as possible. Age 16 is not too early! It is important to know whether the student will be eligible in order to make plans. Every service system has a different set of requirements for eligibility, so if a person doesn't meet the criteria for one agency, application may need to be made elsewhere. It is also important to know that services or funding for services may not be readily available and the person may have to wait for them. Inquiring about services and making connections early may make the difference in getting the services when the person needs them.

Following is a brief overview of a few key adult agencies in Nebraska. You will need to contact these agencies directly if you need more in-depth information or wish to apply for services.

COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED

What is the Commission for the Blind and Visually Impaired?

The Commission is a state agency offering vocational rehabilitation and independent living services for those who are blind and visually impaired. The agency assists blind and visually impaired individuals in leading full and rewarding lives as they participate in the world competently and independently.

What does the Commission provide?

Services provided include:

- Training and instruction in independent living skills. This may include training related to independent travel, public transportation, community access, home management, apartment living, keyboarding and computer skills, adaptive technology, and Braille.
- Career counseling and assistance in securing or maintaining employment. Services may include career exploration, interest testing, and vocational planning.
- Assistance to allow for post-secondary education, such as assistance with tuition, books, and equipment.
- Assistance in securing occupational equipment, tools, and supplies.
- Advocacy services.
- Counseling individuals and family members regarding blindness.
- Transition services.
- Assistance in establishing a small business.
- Consultation services for agencies and organizations interacting with persons with visual impairments.

Who is eligible?

The Commission serves all ages. In order to be eligible, an individual must have a visual condition that may lead to blindness or have sight impairments which seriously limit the individual's ability to engage in the ordinary vocations and activities of life. Typically, this means persons who experience difficulties in pursuing day-to-day activities and obtaining employment due to visual impairment. Federal and State statutes also require that to receive benefits, the individual must be physically present in the state and must be either a citizen or have legal status within the country.

WANT TO KNOW MORE?

Information may be obtained by calling the Commission for the Blind and Visually Impaired at 1-877-809-2419 or by visiting their website at <http://www.ncbvi.ne.gov>.

DIVISION OF BEHAVIORAL HEALTH

What is the system for behavioral health services in Nebraska?

The Nebraska Department of Health and Human Services' Division of Behavioral Health contracts with six Regional Behavioral Health Networks across the state to provide access to mental health and substance abuse services for eligible Nebraskans. The Regions contract with local community-based providers of prevention and treatment services to meet the needs of individuals (for both youth and adults) that promote services close to their home and support systems. Additional adult services are provided in the state-operated Regional Centers for those with serious and persistent mental illness in need of acute inpatient or secure residential services.

What services are provided for youth with mental health needs?

Services funded by the Regions include outpatient evaluation and treatment, intensive outpatient treatment, day treatment, home-based services, community support, specialized therapeutic consultation and respite care. In addition to the traditional community based services, the Regions also provide the Professional Partner Program, which serves children and adolescents with serious emotional disturbances. In the Professional Partner Program, a service coordinator (also referred to as the Professional Partner), works with each youth and family to assist with:

- Comprehensive assessment based on the strengths and needs of the youth, family, and community;
- Development of a team selected by the family that includes professionals and non-professionals;
- Development of an Individual Family Supports Plan (IFSP) with strength-based strategies to address needs;
- Monitoring of the implementation of the plan;
- Purchasing of formal and informal services and supports; and
- Monitoring the outcomes of the services and supports and providing feedback to the team.

All Regions also facilitate a Transition Team, which is a multidisciplinary team approach to provide a review of youth who may be in need of adult behavioral health services. This team can provide assistance to a youth, family, case worker or providers who are attempting to create a plan of action for connecting to future services and supports while transitioning into adulthood. These services are voluntary and do not guarantee access to services, but rather seek to provide a more efficient and effective transition for the young adult.

Who is eligible?

Mental health services are designed for individuals and their families who have a serious and persistent mental illness that can create lifetime disabilities, and in some cases make the individuals dangerous to themselves or others. Services are also designed for people experiencing acute, serious mental illnesses, which in some cases may cause a life-threatening event. There are specific eligibility criteria that an individual, either youth or adult, must meet, depending upon the service that is being requested.

WANT TO KNOW MORE?

Information may be obtained by contacting the Nebraska Department of Health and Human Services Division of Behavioral Health at (402) 471-7792 or by visiting their website at http://www.hhs.state.ne.us/behavioral_health.htm.

DIVISION OF DEVELOPMENTAL DISABILITIES

What is the Division of Developmental Disabilities?

The Division of Developmental Disabilities (DDD) is an agency within the Nebraska Department of Health and Human Services. DDD is responsible for the system of services in Nebraska for persons with developmental disabilities. While DDD does not directly deliver services, it provides the funding and oversight of community-based providers and independent contractors for the provision of these services.

