



SUPPORTED DECISION MAKING AND TRANSITION TOOLKIT

Education Section

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Supported Decision Making and Transition Toolkit

- **A practical guide for the transition to adulthood for people with disabilities and their support systems**

What is the purpose of this toolkit?

This toolkit provides information, resources, and templates to help individuals with disabilities plan for the future. The toolkit will help people with disabilities to gain independence and make decisions in adulthood. This guide was written and put together by attorneys and advocates at Disability Rights Ohio, Ohio's designated Protection & Advocacy system for people with disabilities. This guide does not provide legal advice. This guide is a tool to assist with decision-making. Should you need this guide in a different format, please contact DRO Communications at communications@disabilityrightsohio.org.

This guide is designed to help individuals with disabilities explore options for assistance with decision making, including supported decision making, powers of attorney, and options other than guardianship that are less restrictive. These tools can also help those with a guardian make decisions alongside their guardian.

Who can use this toolkit?

This toolkit is for individuals with disabilities, as well as their support people, including family, friends, caregivers, and people who assist them with supported decision making.

What is Supported Decision Making?

Supported decision making lets people choose someone to help them make important decisions about their lives. Everyone needs support to make important decisions about their work, school, money, and more. Supported decision making lets people select friends, family, or others to help them with making decisions while practicing self-determination and independence.

What is Guardianship?

Guardianship is the legal role given to an individual to manage the personal activities of another person. This happens when the court has decided that someone, called a **ward**, cannot make their own decisions. The court appoints a guardian to assist the ward with making decisions. Guardians may make decisions about the ward's health care, where they live, how their money is spent, and other personal choices. The guardian should consider the wants and wishes and of the ward. The court can end a guardianship if the ward is re-evaluated, and the court determines that the ward can make their own decisions. Sometimes this is called "becoming your own guardian."

Guardianship is not appropriate for everyone. The need for a guardianship is specific to each individual situation and each potential ward. However, wards, or people with guardians, can use the tools in this kit to make decisions about their lives and work with their guardian to implement their decisions.

This toolkit also provides examples of alternatives to guardianship, including supported decision making, powers of attorney, and others.

We hope that this toolkit makes you feel confident in speaking up for what you want in your life.

For more information you can contact Disability Rights Ohio at 614-466-7264

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Education

Words to Know:

- **Usual support person** - A person who can help you along in your planning and decision making
 - **Transfer of rights** - This happens when you turn 18. You become in charge of your own life and decisions unless you chose to name someone to help you
 - **Diploma** - A piece of paper that shows you have completed high school
 - **Summary of Performance ("SUP")**- A document that describes the most updated information about you, including your college or career goals, your academic achievements, and recommendations for support.
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Your high school years are an important time when you can plan what you want to do with your future. Before you are 18, you may have your **usual support people** in place to help you along in the process. Usual support people may include your parents or other trusted adults. When you turn 18, you will be responsible for making your own decisions about your future and your usual support people may not be able to help you unless you *say they can*. This section can help you learn how to include your usual or preferred support people in your decision making.

When students with disabilities turn 18, they automatically gain the right to make educational decisions for themselves.

It is exciting to be in charge of your own future, but if you want supports with educational decisions, there are forms included in this section that you can fill out so that your parent/advocate can see important education information and be included in your planning process after you turn 18.

Your IEP team can help you decide what pathway you want to take to graduate. You can decide if you want to go to college or get a job after high school, and you can prepare for any accommodations you will need. This section gives you information on how your IEP team can help you make these processes easier. Everyone is different, and you get to decide what you want to do and plan your educational and work future.

Transfer of Rights in Ohio

If you have an Individualized Education Program (IEP), when you turn 18 years old, you become the only educational decision-maker for your special education. This is called the **transfer of rights**. Transfer of Rights means that making decisions will go from your parent to you.

- *What Schools Have to Do:* On or before your 17th birthday, the IEP must include a statement that you and your parent have been informed of the transfer of rights that will occur when you turn 18

Student's Rights

- Once you turn 18, all the educational decision making rights transfer to you
- This means that you will have the right to:
 - Receive notice of and attend IEP meetings.
 - Consent to re-evaluations. These are things like a new ETR.
 - Consent to change of placement. This means moving from one educational setting to another.
 - And make any other decision relevant to your special education that was formerly made by your parent.

