

## **Transition: Important Ages and Milestones**

**It is important to begin the transition planning process early to allow time for planning and accessing the support services needed in the future. As boys and girls become young adults, there are many important milestones that will be reached. Applications for services occur at specific ages and students will begin to take on more responsibility for making decisions that affect their lives. Many of these age-related milestones are set out in laws and regulations.**

### **Age 14**

#### **Register with the Local Community Centered Board**

Students with a Developmental Disability may register for services with the local Community Centered Board and have their name placed on the waiting list for adult services. Even if a parent were unsure about the need for residential or supported employment services down the road, it would be beneficial to have a place on the waiting list. Putting a student's name on the list early is important because waiting lists may be 5-10 years for employment and residential services.

#### **Colorado Identification Cards**

Colorado Identification Cards may be obtained for students at the Motor Vehicle office that issues drivers licenses. You will need two forms of identification. One must be a certified Birth Certificate or other certified identification such as a passport or military ID. The second form of identification may be for the student, such as a school ID, or for the parent of a minor child.

#### **Substance Abuse Treatment**

Substance abuse counseling and therapy can be accessed by youth at age 14 without parent permission through community or private agencies including treatment for alcohol or drug use.

### **Age 15**

#### **IEP Includes Specific Transition Services**

Beginning when the student is 15, the student must be specifically invited to attend the IEP meeting. The IEP must include the student's post-school outcomes, a statement that describes the course of study needed to help the student reach those outcomes, and statements of specific transition services that are needed by the student. These statements must address needs in education, employment development, community participation, and adult living. Additionally, they must specify services being provided by another agency and/or any linkages made to community agencies.

#### **Access Mental Health Services**

Beginning at the age of 15, a minor may obtain mental health services that are provided by a community based mental health organization or private provider without the consent of a parent or guardian. These services may be provided by an individual or at a facility. A minor who is fifteen years of age or older may voluntarily apply for hospitalization for mental health services. Parent permission is required for services provided by school district personnel in a school setting (Colorado Children's Code, CRS 27-10)

## Age 18

*Many changes occur at the age of 18. Individuals may vote, sign contracts, get married, make decisions about medical care and be arrested as an adult. The transfer of rights from the parent to the individual in these cases is outlined in Colorado Statute. **Note:** Under Colorado law, parents maintain those rights defined in IDEA for special education student's who remain in public education until the age of 21. However, students are able to access their school records at age 18.*

### **Consider Guardianship / Conservatorship**

*Guardianship and/or conservatorship should be considered for a child that has a disability that causes him/her to be unable to manage his/her own life. After the age of 18, without being the guardian, you cannot legally make decisions for your son or daughter. It may be necessary for a court to make a legal determination that the person is incapacitated and someone should serve as his guardian. While guardianship provides important protection, it is also very restrictive. Basically, it removes all of an individual's legal rights to manage his/her own life. Under limited guardianship, a guardian is responsible only for specific matters such as money management or medical decisions. Special education service providers or agency personnel may be able to assist parents with this process. For more information, contact the Guardianship Alliance at (303) 423-2898.*

### **Parents Rights to Records**

*The Family Education Rights and Privacy Act, FERPA, gives certain rights to parents regarding access to their child's education records. These rights of access to records transfer to the student who has reached the age of 18 or is attending any school beyond high school. Parents may still access records when a student over 18 is a dependent and is at the high school level or is receiving special education services.*

### **Register for the Draft**

Young men must register for the draft at the age of 18 regardless of their level of disability. Registration cards may be mailed directly to the student from the Selective Service Board or may be obtained from the post office.

### **Eligibility for Supplemental Security Income**

*Eligibility for Supplemental Security Income, SSI/SSDI, benefits for a child under 18 is based on the income and assets of the parents. Beginning at the age of 18, eligibility for benefits is based on the assets and earnings of the individual student. Students may apply three months before turning 18. Many clients are denied benefits the first time they apply, so parents may need to supply additional documentation and apply a second time. Because eligibility for SSI benefits is based on the assets of the child, it is important that parents plan carefully for the financial security of their son or daughter. Trusts and wills need to be set up by professionals who understand disability law. Your family attorney may not be well versed in this area of the law. The Guardianship Alliance [(303)423-2898] is one source of referrals for families.*

## Age 21

The parent's rights defined in IDEA transfer to the student who is still in public education at the age of 21. Even though many other rights in Colorado Statute transfer to the student at 18, special education rights remain with the parent until the student reaches 21 as long as the student is in public education. These include permission for assessment and placement. All rights transfer to the student at 21 unless guardianship has been awarded. IDEA requires that school personnel inform the parent and the student of the transfer one year before it will occur.

For more information, refer to **Fast Facts** related to transition, agency services, and guardianship.