What services are provided for persons with developmental disabilities?

Services funded through the Division of Developmental Disabilities include:

- Service Coordination – working with the individual and their family to develop plans for meeting the individual’s needs.
- Specialized Day/Vocational Services – services designed to assist in becoming employed. Services may range from supporting the person in a job in the community, teaching job skills in a sheltered setting, community inclusion, or retirement activities.
- Specialized Residential Services – services designed to assist the individual in living in the community. Services may be provided in the person’s home or in supervised settings in the community.
- Respite – service to provide occasional relief to the family from the day-to-day care and supervision of the individual.
- Non-Specialized (Community Supports) Services – flexible services and supports available to individuals residing in their homes. Services include community living and day supports, respite, assistive technology, home and vehicle modifications, and Personal Emergency Response System.

Who is eligible?

Individuals are eligible for services if they meet criteria for an Intellectual Disability or a Developmental Disability. An Intellectual Disability is characterized by significantly sub-average intellectual functioning (defined as an IQ approximately 70 and below) and significant limitations in at least two areas of adaptive behavioral functioning. Areas of adaptive behavioral functioning that are reviewed during the eligibility determination process are: self-care, receptive and expressive language development and use; learning; mobility; self-direction; capacity for independent living; and economic self-sufficiency. The onset of an Intellectual Disability must occur prior to age 18.

A Developmental Disability is a severe, chronic disability that is attributable to a mental or physical impairment other than one caused solely by mental illness. Individuals must have significant limitations in at least three areas of adaptive behavioral functioning. Significantly sub-average general intellectual functioning is not a component of a Developmental Disability other than an Intellectual Disability. The onset of a Developmental Disability must occur prior to age 22 and be likely to continue indefinitely. Examples of Developmental Disabilities include: Autism Spectrum Disorders, Spina Bifida, Traumatic Brain Injury, or Cerebral Palsy.

How is eligibility for services determined?

Eligibility is determined by DDD staff. Additionally, the amount of funding for services that a person is eligible for is determined by an assessment process based upon the person's abilities and needs. Individuals who have been determined eligible, graduated from a Nebraska high school and reached age 21 are entitled to funding for Service Coordination, Specialized Day Services and/or Non-Specialized Services. Individuals may be placed on a waiting list for other services until funding for services is available.

Is there a cost for services?

All individuals receiving services through the Division of Developmental Disabilities are required to complete an assessment that determines their ability to pay for the cost of the services received. For youth under age 19, the parents' ability to pay must be assessed.

WANT TO KNOW MORE?

Information can be obtained by contacting the Division of Developmental Disabilities Central Office in Lincoln at (402) 471-8501. You may be referred to a DDD Service Coordination office in your area for a determination of eligibility. Additional information may be found on the DDD website at:

http://www.hhs.state.ne.us/Developmental_Disabilities/

To view videos describing DDD services, go to:

http://www.hhs.state.ne.us/Developmental_Disabilities/ddwaiver_videos.htm

VOCATIONAL REHABILITATION SERVICES

What is Vocational Rehabilitation?

Nebraska Vocational Rehabilitation (VR) is an employment program for people with disabilities. VR helps these individuals make career plans, learn job skills, and get and keep a job. The goal is to prepare people for jobs where they can make a living wage and have access to medical insurance.

What is the role of Vocational Rehabilitation in transition planning?

Vocational Rehabilitation works with students with disabilities to prepare for life after graduation. To help these students plan for their future, VR works with schools across Nebraska to provide services through the Transition and Adult Employment Programs. VR's role is primarily one of planning and helping to identify appropriate post-school goals and needed supports, as well as employment readiness skills. Involvement with VR will generally begin during the last two years of high school. VR staff may:

- Provide information to students and parents.
- Help guide students toward appropriate employment goals.
- Consult with educators on individual students.
- Collaborate with schools to provide a variety of transition and vocational services.

What is Vocational Rehabilitation's Employment Program?

Students may be served in VR's Employment Program either during high school or after exiting high school. VR staff will determine the student's eligibility for the program and work with the students, parents, and educators to develop an Individualized Plan for Employment (IPE).

Note that the IPE is different from a plan with a similar sounding name, the IEP (Individual Education Plan) that is developed by the school. However, the transition plan developed during high school through the IEP process should provide the foundation for the development of the IPE for VR services.

Examples of services that may be provided under the Employment Program include: vocational evaluations, career counseling, college tours and planning for college, vocational and on-the-job training, training in job seeking and job retention skills, and job placement assistance.

Students who are eligible for the Employment Program typically enter this program during their junior or senior year and continue through 90 days of successful employment after they finish school. Depending on their individual needs, the student may be in the Employment Program for months or years, as would be the case with a student who is receiving postsecondary education.

