

# DURHAM PUBLIC SCHOOLS PROGRAMS FOR EXCEPTIONAL CHILDREN



TOGETHER, WE BUILD A BETTER TOMORROW



A Parent's Guide to the  
Process of Transition Services



The printing costs for this booklet were provided by the Durham Public Schools. Some information in this booklet was modified with permission from the Genesee Intermediate School District in Flint, Michigan. We extend our appreciation in allowing us to modify/adopt their guide to meet our needs within the Durham Public Schools service area.

If you have any questions regarding the contents of this booklet, please contact Sarah Laughhunn, Transition Specialist, at (919) 560-2689, or Karen Carr, EC Parent Liaison, at (919) 698-6434).

Durham Public Schools  
511 Cleveland Street  
Durham, North Carolina 27702

2009-2010 Edition

Hank Hurd, Interim Superintendent

Board of Education Members

Minnie Forte-Brown, Chair

Heidi Carter, Vice Chair

Leigh Bordley

Fredrick Davis

Dr. Kirsten Kainz

Omega Curtis Parker

Stephen Martin

Ann L. Majestic, Attorney

Gwen Parker, Liaison to the Board of Education

### **Exceptional Children's Program Mission Statement**

In collaboration with families, with schools and community, the Exceptional Children's Program will ensure that all students with disabilities receive an outstanding individualized education preparing them to be responsible, engaged citizens.

## TABLE OF CONTENTS

Introduction to Transition Planning . . . . .	5
What Do Transition Services Mean . . . . .	6
Components of Effective Transition Planning . . . . .	7
Student Post School Life Outcomes. . . . .	8
Overview of Transition Service Areas . . . . .	10
Planning for a Transition focused IEP team meeting. . . . .	11
Participants in the Transition Planning Process and Their Roles . . . . .	12
Courses of Study . . . . .	16
Exit from School to Post-School Living. . . . .	17
Transition Checklist. . . . .	18
Age of Majority and Guardianship . . . . .	20
Contact Information for Durham Public Schools . . . . .	23
Community Agencies . . . . .	24

## INTRODUCTION TO TRANSITION PLANNING

Transition planning is a process used to assist a student with a disability in successfully moving from school to adult life roles, such as employment, training and adult living. It is a cooperative effort between the school, student, family and community and adult agencies.

The point at which your son or daughter leaves school can be a very exciting time but also a period of uncertainty. Most parents of a student with a disability have questions about the future, including how will my student find and maintain employment, access transportation, live in the community and use public resources. All of these topics are likely to be topics of discussion during the transition process.

Federal laws require transition planning for all students with IEPs to begin no later than age 16 years old. However due to the importance of early planning, North Carolina law requires this process to begin no later than age 14 years old. Since transition often requires future use of community resources and agency services, it is important that transition planning actively include community agencies early in the process.

The transition from school to adult life is a normal process and represents a major step from adolescence to adulthood. All students typically need some assistance as they transition from school to adult life and this is especially true for students with disabilities. Students with disabilities need support to make this transition into adult life. The school has a responsibility to assist to you and your son or daughter during this time of transition. Even though the school begins thinking about transition-related issues as soon as your son or daughter enters the Durham Public Schools, formal transition planning typically begins no later than when your child turns 14 years old. Formal transition planning becomes a part of your son or daughter's IEP through the development of Individualized Transition Plan (ITP).

As parents, you are an important participant in the transition process. Your involvement is needed in order to make this process a success. At times the process may be frustrating, stressful, discouraging, and time consuming; but it is always important. The parent's guide has been written to give you information about transition, the resources available to you and your son or daughter, and to make the process of transition a smooth one. This resource will provide you with information regarding the transition process itself. In addition, this guide will provide you with information regarding several key community agencies and how to access their services.

Durham Public Schools is committed to making this important transition as smooth as possible. We look forward to working closely with you and your son or daughter. Remember, it is a cooperative relationship that requires all members of the team to work together to help make this transition a positive one for your son or daughter.

## WHAT DO TRANSITION SERVICES MEAN?

The Individuals with Disabilities Education Act (IDEA) Amendments of 2004 address transition in the following manner:

“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 . . .
  - Postsecondary education
  - Vocational education
  - Integrated employment (including supported employment)
  - Continuing and adult education
  - Adult services
  - Independent living
  - 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.

