



DISABILITY LAW
COLORADO™



The Transition Process

Transitioning from High School as a
Student with a Disability

The Transition Process:

Transitioning from High School as a Student with a Disability

This handbook does not constitute legal advice. This handbook attempts to summarize existing policies or laws without stating the opinion of Disability Law Colorado. If you have a legal problem, please contact an attorney or advocate.

Every high school student with a disability who has an IEP is entitled to receive **transition services** and planning once they reach the age of 15. Transition services help students with disabilities plan for life and work after high school. These services should be included in a student's Individualized Education Program (IEP) and should describe what a student wants to do after high school and what the school and the Division of Vocational Rehabilitation (DVR) need to do to help that student reach their goals.

While you are still in high school, it is time for you to start thinking and talking about how you want to live and work after graduation. It is also time for your parents or guardians, your IEP team (if applicable), and the transition team from the **DVR** to listen to your aspirations and needs regarding your future work life.

Transition services should include a written **transition plan** as part of your IEP. Your Transition plan can include a variety of activities depending on what you need, and can include **Pre-employment Transition Services**, the **School to Work Alliance Program** (SWAP) and possibly direct DVR assistance. After graduation, further involvement with DVR may help move your plans forward because DVR assists individuals with barriers to employment beyond your time in school. This booklet will explain more about your right to these services.

Students with disabilities who do not have an IEP are not eligible for high school transition services, but may still be eligible for help with employment and training through direct assistance from DVR if they have a disability under Section 504 (regardless of whether they have a Section 504 plan).

This booklet is aimed at you, the student, because we want to empower you to advocate for your future!

What are transition services?

Transition services are a coordinated set of activities for a student or youth with a disability. They are designed to promote your movement from school to your life and work after graduation. Activities must take into account your preferences, needs, and interests.

While you are still in high school, your Transition plan can include:

- community experiences;
- job exploration, such as shadowing someone who works in a job you are interested in;
- development of your future job goals which includes figuring out what kind of job you want to do;
- post-school independent living goals and needs, such as managing your finances and home;
- learning daily living skills; and/or
- vocational and other evaluations to see what assistance you will need.

After high school graduation – called the “postsecondary” phase – activities can include education, vocational training, competitive integrated employment, supported employment, continuing and adult education, adult services, independent living, and/or community participation. This is generally coordinated directly through DVR. However, you can work with DVR and start making plans while you are still a student.

❖ *For more information, see:*

https://www.cde.state.co.us/cdesped/cooperativeserviceshandbook_youthintransition.

At what age should transition planning begin?

In Colorado, transition planning for students with IEPs should begin when a student is 15 years old, and no later than the end of 9th grade, or earlier if deemed appropriate by the IEP team. The transition plan should be updated annually. Students with 504 plans may begin to receive transition services through DVR at age 14.

❖ *For more information, see:* https://www.cde.state.co.us/cdesped/transition_tk.

If this has not happened, you should:

1. First, formally request it from the school district or the Division of Vocational Rehabilitation (DVR).
 2. Contact Disability Law Colorado. You can do a phone intake at 303-722-0300 or complete an intake packet at <https://disabilitylawco.org/we-may-be-able-help-you>.
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Who is eligible for Transition Services?

- A **student with a disability** who –
 - is in high school, college, or another recognized educational program
 - is between the ages of 15-21
 - is eligible for, and receiving, special education or related services under the Individuals with Disabilities Education Act (IDEA)
 - is eligible for or receiving services under Section 504 of the Rehabilitation Act.¹
- A **youth with a disability** who –
 - is any individual with a disability, regardless of educational status, who is between the ages of 14 and 24. (DVR Service Deliver Policy Manual)²
 - has a 504 plan, or no plan

How are transition services different if you have an IEP or a 504 plan?

If you are a student with an IEP between the ages of 15-21, you can contact your school district and DVR about getting transition services, as both the district and DVR should be involved, and services can be coordinated with both entities. If you are a student with a 504 plan, or a student with a disability who does not have an IEP or 504 plan, you can contact DVR directly, as they are solely responsible for implementing transition services if you do not have an IEP.³

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What is the Division of Vocational Rehabilitation?

Colorado's Division of Vocational Rehabilitation (DVR) helps people with disabilities to prepare for, obtain, advance in, and keep a job, by providing a range of customized services based on your individual job-related needs and goals.

¹ Section 504 is different than the IDEA in regard to transition services because under IDEA the school district has a responsibility to provide transition services, but that same obligation does not exist under Section 504.

² Under the ECEA (Colorado's special education law), transition planning begins at 15, but DVR's manual includes individuals that are 14.