Who is eligible?

Students with a disability who have an Individual Education Plan (IEP) or 504 Plan may be eligible to participate in Vocational Rehabilitation services while still in school. VR also serves adults and students who leave school before graduation. VR staff will need to determine eligibility for these programs. Students wishing to receive services who are blind or visually impaired may apply to the Commission for the Blind and Visually Impaired.

WANT TO KNOW MORE?

Information can be obtained by contacting Vocational Rehabilitation in Lincoln at 1-402-471-3644 or calling toll free at 1-877-637-3422. You may obtain information regarding the Vocational Rehabilitation office in your area or on the web at: <http://www.vocrehab.state.ne.us/>.

POSTSECONDARY EDUCATION

Postsecondary Options

While there are many options available for students after high school, there are two major types of postsecondary education:

- Community colleges or vocational/technical schools teach students a specific occupation or trade. There are numerous areas of study, including construction, food service, computer programming, human services, healthcare services, and many others. Graduates may earn associate's degrees or certification in their area of specialization.
- Colleges or universities provide more specialized training and education in a particular field of study. Areas of study offered in colleges and universities are too numerous to mention. Students may receive a bachelor's degree or higher levels of education.

Within these options, there are many ways a student can access college. Possibilities include auditing classes, taking individual courses for credit, taking courses online, enrolling in a certificate program, or enrolling in two or four year programs. Dual enrollment is also a possibility, where the student enrolls in postsecondary courses while still in high school.

A postsecondary institution may not refuse to admit someone simply because of a disability, but they may deny admission if the student does not meet their specific admission requirements.

The Law

Laws regarding educational services provided in high schools and in postsecondary institutions are very different. Under the Individuals with Disabilities Education Act (IDEA), schools are required to provide testing to determine if a student has a disability and to provide the needed educational services and accommodations.

However, postsecondary education is not covered by IDEA. This means that students are not entitled to services and supports in college, but rather must be determined eligible for them. Students must apply for postsecondary education and meet the admission criteria, regardless of disability, at the

institution they wish to attend. In addition to high school coursework requirements, tests such as the ACT, SAT, ASSET, and COMPASS are commonly used to determine eligibility for admission.

Preparation

It is important that students interested in attending some type of postsecondary program after high school begin working with their IEP team or high school counselor as early as possible to find out about admissions requirements. Then, the student's high school curriculum can be designed to make sure s/he meets the coursework and testing requirements. Students may also want to begin early to visit the colleges or vocational schools they are interested in to help determine which one is right for them.

Disclosure of Disability

A student does not have to identify him/herself as a person with a disability when applying for admission to a college or university. BUT, students must identify their disability if they wish to receive accommodations. Accommodations are forms of assistance, adaptive devices, or other tools used in the classroom or when taking tests to alleviate the impact of the disability. Examples of accommodations include alternative testing, assistance with note-taking, interpreter services, alternative formats for course materials, assistive listening devices, and alternative seating. Accommodations do not allow for adjusting the general curriculum or coursework required in degree or certificate programs.

Postsecondary Assistance

Postsecondary schools are required to have an office or a person on staff to coordinate services for persons with disabilities. This office or coordinator, frequently called the Office for Students with Disabilities, Section 504/ADA Coordinator, or Coordinator of Services for Students with Disabilities is usually located in the college's counseling center or student services office. After providing required documentation of disability, students may work with this coordinator to address their needs at that particular school. The required documentation varies by institution, so it is important that the student inquire about these requirements early in order to prevent a delay in receiving needed accommodations.

WANT TO KNOW MORE?

Many excellent resources are available on this topic. Check out the following to get started.

- *“College Planning for Students with Disabilities”*, published by Nebraska’s EducationQuest Foundation, may be found at <http://educationquest.org/swd.asp>.

- *“Think College!”* is a website for transition aged students, as well as adults attending or planning for college. It provides resources and tools for students, families, and professionals at <http://thinkcollege.net/>.

For further information, you may wish to check out the *“Postsecondary Education”* listings in the *“Resources”* section of this guide.