In North Carolina, beginning not later than the first IEP to be in effect when the child is 14, and updated annually thereafter, the IEP must address the following:

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

In addition to the regular participants of the IEP team, the transition IEP team meeting should include:

- (A) The student with a disability, whenever appropriate. The student must be invited to the transition meeting.
- (B) To the extent appropriate, with the consent of the parents or a child who has reached the age of majority (18), the LEA must invite a representative of any agency that is likely to be responsible for providing or paying for transition services.

## COMPONENTS OF EFFECTIVE TRANSITION PLANNING

In order for the transition planning process to be effective, the following components must be in place:

1. Student and family members are the primary decision-makers.
2. Families are actively involved.
3. School staff is committed and involved in a variety of ways.
4. Relevant non-school agencies, service providers and community resources assist in transition planning.
5. The transition plan reflects the desired student-directed outcomes.
6. Students receive instruction in accessing community leisure options and social skills.
7. The curriculum offers:
  - Exposure to a variety of career options
  - Post-secondary training and education preparation
  - Preparation for community living
  - Opportunities to develop friendships

This list is adapted from *The Nearly Complete Guide to Student-Centered Transition Services*, 1998, Paul Selby and *A Family Guide to Transition Planning*, 1995, Indiana Transition Initiative, Bloomington, IN & INSOURCE, South Bend, IN.

## STUDENT POST- SCHOOL LIFE OUTCOMES

Every person wants the best from life. Transition activities should be designed to help your son or daughter select and plan realistic goals. Life goals differ for every person and are very much a personal choice. All people, however, should have the opportunity to:

- Live as independently as possible and desired
- Have a healthy lifestyle
- Have financial security
- Have opportunities for productive employment
- Have friendships
- Be a consumer
- Be an active community member
- Have recreation and leisure activities

### **Post-School Goals: Education/Training**

Many students with special needs will need and benefit from training and/or education after high school. To prepare high school students for entering post-secondary programs, the following areas may be discussed at the transition meeting(s):

- High School Standard Course of Study
- Study Skills
- SAT/ACT/PSAT
- Career Technology Courses
- Importance of Class Attendance
- Courses Needed for Graduation
- Progress in Academic Classes
- Adult Basic Education
- Available Post-Secondary Training and/or Education Options

***It is important to remember that the Standard Course of Study (SCOS) in which you enroll your son or daughter has a major impact on what options are available immediately upon your son or daughter's graduation from high school.***

### **Post-School Goals: Employment**

The majority of students with disabilities have the capability of working in some capacity after high school. Working includes paid, competitive employment with or without community supports and/or volunteer opportunities, again with or without supports. Discussions in this area will include the interests, strengths and needs of each student as an individual instead of a disability classification when discussing post-secondary employment. Based on the needs of your son or daughter the following may be discussed:

- Vocational Assessments
- Vocational Rehabilitation Services
- Community-Based Instruction
- Work Adjustment
- Vocational Training
- Pre-Vocational Education
- Job Shadowing
- Supported Employment
- Post-Secondary Employment Goals

### **Post-School Goals: Daily Living Skills (including Personal/Social Skills)**

This area emphasizes the social skills required to maintain acceptable social behavior and personal relationships, as well as participate in recreation and leisure activities in the community. It also addresses those skills people use in their daily routines to care for themselves and other family members, including self-care and community involvement. The skills discussed in this area are those that allow individuals to become as independent as possible as adults. The following areas may be discussed:

- Living Arrangements
- Cleaning
- Mobility/Transportation
- Citizenship
- Budgeting
- Grocery Shopping
- Parenting/Child Care
- Sports
- Health concerns
- School Clubs
- Advocacy
- Hobbies
- Counseling
- Special Olympics
- Legal Issues-guardianship
- Cooking
- Religious Activities
- Relationships with Others

The IEP Team Meetings should be driven by your son or daughter's goals in each of these areas. At times, a student's goals are not consistent with his/her strengths and it is important that we provide the student with realistic information about what it will take to achieve the post-secondary goals. As a parent, it is very important that you work with your son or daughter's teachers, counselors, and school support staff to help guide your son or daughter towards realistic goals.