Parent's Rights

- When their student turns 18, parents no longer have educational decision making rights.
- However, a parent can still support their student in many ways. If the student allows them to, a parent can provide advice, come to IEP meetings with their student, help their student review and understand the IEP, and support their student's right to make decisions however the student wishes.

To formally request that your school continue to include your parent in IEP discussions, see our "Consent for Continued Advocate Involvement in Education/IEP" form on page 15

Preparing for the Transfer of Rights

Don't let the transfer of rights take your family by surprise! Be aware that rights are transferred once you turn 18 and that you can work on developing the self-advocacy skills necessary to become your own educational decision-maker at that age.

- Before you turn 18, attend your IEP meetings
- Review your IEP and make sure you understand your rights and what the IEP provides
- Participate in planning your IEP, or leading the IEP meeting discussions

Graduation for Students with Disabilities

In Ohio, there is only one diploma for graduation. A **diploma** is a piece of paper that shows you have completed high school and you have graduated. How you get a diploma can make a difference in your future. There are different ways to get a diploma. Depending on the path you take, you will have different experiences in school. You should think about what you want to do in the future before you decide on the path you take to get a diploma.

The typical pathway to graduation will generally give you the best chance at going to college and getting a good job because you will have taken all the necessary classes and met all the usual requirements to graduate. Most students will get a diploma through the typical (or usual) pathway.

The pathways to getting a diploma can change depending on what year you graduate. You can get the most current information on graduation pathways by contacting the Ohio Department of Education and Workforce or asking a guidance counselor.

Typical Pathway to a Diploma

Most students follow the typical pathway to get a diploma. This means that you will do the work that most students do, take the tests that most students take, and get credits in the different subjects in school. Once you get the credits you need and meet any other graduation requirements, you are eligible for a diploma and graduation.

There are benefits to taking the general pathway to a diploma. You will get the same education that most students get, and you will learn about a lot of different subjects. Having this knowledge will help prepare you for college or a job. You will also have the information you need to take any entrance tests you need to take to get into college or get a job.

The typical pathway puts you in a good position if you want to go to college or get a job in the community with good pay.

Other Pathways to Get a Diploma for Students with Disabilities

For students who have an IEP, there are other ways to get a diploma. These ways are different from the typical pathway and can allow a student to get a diploma by using IEP goals to meet class requirements, taking different standardized tests than other students take, or not being required to meet required standardized test scores.

These pathways to graduation will not be the same type of education that most students get. You may not be doing the same work as other students or get all the information and knowledge that other students get. This can impact how much you know and how well you would do on college entrance exams or tests that an employer might use. These pathways may also prevent you from getting into some colleges if the college has high entrance requirements such as a high test score.

No matter what path you take to graduation, you can ask to have the same access to classes and school programs through your IEP team.

Students with IEPs can stay in school and work toward getting a diploma for longer than most students. You can stay in school until you turn 22 if you need extra time to meet the requirements for a diploma.

Other pathways can help students with disabilities get a diploma when they would not be able to get a diploma in the typical way.

What Pathway is Right for me?

The typical (or usual) pathway to a diploma and graduation will provide you with the best chance of getting a job or getting into college or vocational school. You can start thinking about how you will get a diploma as soon as you start high school. You can talk with your IEP team, guidance counselor, and others about your goals after high school and what pathway is most likely to support your goals. Remember that you can get extra support and services through your IEP to help you meet the requirements of the typical pathway to a diploma. If you want to go on to college, vocational school, or get a job with good pay, you can ask your IEP team to write an IEP that will help you meet those goals.

You can attend your IEP meetings and have a say in what pathway you take to get a diploma.

A Good IEP Can Help You Transition to College

If you want to go to college after high school, you can make that transition easier if your IEP clearly describes the accommodations you received in school and if your educational testing is up to date. For many colleges, a well-documented IEP and recent testing can provide the necessary information to get accommodations in college.