DISCUSSION POINTS:

Postsecondary Education

1. What kind of accommodations may be provided at a postsecondary school?

Potential accommodations include:

- Note takers, tutoring, proofreaders, and editing services
- Textbooks and other educational materials in alternative form, such as Braille, large print, and audio-tapes
- Access to educational materials in advance, such as class syllabus and study guides
- Sign language, oral interpreting, and real-time captioning services
- Test-taking alternatives, such as extended time, taped tests, oral tests, alternate test site, elimination of computer scored answer sheets, and use of a computer or spell-checking device for quizzes and exams
- Access to adaptive equipment such as closed caption devices, amplified telephone receivers, low vision reading aids, tape recorders, Brailleing devices, and computer enhancements
- Equal access to classes, activities, and services
- Opportunity to make up quizzes, exams, or assignments if the absence was disability-related
- Preferential seating in classroom
- Extension of timelines for completion of specific courses
- Extension of timelines to complete certification or degree requirements
- Permission to take less than full-time credit and still be eligible to receive financial aid. *Ask your health insurance agent about eligibility on your parents' policy for part-time students.*
- Foreign language course substitutions, for example, option to take foreign culture class instead of foreign language
- Early registration

(Source: EducationQuest Foundation: University of Nebraska Lincoln (2007). *College Planning for Students with Disabilities: A Supplement to the College Prep Handbook*. <http://educationquest.org/swd.asp>)

2. *What type of information is needed in order to receive accommodations?*

In order for a student to be identified as having a disability, documentation must be provided that includes a specific diagnosis. This documentation may include evaluations, school records or medical records that are current within a time period specified by the school. Depending upon the requirements of the college and when testing was completed in high school, a student may wish to request that tests be updated before leaving high school.

3. *What kind of support can the student expect from the campus disability services office once s/he is enrolled and attending college?*

In addition to the initial contact with the disability services office to establish a plan for accommodations, students may continue to receive assistance once attending college. Students are encouraged to work with the office to ensure that the accommodations are working and to receive assistance if problems arise. It may be necessary to re-visit the accommodation plan each semester or term, so ongoing contact is important.

4. *What types of financial aid, scholarships, or loans might be available for students with disabilities who wish to attend college?*

There are many possible options for financial assistance for students with disabilities who wish to attend college. An excellent overview of these options is provided in a publication by the HEATH Resource Center at The George Washington University, "Postsecondary Education for Students with Intellectual Disabilities." The full text of this publication may be found at: http://www.heath.gwu.edu/assets/50/pse_id_final_edition.pdf

POST-SCHOOL OUTCOMES: INDICATOR 14

The Law

The Individuals with Disabilities Education Act (IDEA), reauthorized in 2004, requires states to develop a six-year State Performance Plan (SPP) and submit data annually to the federal Office of Special Education Programs (OSEP) in an Annual Performance Report (APR). Twenty indicators have been identified by OSEP upon which states must develop their plans and reports.

Indicator 14 addresses requirements for measuring post-school outcomes for students with disabilities. Data required for this indicator is:

Percent of youth who are no longer in secondary school, had Individualized Education Programs (IEPs) in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.*
- B. Enrolled in higher education or competitively employed within one year of leaving high school.*
- C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school. (20 U.S.C. 1416(a)(3)(B))*

Purpose

The purpose of the Post-School Outcome Project is to offer a practical and uniform way for collecting data on post-school outcomes of former students with disabilities who leave public secondary schools. Data reported to OSEP is aggregated for states to determine the effectiveness of educational programs (including transition services) in preparing students with disabilities for employment and post-secondary education after exiting high school. The ultimate purpose of Nebraska's data collection is to improve statewide services and provide feedback to school districts to help them improve programs and prepare students for life after high school.

Data

In Nebraska, post-school data is collected annually on all former students with disabilities who were on IEPs while in high school and who exited high school from July 1 through June 30 of each year. This includes students who:

- graduated with a regular diploma;
- received a certificate of completion;
- dropped out; or
- reached the maximum age of 21.

This process began in Nebraska with those students who exited high school from July 1, 2005 through June 30, 2006 and has been completed annually since then.

The information gathered regarding the employment and education activities of students with disabilities after leaving high school provides families, local school districts, state and federal officials and policymakers with a clear picture of young adults within their first year of leaving school. It also indicates how prepared young adults are for adult living. Post-school outcomes data may ultimately be used to determine how schools and the educational system can improve results for students with disabilities.

Interviews

The Nebraska Department of Education has contracted with the Bureau of Sociological Research at the University of Nebraska-Lincoln to contact former students, conduct phone interviews and develop reports documenting state, Educational Service Unit (ESU) and individual school district results. Attempts are made to contact all former students who meet the above criteria.

Specific questions are asked during the phone interviews to gather information in each of the following areas:

- Employment;
- Adult agency services;
- Postsecondary education;
- High school experiences; and
- Reasons for dropping out and related questions.

Local School District Responsibilities

Reporting requirements:

In order for the phone interviews to be completed, school districts must submit to the Nebraska Department of Education contact information (such as last known address, telephone number, and e-mail address, if available) for all students exiting high school as specified in the *Data Collection* section of this document. Specific instructions for reporting this information has been provided to Nebraska Special Education Directors.