## OVERVIEW OF THE TRANSITION SERVICE AREAS

It is important that your son or daughter be ready to move on to life after high school. In order to facilitate this growth, it is helpful to have a graduated and coordinated set of activities and services in place as your son or daughter moves toward graduation. The seven primary transition services discussed through the transition planning process include the following.

- **Instruction:** This category includes goals and objectives that help a student meet the academic requirements for the student's high school course of study. It also can include instruction in employability skills, social skills, career & technical education, and/or preparation for post-secondary education/training.
- **Employment:** This category includes activities that assist the student in planning for and learning about prospective employment. Examples of activities in this area include job shadowing, guidance counseling, career & interest inventories, job development, job training, job supports.
- **Related Services:** This category includes services such as occupational therapy, physical therapy, speech therapy, and/or special transportation. Not every student needs these services and, therefore, this category is not required. If your son or daughter needs these services they will be discussed during his/her annual IEP meeting.
- **Community Services:** This category includes community work experiences, volunteer experiences, accessing services provided by community-services agencies, and leisure & recreational activities.
- **Adult Living Skills:** This category includes activities designed to help your son/daughter to be responsible a citizen of a community. Some of the activities could include registering to vote, obtaining a driver's license, taking care of a home, setting up utilities, and/or leasing a home.
- **Daily Living Skills:** This category focuses on self-care and healthy living. Types of activities in this category focus on self-care skills, wellness training, independent living skills, and money management.
- **Functional Vocational Evaluation:** This category includes activities designed to determine if your son or daughter will be successful in a given job/career. Examples of activities could include aptitude tests, situational work assessments, job sampling, and/or work adjustment activities. Not every student needs to participate in a functional vocational evaluation. If your son or daughter needs these services, they will be discussed during his/her annual IEP meeting.

## **PLANNING FOR THE TRANSITION IEP MEETING**

Before the IEP team meeting when transition planning will be discussed, the school should assist students and parents to determine the student's needs, interests and preferences related to life after high school. The school personnel should encourage the parents to actively participate in the IEP team meeting. Transition assessments related to the student's needs, preferences and interests should be completed. School personnel should also provide information to the student about the IEP process.

The student should be formally invited to participate in the IEP process and meeting. School personnel will provide written notice of the IEP team meeting to parents, students, and with parental consent (or consent of a student at age of majority), outside agencies. If the student chooses not to attend the meeting, school personnel should use other means to ensure that information about the student's needs, interests and preferences are considered.

## **PARTICIPANTS AND ROLES IN THE TRANSITION PLANNING PROCESS**

The transition planning process may include: student, parent, local school district, transition contact person and human service agencies.

### **The Student's Role**

Your son or daughter must be involved in the transition planning process. The school must invite your son or daughter to attend his/her Individualized Education Planning Team (IEP) team meeting where transition planning is going to take place. The child's IEP team meeting is about your son or daughter's education and future plans. *Your son or daughter's active participation as a member of the IEP team meeting is IMPORTANT!* The participants will give your son or daughter time to express opinions and have input into the decisions that are being made.

It is important to remember that when young adults reach the age of 18, they automatically become their own legal guardians, unless a court of law grants guardianship to someone else. If your son or daughter is 18, he/she must attend his/her meeting and sign the IEP forms, as being in attendance and to begin actively participating in the transition activities included on the IEP/ITP services. However, it is recognized that for some students who are severely disabled, this may not be possible.

The student's roles in the transition planning process include:

- Actively participate in the IEP team meetings
- Invite individuals to the meeting who will help plan for his/her future
- Identify personal needs and goals related to each of post-school outcome areas
- Ask questions about things that are unclear
- Provide any other information which the student believes is necessary for completion of the transition component of the IEP
- Follow through on the activities of the IEP.

*Beginning at least one year before the student reaches the age of majority (age 18), the student must be informed of his or her rights under IDEA, which will transfer to the student upon reaching the age of majority.*

### **The Parent's Role**

Parents have a very important role to play in the transition planning process. You know your son or daughter well and have information about abilities, personality, and what your son or daughter wants to achieve in life. You also know how the disability affects life outside of school. These pieces of information need to be considered when goals and objectives are selected. You should help guide your son or daughter towards setting and obtaining realistic post-school goals.

Parents have many opportunities to follow through with IEP goals at home. You can use everyday activities to help your son or daughter practice skills that will help with the transition into adult life. When you work on IEP goals and transition-related activities at home, your son or daughter will benefit from this cooperation between home and school. This cooperation between home and school demonstrates to your son or daughter that the same "message" is given in both places. This cooperation will increase your son or daughter's chances of achieving post-school goals.