Students with disabilities will not have an IEP in college. IEPs are only provided to students through high school. In college, you may be eligible for reasonable accommodations that help you access college programs. Colleges are not required to provide the same accommodations you received in high school. You will need to show the college what accommodations are necessary for you by explaining your disability and the accommodations you need. The IEP can be used as a starting point in getting the accommodations you need in college.

College accommodations can include things like extra time on tests, a quiet testing location, digital books, technology, and preferred seating.

Colleges do not have to provide course modifications, tutoring, or services that would be considered personal care.

Review Your IEP

When you go to college, you will be responsible for asking for and getting the reasonable accommodations you need. You will not have an IEP team that helps you make decisions, and your parents will not be involved in the process. You will be in charge, and you can prepare for that responsibility.

To help prepare, you can review your IEP and make sure:

- Your IEP clearly describes the accommodations you need in high school
- You understand and can explain the accommodations that worked for you
- You have recent evaluations from school that document your disability (the date of the last evaluation should be documented on your IEP)

Complete the Summary of Performance for your IEP (SOP)

Before you graduate high school, your IEP team should meet to complete the **Summary of Performance (SOP)**. This is a document that describes the most updated information about you, including your postsecondary (college or career) goals, your academic achievements, and recommendations for support. The recommendations for support should include the accommodations, modifications, assistive technology, and other supports that worked for you in high school. The SOP is another document you can provide to your college to support your request for accommodations. At many colleges, the SOP is necessary to receive your accommodations. If you plan to go to college, you should ask your IEP team to complete the SOP within a year of you enrolling college.

Colleges will ask you for information about your disability and needed accommodations. Each college has its own policies about what information it will collect. Having a clear IEP and SOP documenting you are a student with a disability, what accommodations you need in school, and up-to-date evaluation information will provide much of what the college will want.

Plan Ahead

If you know you are going to college after high school, you should review your chosen college's information about students with disabilities. Most colleges have an office of disability services that can tell you exactly what you will need to ask to get accommodations in college. If you know this information before you graduate from high school, you can follow the preparation steps above to get the information you need to provide to the college. Having this information early in the process of applying for college can help you start college with all your accommodations already in place.

Prepare to Advocate

Once you enroll in college, you should be prepared to advocate for accommodations. You should be prepared to discuss your disability and how it impacts your learning and daily life, your need for accommodations (including accommodations you have used in the past that have worked or not worked), and documentation and assessments about your disability.

Remember, you will be in charge of asking for reasonable accommodations, and being prepared to advocate will get you the best outcome.

Advocating for yourself can include informing your college's office of disability services about the accommodations you need, working with the college to reach agreement on what accommodations you will get, and making sure that each of your professors have a copy of your accommodations. Once you get agreement on your accommodations, you should let each of your professors know what accommodations they need to provide to you in their classroom. It's a good idea to email your professors as soon as possible about your accommodations.

Make sure you have approval from the college about what accommodations you can have. Using some accommodations (like extended time or extended deadlines) without permission can negatively impact your grade or violate the college's rules.

Education Forms

These forms can be used to communicate with your IEP team. The “What I want to Work On Template” can be used to tell your school your areas of strength and areas of need. The “Consent for Continued Advocate Involvement in Education/ IEP” will allow you to designate your parent or another advocate as someone who helps you in the education process, and tells the school to communicate with them as well as you. The “FERPA Consent to Release Student Information” will allow the school to directly send information to your parent/advocate.

Template letter: What I Want to Work On

Dear IEP Team,

Here is information on my goals for transition after high school. I would like to discuss this information, and any questions I have, at our upcoming IEP meeting.

1. Graduation

I want to graduate on time with my classmates, and take all necessary credits, tests and requirements that will earn me a traditional diploma.

I want to stay in school and continue to work on my skills, including my independent living skills and work skills. As a student with a disability, I have the opportunity to receive these services until I turn 22.

I have a question about graduation:

What seals, credits, and tests do I need to complete in order to graduate?

I have another question about graduation:

2. Independent Living

I know where I want to live. I want to live:

With my family

With roommates

By myself

Other:

I don't know where I want to live. Please give me more information on my options.