Student/family notification:

In order to achieve the best possible results, students and families should be informed of the process prior to the student's exit from the school. It is advised that the local district inform them that they will be receiving a phone call and let them know the general types of questions that will be asked. It is helpful for students and families to be aware that their participation can affect and improve education and transition services offered in their state. A good time to inform students and families of this process is at the student's last IEP and/or when completing the Summary of Performance.

DEFINITIONS

For purposes of Post-School Outcomes, the following definitions apply:

Enrolled in higher education as used in measures A, B and C means youth have been enrolled on a full- or part-time basis in a community college (2-year program) or college/university (4- or more year program) for at least one complete term, at any time in the year since leaving high school.

Competitive employment as used in measures B and C means that youth have worked for pay at or above the minimum wage in a setting with others who are nondisabled for a period of 20 hours a week for at least 90 days at any time in the year since leaving high school. This includes military employment.

Enrolled in other postsecondary education or training as used in measure C, means youth have been enrolled on a full- or part-time basis for at least 1 complete term at any time in the year since leaving high school in an education or training program (e.g., Job Corps, adult education, workforce development program, vocational technical school which is less than a 2-year program).

Some other employment as used in measure C means youth have worked for pay or been self-employed for a period of at least 90 days at any time in the year since leaving high school. This includes working in a family business (e.g., farm, store, fishing, ranching, catering services, etc.).

(National Post-School Outcomes Center: *Post-School Outcome Data Collection Protocol*, June 2010)

DISCUSSION POINTS:

Post-School Outcomes

1. *Must a student or family participate in a phone interview?*

No, participation in the interviews is voluntary. If the student cannot or does not wish to participate in the interview, family or other representatives may participate on his or her behalf.

2. *What about confidentiality?*

Personal information shared during the interview will be kept confidential. Information collected from all respondents will be compiled into anonymous statistical data to guide program improvement. Identities of individuals responding will not be reported.

3. *Are there suggestions for getting valid contact information to ensure that the interviewers can reach the student after high school?*

It is suggested that this be discussed at the student's final IEP before exiting high school or when developing the Summary of Performance. Given that the student may change addresses or phones multiple times after graduation, it may be best to list information for a parent or other close relative as the primary contact. Multiple types of contact information may be best (landline and cell phone numbers, postal and e-mail addresses, etc.). The best question to ask in determining who to list as the contact is, "Who is the one person who will always know where you are?"

4. *In the Indicator 14 definition for both "competitive employment" and "some other employment", what does "at least 90 days at any time in the year since leaving high school" mean?*

This is defined as either ninety (90) cumulative days or three months of continuous work at an average of 20 hours per week.

(Source: *NPSO FAQ for Indicator 14's New Measurement Table*)

5. ***In the Indicator 14 definition of “competitive employment”, does “20 hours a week” mean a minimum of 20 hours a week or an average of 20 hours a week over time? For example, if a person worked 15 hours one week, and 25 the next, would that count as “20 hours a week”?***

“20 hours a week” includes:

- a. At least 20 hours a week for 90 cumulative days;
 - b. 20 hours or more a week for 90 cumulative days;
 - c. An average of 20 hours a week for 90 cumulative days.
- (Source: *NPSO FAQ for Indicator 14’s New Measurement Table*)

COORDINATED TRANSITION COMPONENTS: INDICATOR 13

This guide has been developed to assist the many people working with students with disabilities as they prepare for the transition from high school to adult living. The provision and coordination of transition services is essential for enabling students to meet their postsecondary goals. How do we evaluate how schools are doing with this important task?

Throughout this guide, we have discussed The Individuals with Disabilities Education Act (IDEA), which was reauthorized on December 3, 2004 and became effective on July 1, 2005. In conjunction with the reauthorization, the U. S. Department of Education Office of Special Education Programs requires states to develop six-year State Performance Plans around 20 indicators. As of February 2007, states are required to submit data annually in their Annual Performance Report.

INDICATOR 13

The 13th Indicator relates to transition services for students and measures:

“Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.” (20 U.S.C. 1416(a)(3)(B))

Indicator 13 brings together all of the required components of the law and provides the basis for all that has been discussed in this *Transition Topics Guide*. The National Secondary Transition Technical Assistance Center (NSTTAC) has prepared an Indicator 13 Checklist, which has been approved by the Office of Special Education Programs (OSEP) for use by states and local education agencies as a data collection tool for Indicator 13 for State Performance Plans. In Nebraska, data for Indicator 13 is collected through file reviews conducted through the Nebraska Department of Education monitoring process. The Indicator 13 Checklist may be found at the end of this section.

WANT TO KNOW MORE?