You must be a part of the planning process so that your son or daughter can leave school successfully and join the adult community as fully as possible.

The parent's roles in the transition planning process include:

- Attend all IEP team meetings
- Provide input regarding needs of the student in the post-school outcome areas
- Identify and follow through on the implementation of the IEP and ITP
- Help focus the IEP team's planning on the individual needs of the student and the family
- Invite individuals from your son or daughter's school or from the community who you think can help your son or daughter's future

You can prepare ahead of time by keeping copies of all paperwork concerning your son or daughter, talking with your child about the IEP process and providing them with opportunities to participate in and understand the IEP and Transition process.

### **Parent Tips and Coping Strategies**

Empowering youth to accept their rights and roles of adulthood begins with providing information and guiding them through the process of decision making. In the effective transition process, youth feel that their interests and opinions have significance and will actually impact planning. Effective and safe decisions are usually made when individuals believe they have enough experiences and information about a situation to warrant or justify their position. We must understand that the very nature of youth leads itself to more limited experiences and therefore more limited knowledge. The statement "knowledge is power" is very applicable when it comes to the issue of transition. Without knowledge one has no power, without power one has no voice, and without a voice one becomes invisible.

Part of growing into adulthood is the realization that priorities often conflict, requiring compromise to occur. Collaboration and negotiation are part of the "game" in solving these differing viewpoints. Following is a list of ways to foster potential and positive choices:

1. Learn about the developmental stages of a son/daughter's growth. Understand that adolescence and young adulthood is a confusing time.
2. Encourage your son/daughter. Build confidence and self-esteem in his/her gifts and talents.
3. Listen to your son/daughter. Accept his or her opinions and perspectives.
4. Help your son/daughter recognize and accept his/her feelings.
5. Model positive communication and listening skills.
6. Discuss and practice problem solving.
7. Give your son/daughter choices.
8. State expectations and consistently follow through with consequences.
9. Let your son/daughter experience natural and logical consequences for his/her choices.
10. Be a good role model for your son or daughter.
11. Be honest about your mistakes and own up to them.
12. Help your son or daughter to develop his/her strengths and recognize areas of need. Reinforce your child making a tough choice but appropriate choice. Provide your son or daughter with varied experiences. Expose your child to alternative perspectives. Be clear about your own values and let your child see you put those values into action.
13. Celebrate positive choices.

*Adapted from the Michigan Parent Handbook.*

## **The School's Role**

The school has the responsibility to *coordinate* the activities that will help your son or daughter move through the school system and into adult life. You and the school must work together as partners, and this requires ongoing *communication* back and forth. The school personnel's role may include:

1. Listening carefully to information provided by you and your son or daughter.
2. Assessing your son or daughter's transition needs. These assessments may include identifying his/her abilities, including possibly a vocational assessment, and gathering current information from teachers.
3. Providing you with information about your son or daughter's strengths and areas for improvement.
4. Helping to developing an Individualized Transition Plan (ITP) for your son or daughter in preparing for working and functioning as independently as possible out in the community.
5. Discussing ways in which your son or daughter can learn to participate in home and community activities.
6. Providing information about human service agencies available in the community.
7. Providing referral information to agencies with prior parental permission.
8. Informing the parents and student of their rights and responsibilities when the student reaches 18 years of age. The school is required to begin providing you and your child this information when he or she turns 17 years old.
9. Providing parents and students with transition information.
10. Coordinating the development of the ITP.
11. Facilitating the school related implementation of the ITP.
12. Coordinating any IEP objective with ITP activities.
13. Coordinating annual ITP review.

## **Your Son or Daughter's Case Manager's Role**

Your son or daughter has a Case Manager assigned to him/her through his or her school. This Case Manager is different than one you may have through a local human services organization. The school's Case Manager's role is to help develop the yearly IEP and to coordinate the set of activities listed on your son or daughter's ITP that are designed to improve your child's academic performance and functional achievement. This results-oriented, coordinated set of activities is designed specifically for your child with a disability, to help facilitate his/her movement from school to post-school activities, including ....