³ See note 1.

DVR's Youth Services and Transition Unit's works with students and youth with disabilities, ages 15-25, who are graduating from high school, moving on to college or other training with a job goal in mind, and on to jobs. DVR's goal is to provide the most appropriate counseling and guidance for your successful transition from high school, training or education to adulthood, independence, and work. Because every service DVR provides is individualized, DVR will customize your youth Transition plan to meet your own specific needs. DVR's goal is to promote competitive, integrated employment for Colorado's youth.

- ❖ *For more information see:* Colorado Division of Vocational Rehabilitation (DVR) Service Delivery Policy (Manual), https://drive.google.com/file/d/0B3h_rltXezNYcTFIMndOdEdHcWFMMjgtcDN1b1RfTUxGTWFj/view?resourcekey=0-qOHGWzgAchlWhpJeNVSO4g.

What must a school district include in an IEP relating to transition?

- 1) Appropriate measurable postsecondary goals to guide you after graduation.
- 2) Transition services needed to assist you in achieving those goals.
- 3) A Transition plan should be in writing and included in your IEP.

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What are postsecondary goals?

“Postsecondary” means after high school graduation. Postsecondary goals address a student’s plans for living, working, and learning as an adult. Postsecondary goals should address three areas:

- 1) Education and training;
- 2) Employment; and
- 3) Independent living skills.

What are examples of postsecondary goals?

- Education and training
 - Kim will complete a training program as a Certified Nursing Assistant.
 - Manual will apply to both two-year and four-year colleges.
 - Carmen will volunteer at various job sites to develop job skills.

- Employment
 - Deja will gain relevant job experience by working for a year in a retail store.
 - David will explore careers in the arts by interning at a local museum.
 - Anisa will increase her work hours in the local office supply store.
- Independent living skills
 - Malik will learn to use public transportation on his own.
 - Jordan will live in a supportive housing program.
 - Olivia will live in a group home with full support.

What are examples of transition services?

- Internships
- Job preparation skills and coaching
- Tutoring
- Volunteer opportunities
- Mentorship programs
- Help applying to college or work programs
- Learning to use money or public transportation
- Afterschool activities
- Independent living skills

What must the school district do to discover what transition services you need?

Transition services are about you, the individual student. A student’s school must evaluate students with IEPs to inform the IEP team what services a student needs to prepare for life after high school. Parents or guardians can request any assessment that might help the team figure out what services are necessary for an individual student. Examples of transition assessments include, but are not limited to:

- Vocational assessments
- Speech-language therapy
- Occupational therapy
- Assistive technology

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When should the school district hold meetings about transition planning?

A school must review a student’s transition services at least once a year at their IEP meeting. These services must be based on the student’s needs and not just what the school has to offer. A transition plan should be in writing.

Who should be involved in helping to set up transition services?

The student, parents or guardians, the student’s IEP team, and DVR should be involved in coordinating transition services for a student with an IEP. The school and DVR should be working together for you.

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What must DVR and the school district do if a student has a disability but is not on an IEP?

While students who do not have IEPs are not eligible for school-based transition plans, they can get a transition service plan through the local DVR agency. Thus, although a school does not have to provide transition services, you may still be eligible for direct services from DVR if you have a disability under Section 504 (whether you have a Section 504 plan or not).

Does a student’s IEP or 504 plan follow them after high school?

No. After high school, students can still receive accommodations and modifications in college or the workplace under the ADA or Section 504. However, IEPs and 504 plans no longer apply to students after high school.

- ❖ *For more information, see: <https://www2.ed.gov/about/offices/list/ocr/transition.html>.*
- ❖ *For more information, see: www.disabilitylawco.org/sites/default/files/uploads/QA - Rights in College - August 2021 Factsheet.pdf.*

What is DVR’s responsibility in Transition Services?

DVR’s responsibilities under The Rehabilitation Act include “ensuring there are no gaps in services received by students with disabilities as they leave the school setting and/or are ready to begin vocational activities when an employment outcome is the primary focus.” (CDE/DVR Cooperative Services Agreement, 2002)

When must DVR become involved in a high school student's transition planning?

- During the transition planning process while the student with a disability is in school, *or*
- No later than when a student who has been found eligible for vocational rehabilitation services leaves the school setting, *or*
- Before the student with a disability leaves the school setting, **if** DVR has an active wait list (that is, operating under an Order of Selection).

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What are Pre-employment Transition Services?