- The *NSTTAC Indicator 13 Checklist Form A* is an excellent tool for reviewing transition requirements. The Checklist is included in this guide and may also be found at:
<http://www.nsttac.org/pdf/checklista.pdf>
- Another excellent resource is the *Transition Requirements Checklist*, developed by Ed O'Leary of the Mountain Plans Regional Resource Center. The Checklist is included in this guide and is located at:
<http://www.mainetransition.org/pdf/TOP%20Checklist%202004%20Regs.pdf>

DISCUSSION POINTS:

Coordinated Transition Components – Indicator 13

1. *What documentation is accepted as evidence that the student was invited to the IEP?*

Evidence that the student was invited to the IEP must be located in the student's file and may include:

- A copy of the invitation sent to the student;
- A dated note in the file stating that an invitation was sent to the student; or
- The student's signature on the IEP.

2. *If the student does not attend his/her IEP, what steps must be taken to ensure that the student's preferences and interests are considered (as required in 92 NAC 51-007.03A10a(i))?*

Documentation must be located in the student's file of formal or informal assessments or interviews that have been completed to determine the student's preferences and interests. The results of the assessments or interviews must be reflected in the IEP.

3. *What follow up is needed if a student file does not include all of the required components of Indicator 13?*

Individual student files are evaluated on Indicator 13 during the school district's five year monitoring file review conducted by the Nebraska Department of Education (NDE). If a student's file does not include all of the components in Indicator 13, a corrective action plan (CAP) is required. Following the implementation of the CAP, NDE must take the following steps to determine whether the noncompliance has been corrected:

1. NDE reviews the documentation submitted by the district indicating that the corrective action plan has been implemented;
2. NDE reviews updated data from subsequent review or data collection and determines whether or not the school district is meeting all regulatory requirements which were the subject of the finding of noncompliance; and
3. NDE determines whether or not the correction of noncompliance occurred within one year of the date of the Notification of Noncompliance, as required by state and federal regulation.

RESOURCES

General Resources

Answers4Families is Nebraska's support and information connection for families and professionals seeking assistance. This web site is a collection of articles, resources and referrals organized by target group. Visit the website at: www.answers4families.org or call 1-800-746-8420.

Client Assistance Program (CAP) assists with questions and concerns regarding services from Vocational Rehabilitation, Commission for the Blind and Visually Impaired and the Centers for Independent Living. Contact CAP by calling 1-800-742-7594 V/TT or by e-mail at victoria.rasmussen@nebraska.gov. Visit the website at: <http://www.cap.state.ne.us>.

Hotline for Disability Services provides information and referral services to Nebraskans who have questions or concerns related to a disability. This includes information about rehabilitation services, transportation, special parking permits, and legal rights. Call 1-800-742-7594 V/TT or e-mail victoria.rasmussen@nebraska.gov. Visit the website at: http://www.cap.ne.gov:3000/hotline_services.

Nebraska Assistive Technology Partnership (ATP) is a statewide program that provides technical assistance, training, resources, and funding coordination for the use of assistive technology devices. Information may be obtained by visiting the website at: <http://www.atp.ne.gov/> or call toll free at 1-888-806-6287. The website also provides links to free online services for locating assistive technology devices and accessible housing.

Nebraska Career Connections is the central online location for career, job, education, planning, and training resources designed for Nebraska. The website serves as a resource to assist students and adults with career exploration and planning, educational planning and preparation, job seeking, and skill development. Visit the website at: <http://www.nebraskacareerconnections.org>.

Nebraska Childfind is an information and referral service for children ages 0-21. Answers to education-related questions about rights, resources, and responsibilities may be obtained by calling 1-888-806-6287 or by visiting the website at: <http://childfind.ne.gov/>.

Nebraska Department of Education's Rule 51 contains the Regulations and Standards for Special Education Programs, Title 92, Nebraska Administrative Code Chapter 51. Copies of the regulations

may be obtained by contacting the Special Education Office at 402-471-2471 or on the web at: <http://www.nlc.state.ne.us/epubs/E2000/R092.0051-2010.pdf>.

Nebraska School Counseling Career Development Guide: Skills for Lifelong Learning, Earning, and Living is a guide developed by the Nebraska Department of Education. The guide outlines the Nebraska Career Education Model and may be found at: <http://www.education.ne.gov/NCE/> or by calling the Nebraska Department of Education at (402) 471-4811.

The Office of Special Education Programs (OSEP) has created a "one-stop shop" for resources related to IDEA and regulations. The site provides searchable versions of IDEA and the regulations, access to cross-referenced content from other laws (e.g., the No Child Left Behind Act (NCLB), the Family Education Rights and Privacy Act (FERPA), etc.), video clips on selected topics, topic briefs, OSEP selected regulations, links to OSEP's Technical Assistance and Dissemination Network and a Questions & Answers Corner. Visit the site at: <http://idea.ed.gov/>.