I want help with transportation options

Help getting a driver's license

Learn how to use public transportation

Other:

3. Post-Secondary Education (education I would receive after high school graduation)

I want to attend college

I want to attend a vocational school

I want to look at other options, such as one-year programs or apprenticeships: _____

I don't want to receive any further education after I graduate high school

I don't know what I want to do! Please give me more information on my options.

4. Employment (working after high school)

I know what I want to do for work after high school. I want to:

These are the skills I have for this job: _____

These are the skills I need to work on for this job:

I don't know what I want to do for work after high school

Please give me more information on my options

Here are some types of jobs I would like to explore:

5. Community support options (i.e. DD, OhioRISE)

I am already connected with the following community supports (examples; Opportunities for Ohioans with Disabilities, OhioRISE, County Board of Developmental Disabilities):

I would like to be connected to the following community supports:

I do not know what options are available to me. Please give me more information.

I have other questions:

Thank you,

Student Signature: _____,

Date: _____

[Date]

RE: Consent for Continued Advocate Involvement in Education/IEP

[Text Box]: Signing this document allows your parent to continue supporting you past the age of 18.

To the District and my IEP Team,

I, _____ [Student's Name], reached the Ohio age of majority on _____ [18th birthday]. When I turned 18, the educational rights under the law and my Individual Education Program (IEP) transferred from _____ [Parent/guardian's name and relationship] to me.

I understand the decisions about my education are to be made by me as a legal adult, but I wish to continue to talk with _____ [advocate or parent name]. I want them to assist me in understanding and making educational decisions and I want to include them as members of my IEP team, as allowable under 20 U.S.C. § 1414 (d)(1)(B)(vi).

I hereby request and give consent that from now until I graduate, my IEP team and school district will share important educational information and documents, **as marked below**, with _____ [advocate name], so they can help me in making these important decisions. I understand that I may revoke this consent at any time.

_____ Timely invitations to my IEP meetings

_____ A copy of my IEP/ETR

_____ A copy of any amendments to my IEP

_____ Advanced notice of any reevaluations/assessments

_____ Advanced notice of any change in placement

_____ Any other communications, information or documents related to my IEP

_____ Other: _____

I want to make my own educational decisions, but I also want to have _____'s [advocate name] support and help in understanding and making these important decisions.

Thank you for supporting my request.

Sincerely,

[Signature]

FERPA Consent to Release Student Information*

To my School District and IEP Team:

Please provide information from the educational records of

[Student requesting the release of educational records]

to: _____.

[Name(s) of recipient(s) and relationship to the student, such as
“parents” or “advocate”]

Please invite the above-listed individual(s) to any meeting where my
education services will be discussed.

The information that is to be given under this consent is (check all that apply):

- Advanced notice of my IEP/ETR meetings
- A copy of my IEP/ETR
- Advanced notice of any reevaluations/assessment
- Advanced notice of any change in placement
- Any other communications, information or documents related to my IEP
- Other (specify): _____

The information is to be given for the following purpose:

So that my parents/advocates may support and help me in understanding and making important educational decisions.

I understand I may take away this Consent at any time by providing written notice to my IEP Team. I further understand that until I take away consent, this consent will remain in effect and my educational information will continue to be provided to those listed above for the specific purpose described above.

Name (print)_____

Signature_____

Date_____

[Text Box]:* The Family Educational Rights and Privacy Act of 1974 ("FERPA") is the federal law that protects a student's privacy with respect to the student's educational records.

Adapted from Indiana University FERPA Consent to Release Student Information Form [ferpa-consent-to-release-student-info.pdf \(iupui.edu\)](https://www.iupui.edu/~ferpa/ferpa-consent-to-release-student-info.pdf)

Education Resources

- <https://education.ohio.gov/Topics/Ohio-s-Graduation-Requirements>
- <https://education.ohio.gov/Topics/Ohio-s-Graduation-Requirements/Contacts-and-Resources/Students-with-IEPs-and-Graduation>
- <https://ocali.org/transition-planning-and-the-iep/considerations-for-summary-of-performance-sop>
- <https://education.ohio.gov/getattachment/Topics/Special-Education/Federal-and-State-Requirements/Ohio-Required-and-Optional-Forms-Updated/OP-8-Summary-of-Performance-2024.pdf.aspx?>