- Postsecondary education
- Vocational education
- Integrated employment (including supported employment)
- Continuing and adult education
- Adult services
- Independent living
- Community participation

Your son or daughter will be faced with many questions and decisions regarding employment, living arrangements, financial and social needs, and the case manager can provide a link from the school to the local community agencies that may be able to provide additional services to aide in a smooth transition to adulthood.

Please refer to page 23 for a list of transition contact persons at each high school and middle school within Durham Public Schools.

### **The Human Service Agency's Role**

Becoming involved with local community-service agencies early will help you decide what services your son or daughter will need when he/she leaves school. Human service agencies provide many services to adults and students. Examples of services are vocational (job) assistance, post-secondary education supports, community employment, housing, medical, counseling, case management, and recreational activities. It is important to become involved with human service agencies prior to the time your son or daughter leaves the school system. Representatives from agencies can share information about the service their agencies provide and about the eligibility requirements for these services. They can also help make referrals to other agencies if your son or daughter needs different types of services. As a parent, you are welcome to bring representatives from any human service agency with whom you are working, to any of your son or daughter's IEP/ITP meetings.

When working with agencies, you can expect that:

1. There may be a detailed application process.
2. The agency often requests that you provide records from school, doctors, and other agencies.
3. There may be a waiting list.

The roles of the human service agencies can include:

- Participating in the development of the IEP and ITP while the student is in school.
- Participating in the IEP team meetings when requested.
- Providing information on eligibility requirements and services provided by the agency.
- Assuming responsibility for some of the IEP/ITP activities.

## **COURSES OF STUDY**

For students who enrolled in high school in 2008 or earlier, there are four courses of study approved by the NC State Board of Education that lead to a high school diploma upon successful completion of all requirements. The four courses of study are: Career Preparation, College Technical Preparation, College/University Preparation and, for *certain* students with IEPs, Occupational Course of Study (OCS). It is important to note that the coursework associated with the OCS does NOT meet the entrance requirements for any college or university. Most students with disabilities will complete one of the other courses of study with the use of accommodations, modifications, supplemental aids and services as needed.

Beginning with the incoming freshmen class of 2009, there will only be two high school courses of study, Future-Ready Core and the Occupational Course of Study. The OCS will continue to be reserved for students with IEPs who need a greatly modified curriculum, focusing on entry-level job readiness and independent living. For additional information regarding courses of study, please contact your son or daughter's EC Case Manager or contact one of the district's Transition Specialists.

## **EXITING FROM SCHOOL TO POST-SCHOOL LIVING**

At the final IEP team meeting, the IEP should be reviewed and updated to ensure that all needed services are in place. The names of agencies or community contacts should be provided for you. This is a time for all service providers to come together to discuss a plan(s) of action that will be in place once your son or daughter leaves Durham Public Schools.

### **Summary of Performance**

A summary of performance (SOP) is a requirement of IDEA 2004. The language as stated regarding an SOP is as follows:

For a child whose eligibility under special education terminates due to graduation with a regular diploma, or due to exceeding the age of eligibility, the local education agency shall provide the child with a summary of the child's academic and functional performance, which shall include recommendations on how to assist the child in meeting the child's post secondary goals.

The SOP must be completed during your son or daughter's final year of high school education; however, information may be included from prior years (e.g., vocational assessments, SAT, PSAT, EOC tests). The SOP must be provided to all graduates or those who exit due to age, and a copy of the student's transcript must be attached.

(Memorandum from Mary Watson, Director, Exceptional Children Division, North Carolina Department of Public Instruction, March 7, 2006).

## TRANSITION CHECKLIST

Following are checklists of transition activities that you and your son or daughter may wish to consider when preparing transition plans with the IEP team. Your son or daughter's skills and interests will determine which items on the checklist are relevant. Use these checklists to ask yourself whether or not these transition issues need be addressed at the IEP team meetings. If you are not sure whether or not an activity is appropriate for your son or daughter...just ask! We welcome questions from parents.

These checklists can also help identify who should be a part of the IEP team meeting. Responsibility for carrying out specific transition activities should be determined at the IEP team meetings and documented on your son or daughter's ITP.