Parent Training and Information of Nebraska (PTI) is a statewide resource with Parent Professionals available to offer training and information for families of children with disabilities. Further information may be found at: <http://www.pti-nebraska.org> or by calling toll free at 1-800-284-8520.

Transition Resources

"Arranging Transition Services with Vocational Rehabilitation- A Guide for Educators" is a guide developed by Nebraska Vocational Rehabilitation to provide information about the Vocational Rehabilitation program and to help educators and VR staff bridge the transition requirements of IDEA and the Rehab Act. To view the document or to obtain a free copy, go to: <http://www.vocrehab.state.ne.us/publications/transition/index.html> or contact Vocational Rehabilitation toll free at 1-877-637-3422.

"Making It Work" is a publication, produced by Nebraska Vocational Rehabilitation, that provides information regarding transition planning for students with disabilities and their families. To view the publication or to receive a free subscription, go to: <http://www.vocrehab.state.ne.us/publications/mit/index.html> or contact Vocational Rehabilitation toll free at 1-877-637-3422.

Nebraska Department of Education Transition website is designed to provide information and resources for all stakeholders involved in assisting students with disabilities as they prepare to transition from school to adult living. This site provides critical information regarding the transition process, including requirements and mandates, as well as best practices in transition. Visit the site at: <http://ndetransition.site.esu9.org/>.

“Transition Requirements – A Guide for States, Districts, Schools, Universities and Families” is a technical assistance publication designed to clarify the transition requirements of the IDEA and suggest practices to implement those requirements. Copies may be obtained by contacting the Publications Office of the Institute on Community Integration at the University of Minnesota at 612-624-4512 or may be downloaded at:

<http://www.rrcprogram.org/images/stories/WRRRC/documents/transitionguide.pdf>.

“Transition Services Planner – A Guide for Students and Their Families” is a publication of Nebraska Vocational Rehabilitation. The planner provides information to assist students and families in understanding how they can work together with schools, Vocational Rehabilitation, and other agencies to help the student during the transition years. To view the document or to obtain a free copy, visit Vocational Rehabilitation’s website at:

<http://www.vocrehab.state.ne.us/publications/transition/index.html> or contact Vocational Rehabilitation toll free at 1-877-637-3422.

Adult Service Agencies

Behavioral Health Services – Information regarding the Nebraska Department of Health and Human Services Division of Behavioral Health, addressing needs of individuals with mental health, substance abuse, and gambling disorders, may be obtained by calling 402- 471-7792 or on their website at: [http://www.hhs.state.ne.us/Behavioral Health/](http://www.hhs.state.ne.us/Behavioral_Health/)

Commission for the Blind and Visually Impaired – Information regarding this state agency, offering vocational rehabilitation and independent living services for persons who are blind and visually impaired, may be obtained by calling 1-877-809-2419 or by visiting their website at: <http://www.ncbvi.ne.gov>.

Commission for the Deaf and Hard of Hearing – Information regarding this state agency, which is designed to provide information and referral services for individuals who are hearing impaired, may be found by calling 1-800-545-6244 V/TTY or on the web at: <http://www.ncdhh.ne.gov>.

Division of Developmental Disabilities - Information regarding the Nebraska Department of Health and Human Services Division of Developmental Disabilities (DDD), addressing needs of individuals with developmental disabilities, may be obtained by calling 402-471-8501 or on the web at: <http://www.hhs.state.ne.us/dip/dipindex.htm>.

League of Human Dignity – Information regarding Independent Living Centers, housing, accessibility, transportation, assistive technology, and other services may be obtained by calling the Lincoln office at 1-888-508-4758; the Omaha office at 1-800-843-5784; the Norfolk office at 1-800-843-5785; the Scottsbluff office at 1-877-298-1380 or on the web at: <http://www.leagueofhumandignity.com>.

Vocational Rehabilitation Services - Information regarding Nebraska's Vocational Rehabilitation Services, an employment program for individuals with disabilities, may be obtained by calling toll free at 1-877-637-3422 or by visiting their website at: <http://www.vocrehab.state.ne.us>.

Postsecondary Education

"College Planning for Students with Disabilities" is a publication for students with disabilities who plan to attend postsecondary education and their parents. A free copy of this guide, developed by the University of Nebraska and the EducationQuest Foundation, may be ordered at: <http://educationquest.org/free.asp> or by calling 1-800-303-3745.

Nebraska Coordinating Commission for Postsecondary Education provides information for students and parents regarding postsecondary education on their website. This may be found at: <http://www.ccpe.state.ne.us>.

"Students with Disabilities Preparing for Postsecondary Education: Know Your Rights and Responsibilities" is a publication of the U.S. Department of Education Office for Civil Rights. To view or receive copies, go to: <http://ed.gov/ocr/transition.html> or call toll-free at 1-877-433-7827.