- Pre-employment Transition Services are provided to students with disabilities who have IEPs and who are still in high school.
- Services can consist of job exploration counseling; work-based learning experiences, which may include in-school or after school opportunities, or experience outside the traditional school setting (including internships), that is provided in an integrated environment in the community to the maximum extent possible
- Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at college
- Workplace readiness training to develop social skills
- Develop independent living skills and needed resources
- Instruction in self-advocacy.
- Pre-employment Transition Services end when the student with a disability leaves the high school setting through graduation or otherwise.
- Pre-employment Transition Services do not include training or education for an employment goal. That would require the completion of an Individualized Employment Plan (IPE) through DVR.⁴

❖ *For more information, see: Preemployment Transition Services, <http://www.wintac.org/topic-areas/pre-employment-transition-services>.*

⁴ An Individualized Employment Plan (IPE) is a written plan about what services will be provided by DVR. This is different from an Individualized Education Program (IEP) which is a written plan detailing the special education supports and services a student receives from the school district.

What is the School to Work Alliance Program (SWAP)?

The School to Work Alliance Program (SWAP) is a collaboration between the Colorado Department of Education, the DVR, and local school districts in Colorado. SWAP programs should be housed outside of the school setting in centrally located facilities and staffed and managed by community-based coordinators and specialists with experience in business, education, social work, and public health.

What does SWAP do?

SWAP should be providing year-round services including counseling and guidance, job development, job placement, on-the-job training, and job-site support to assist young people with disabilities to become employed and self-sufficient. SWAP should also be part of your IEP meetings, if you plan to use SWAP services. If a SWAP staff member attends your IEP meeting, then DVR is represented.

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Who qualifies for SWAP?

Qualifiers for participation are that:

- youth must be 15-24 years old;
- employment needs are mild to moderate;
- youth is identified as having a disability;
- youth is an applicant for or are eligible for DVR services; and
- youth may qualify if they are in school or out of school, drop-outs, at risk, under or unemployed, or graduated.

What should I do if my school has not started discussions about transition planning or transition services?

If a student is on an IEP, that student's school should be initiating transition planning and providing a student with transition services when a student turns 15. If a school is not initiating these conversations in IEP meetings, parents or guardians can ask to initiate these services.

If a student is on a Section 504 plan, schools should still be helping the student connect with DVR for services even though there is no obligation on behalf of the school to provide transition services. Parents and students can also contact DVR directly to ask about services.

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What should I do if DVR is not involved in transition meetings?

DVR should be involved in a student's transition meetings. If DVR is not involved in a student's transition meetings, parents or guardians can call and invite DVR to these meetings.

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What should I do if I disagree with anything in the transition plan?

Transition planning is about you – the student that the plan is being made for. If you, or your parents or guardian, disagree with what is in a transition plan, you are allowed to speak up and advocate for what you would like to see as a part of your plan.

What are some advocacy tips for a successful transition?

- 1.** Be involved in every step of the transition process.
- 2.** Keep everything in writing. Follow up on conversations with written confirmation.
- 3.** Keep a transition folder with all important documents.
- 4.** Ask for copies.
- 5.** Always work towards a solution and address any problems that come up.
- 6.** Attend information sessions on transition services hosted by your school, community, or outside agencies.

7. Get to know relevant outside agencies to learn what options are available.
8. Set realistic goals.
9. Know your rights, CDE's rights, and DVR's rights in the transition process.
10. Be persistent. Get a second opinion if needed.
11. Seek help from an advocate or attorney if you feel your perspective is not being understood.

What questions should I be asking myself during the transition process?

- Has transition been discussed at an IEP meeting?
- Have postsecondary goals been developed?
- Have assessments occurred for transition services?
- What are my or my student's skills?
- Have I thought about vocational programs, college, getting a job, or doing a day program?
- Have I looked at summer jobs or volunteer opportunities?
- Have we talked to SWAP or DVR?
- Do I or my student know how to use public transportation?
- What type of post-high school living situation would be best for me or my student?
- If I or my student wants to go to college, have we looking into financial aid options?
- Do I or my student have access to all of the necessary benefits and services that they need?
- If necessary, how will I or my student support themselves?

If you need help or have questions about your rights, you can contact [Disability Law Colorado](#).



DISABILITY LAW
COLORADO™

Denver Office

455 Sherman St. #130
Denver, CO 80203-4403
303.722.0300 TEL
303.722.0720 FAX
1.800.288.1376 V/TTY
dlcmail@disabilitylawco.org

Grand Junction Office

322 North 8th St.
Grand Junction, CO 81501-3406
970.241.6371 TEL
970.241.5324 FAX
1.800.531.2105 V/TTY
dlcmail.disabilitylawco.org