### **Four to five years before leaving the school district (ages 14 – 18):**

- Identify personal learning styles and the necessary accommodations to be a successful learner and worker.
- Identify career interests and skills, complete interest and career inventories, and identify additional education or training requirements.
- Explore options for college, or other forms of post-secondary education.
- Identify options for future living arrangements.
- Learn to communicate interests, preferences, and needs.
- Learn and practice decision making skills.
- Be able to explain your disability and the accommodations you need.
- Look into assistive technology tools that can increase community involvement and employment opportunities.
- Broaden your experiences with community activities and expand your friendships.
- Use local transportation options *outside of the family*.
- Begin to manage money.
- Have an identification card and be able to communicate personal information.
- Identify and begin learning skills necessary for independent living.
- Learn and practice personal health care.
- Begin building job skills through school based vocational training hours.

### **Two to three years before leaving the school district (ages 16 – 20):**

- Identify community support services and programs (vocational rehabilitation, Durham Center, Independent Living, etc.).
- Invite adult service providers, peers, and others to the IEP team meeting.
- Match career interests and skills with vocational coursework and community work experience.
- Gather more information on post-secondary programs and the support services offered; make arrangements for accommodations to take college entrance exams (if appropriate).
- Identify health care providers and become informed about sexuality and family planning issues.
- Determine the need for financial support (supplemental social security income, state financial supplemental programs, Medicare).
- Learn and practice communication skills and social skills for different settings (employment, school, recreation with peers).
- Explore guardianship issues.
- Begin a resume and update it as needed.
- Practice independent living skills, e.g., budgeting, cooking, laundry.

- Identify needed personal assistance services and, if appropriate, learn to direct and manage these services.
- Continue building job skills.

**One year before leaving the school district (ages 17 – 21):**

- Apply for financial support programs (supplemental social security income, independent living services, vocational rehabilitation, and personal assistance services).
- Identify the post-secondary program you plan to attend and arrange for accommodations, if appropriate.
- Practice effective communication by developing interview skills, asking for help, and identifying accommodations at college and at work.
- Identify desired job and obtain paid employment with support as needed.
- Take responsibility for arriving on time to work, appointments, and social activities.
- Assume responsibility for health care needs (making appointments, filling prescriptions, etc.).
- Register to vote and for selective service (if a male) at age 18.

*This checklist provided by the National Transition Network Parent Brief – Winter 1996 “Transition Planning for Success in Adult Life”.*

## AGE OF MAJORITY AND GUARDIANSHIP

In North Carolina persons reach the *Age of Majority* on their 18<sup>th</sup> birthday. *Age of Majority* means that your son or daughter is now a legal adult and you are no longer legally responsible for him or her. Legal rights guaranteed under IDEA legislation transfer to your son or daughter and this means that he or she can attend, participate fully, make decisions, and sign all documents related to the IEP. At this time your son or daughter can represent themselves in all legal matters including signing contracts, renting an apartment, getting a loan, or being admitted to a hospital. Male students must register for the Selective Service, even if they have a disability.

Your son or daughter can refer him or herself to any adult service agency. For instance, they can sign the forms to obtain services through Vocational Rehabilitation. Your son or daughter also has the right to obtain a job without a work permit or even your permission.

Guardianship is a legal relationship in which an individual, corporation or disinterested public agent (guardian) is authorized to make decisions on behalf of a minor child or an incompetent adult (ward). Any minor child whose parents are deceased must have a guardian appointed by the Court. To have a guardian appointed for an adult who has a disability, there must be a finding of incompetence. Incompetence is determined by the Clerk of Court and is defined as being unable to make or communicate important decisions about one's own personal and/or financial affairs.

Testamentary Guardianship is used when your son or daughter is under 18 at the time you write your will; however the guardianship will only be legal until your son or daughter reaches his or her 18<sup>th</sup> birthday. Under North Carolina law, you may direct the testamentary guardian to seek court appointment for himself or for another person during the six months prior to your son or daughter's 18<sup>th</sup> birthday. This reappointment is necessary according to North Carolina law, which assumes that all persons are competent at age 18. An incompetency hearing will be held to determine whether your son or daughter is in need of a guardian after he or she turns 18.

The following terms apply to adults who have disabilities and have been found incompetent by the Clerk of Court:

**Guardian of the Person:** the legal responsibility to care for the individual needs of the incompetent adult ward, such as where he should live, participation in educational or vocational programs, medical care, and decisions regarding leisure activities. It does not involve control of the ward's property.