WIN-AHEAD (Western Iowa and Nebraska Association of Higher Education and Disabilities) is an organization composed of disability service providers at two-year and four-year public and private colleges and universities in Nebraska and Iowa. Information for students transitioning from high school to the postsecondary level may be found at: <http://www.ahead.org/affiliates/western-iowa-and-nebraska>.

Accommodations for College Board Testing - Information regarding accommodations for students with disabilities when taking college admission tests may be found at: <http://professionals.collegeboard.com/testing/ssd>. Specific information regarding the ACT test is found at: <http://www.act.org/aap/disab/policy.html>.

Advocacy and Support

American Council of the Blind is a statewide organization committed to improving the living conditions of blind and visually impaired individuals. Information can be obtained by calling toll free 1-888-218-8061 or on the web at: <http://www.acb.org/nebraska>.

Arc of Nebraska and local chapters of The Arc provide information to people with intellectual and developmental disabilities and their families, connect them to community supports and resources, and assist them in advocacy efforts. Information may be obtained by calling 402-475-4407 or on their website at: <http://www.arc-nebraska.org>.

Autism Society of Nebraska provides information and referral services for individuals with autism and related disorders and their families. For information, call toll free at 1-800-580-9279 or visit the website at: <http://www.autismnebraska.org>.

Learning Disabilities Association of Nebraska provides support and information regarding individuals with learning disabilities. They may be reached by calling 402-348-1567 or visit the website at: <http://www.ldanebraska.org>. Other information regarding learning disabilities may be found on the Learning Disabilities Association of America's website at: <http://www.ldanatl.org> or The National Center for Learning Disabilities website at: <http://www.nclld.org>.

National Alliance for the Mentally Ill Nebraska is an organization providing education, advocacy, and mutual support for those whose lives have been touched by mental illness. Information may be obtained by calling 1-877-463-6264 or on their website at: <http://www.nami.org/sites/ne>.

National Federation of the Blind of Nebraska provides information, referral, advocacy, and outreach services for individuals who are blind. Information may be obtained by calling 402-477-7711 or on their website at: <http://nfbn.inetnebr.com>.

Nebraska Advocacy Services is the state's designated protection and advocacy agency, responsible for advocating for the human and legal rights of Nebraskans with developmental, mental, and physical disabilities. Information may be obtained by calling 1-800-422-6691 or on their website at: <http://www.nebraskaadvocacyservices.org/>.

Nebraska Family Helpline and Family Navigator Services provides assistance to families with a youth experiencing behavioral health challenges. The Helpline, available 24/7, screens calls for immediate safety needs, identifies the level of crisis, makes referrals to resources and helps the caller connect to emergency resources as needed. Call the Helpline at 1-888-866-8660 or visit the website at <http://www.nebraskafamilyhelpline.ne.gov/>.

Nebraska Family Support Network provides assistance to empower Nebraska children and families affected by mental, emotional, or behavioral health issues through peer mentoring, education, and advocacy. Information may be obtained by calling 1-800-245-6081 or on their website at: <http://nefamilysupportnetwork.org/default.aspx>.

United Cerebral Palsy of Nebraska provides information, referral, and services to persons with cerebral palsy and their families. Information may be obtained by calling toll free at 1-800-729-2556 or visiting their website at: http://affnet.ucp.org/ucp_local.cfm/96.

Benefits

Nebraska Medicaid is available to certain low income persons, including persons who are aged, blind, disabled, children, and others who meet eligibility requirements. To determine eligibility, an application must be completed and submitted to the Nebraska Department of Health and Human Services. ACCESS Nebraska provides an online option for application, including a self-screening tool to determine the programs for which the person may want to apply. Application may also be made by mail or in person at Health and Human Services offices located across the state. For more information, call 1-800-254-4202 or visit the website at: <http://accessnebraska.ne.gov/>.

Nebraska Work Choice and Work Incentives Programs, through Nebraska Easter Seals, provide Benefits Specialists to help individuals develop a plan to reach self sufficiency through use of state and federal work incentive programs. Social Security Disability Insurance beneficiaries, Nebraskans served by Vocational Rehabilitation, and young adults with disabilities who are transitioning from school into the workforce all may benefit from these services. Information may be obtained by calling 1-800-650-9880 or on the web at: http://ne.easterseals.com/site/PageServer?pagename=NEDR_job_training.

Social Security Administration offers benefits for eligible individuals. Information may be obtained by calling toll free at 1-800-772-1213 or on their website at: <http://www.ssa.gov>.

Ticket to Work provides opportunities for persons with disabilities to work and to keep Medicaid benefits while employed. For information regarding Nebraska's *Ticket to Work* program, visit the website at: <http://www.nebraskatickettowork.org> or call the Hotline for Disability Services at 1-800-742-7594.