**Guardian of the Estate:** involves making decisions about the ward's monetary holdings, personal and real property. It does not involve responsibility for the day to day personal welfare.

**General (Plenary) Guardianship:** involves combining the responsibilities of the Person and the Estate. The General Guardian is entrusted to protect all interests of the ward, and exercise all rights on the ward's behalf.

Guardianship can be tailored to the individual needs of the person with a disability, and may be limited only to making medical decisions, or whether to sell a parcel of land left to the individual by well-meaning relatives. The Clerk of Court has the authority to order a "limited guardianship"; attorneys or petitioners may propose or suggest specific areas of responsibility for decision-making, where appropriate.

Not all adults with disabilities need guardians. In reaching a decision about guardianship, consideration should be given to: the amount of independence the person is expected to achieve, the severity of the person's handicap, the ability to make decisions about medical needs, the ability to handle money, the amount of family support available, and the person's ability to care for his or her own needs.

For more information on guardianship issues, please contact The North Carolina Guardianship Association at 919-266-9204 or on the web at <http://www.nc-guardian.org/>.

**North Carolina's *Policies Governing Services for Children with Disabilities*: Policy regarding transfer of rights at age of majority**

NC 1504-1.21 Transfer of parental rights at age of majority

(a) General. When a child with a disability reaches the age of 18 (except for a child with a disability who has been determined to be incompetent under State law)--

(1) (i) The LEA must provide any notice required by these Policies to both the individual and the parents; and

(ii) All other rights accorded to parents under Part B of the IDEA transfer to the child.

(2) All rights accorded to parents under Part B of the IDEA transfer to children who are incarcerated in an adult or juvenile, State or local correctional institution; and

(3) The LEA must notify the individual and the parents of the transfer of rights.

(b) Special rule.

(1) When a child with a disability is determined not to have the ability to exercise his/her rights under these Policies, the LEA must provide the parent notice of options listed in sub-section

(b)(2)(i-iii) of this section.

(2) A student who has reached the age of 18 shall be presumed to be a competent adult unless one of the following actions has been taken:

(i) The adult student is declared legally incompetent or legally incapacitated by a court of competent jurisdiction and a representative has been appointed by the court to make decisions for the student;

(ii) The adult student designates, in writing, by power of attorney or similar legal document, another competent adult to be the student's agent to receive notices and to participate in meetings and all other procedures related to the student's educational program. A local education agency shall rely on such designation until notified that the authority to act under the designation is revoked, terminated, or superseded by court order or by the adult student;

(iii) The adult student is certified, according to the following procedures, as unable to provide informed consent. Any adult student who is eligible for special education under this section and does not have a representative appointed to make decisions on the adult student's behalf by a court of competent jurisdiction may have an educational representative appointed to act on the adult student's behalf. An educational representative may be appointed based on the following conditions and procedures:

(A) Two professionals (one from list one and one from list two, as set forth in the following descriptions) shall, based on a personal examination or interview, certify in writing that the adult student is incapable of providing informed consent and that the student has been informed of this decision:

a. List one includes:

1. a medical doctor licensed in the state where the doctor practices medicine;
2. physician's assistant whose certification is countersigned by a supervising physician; or
3. a certified nurse practitioner.

b. List two includes:

1. a medical doctor licensed in the state where the doctor practices medicine;
2. a licensed clinical psychologist;
3. a licensed clinical social worker;
4. an attorney who is qualified to serve as a guardian ad litem for adults under NC law; or
5. a court-appointed special advocate for the adult student.

(B) The individuals who provide the certification in (iii)(A) of this section may not be employees of the local education agency currently serving the adult student or related by blood or marriage to the adult student.

(C) If an adult student has been determined to be incompetent through any of the procedures described in this section, the parent shall be appointed to act as the educational representative for the adult student. If the parent is not available, an adult family member with whom the adult student resides may be appointed. If the adult student does not reside with an adult family member, a person trained as a surrogate parent shall be appointed to serve as the educational representative for the adult student.

(iv) Incapable of providing informed consent, as used in this section, means that the adult student is unable to:

(A) Understand the nature, extent and probable consequences of a proposed educational program or option on a continuing or consistent basis;

(B) Make a rational evaluation of the benefits or disadvantages of a proposed educational decision or program as compared with the benefits or disadvantages of another proposed educational decision or program on a continuing or consistent basis; or

(C) Communicate such understanding in any meaningful way.

(v) The certification that an adult student is incapable of providing informed consent may be made as early as 60 calendar days prior to the student's eighteenth birthday.

(vi) The certification shall state when and how often a review of the adult student's ability to provide informed consent shall be made and why that time period was chosen.

(vii) The adult student's ability to provide informed consent must be recertified at any time that the previous certification is challenged. Challenges can be made by the adult student or by anyone with a bona fide interest in and knowledge of the adult student, except that challenges cannot be made by employees of the LEA. Upon receipt of a written challenge, the LEA may not rely on the appointed representative until a new certification that the adult student is unable to provide informed consent has been obtained by the appointed educational representative.

(Authority: 20 U.S.C. 1415(m); 34 CFR 300.520)

## **Durham Public Schools Transition Services Administrators**

Eunice Sanders  
Assistant Superintendent  
Programs for Exceptional Children  
(919) 560-3774

Robin Wright  
Director  
Programs for Exceptional Children  
(919) 560-3774

Jamila Mannie  
Director  
Programs for Exceptional Children  
(919) 560-3774

## **Durham Public Schools Transition Specialist**

Sarah Laughhunn  
(919) 560-2689

## **Durham Public Schools – Secondary Schools**

### Middle Schools

Brogden	560-3906	Carrington	560-3916
Chewning	560-3914	DSA	560-3926
Githens	560-3966	Lowe's Grove	560-3946
Neal	560-3955	Roger's Herr	560-3970
Shepard	560-3938	WG Pearson	560-2208

### High Schools

Hillside	560-3925	JD Clement Early College	560-2696
Jordan	560-3912	Lakeview/Bacon Street	560-2520
Northern	560-3956	Middle College/DTCC	686-3815
Southern	560-3968	Performance Learning Center	560-9190

## **ADULT AND COMMUNITY SERVICE AGENCIES**

### **The Durham Center: Child and Adult Services**

#### Screening Triage & Referral (STR)

This is the entry point for the Mental Health/Developmental Disabilities/Substance Abuse Services. Individuals who call will be screened and depending upon the urgent need for services will be given an appointment with a provider for intake within either 24 hours (emergent), 48 hours (urgent) or 7 days (routine). People who know which provider they want are encouraged to ask for that provider when they call this number. Otherwise, the STR operator will identify a provider based on financial eligibility, provider availability, and preferred location. Phone Number: 560-7100

### **Vocational Rehabilitation Services**

The Division of Vocational Rehabilitation Services provides services to eligible adults and youth of working age with physical, emotional, cognitive and/or learning related disabilities to prepare for and obtain employment. Services provided regardless of family income may include guidance and counseling, vocational evaluation and other assessments, job seeking skills training, in-school work adjustment training, job placement assistance, job coaching, and rehabilitation engineering consultation. Other services such as college or vocational training, transportation, tools, equipment and assistive devices and technological aids may be provided depending upon meeting financial needs criteria. For additional information about services for adults, contact (919) 560-6810. For youth, contact (919) 560-2053.

### **ARC of Durham**

The ARC of Durham County works to improve the quality of life and increase opportunities for individuals and the families of individuals with Mental Retardation and other Developmental Disabilities. The ARC of Durham County has always been guided by the conviction that including people with developmental disabilities in the life of the community benefits everyone. Operating with this philosophy, we make a real difference in the lives of hundreds of children, adults and their families. Because of The ARC of Durham, people with developmental disabilities now have more opportunities to enjoy full, productive lives. Durham County residents can apply for any of our programs by contacting The Arc at (919) 493-8141.

### **Area Services and Programs (ASAP)**

Easter Seals UCP North Carolina creates opportunities, promotes individual choice and changes the lives of children and adults with disabilities by maximizing their individual potential for living, learning and working in their communities. For additional information please contact them at 1-800-662-7119 or (919) 861-0033.

### **City of Durham**

The Mayor's Summer Youth Work Program offers Durham youth the opportunity to gain work experience and develop skills while connecting with City and County governments. Some of the partnering public organizations and private-sector companies are the City's Parks and Recreation Department; the Office of Economic and Workforce Development; the Department of Neighborhood Improvement Services; General Services; the Durham Fire Department; Durham County; Chick-fil-A, Hillsborough Road; Kroger Foods; Office Depot; Community Alternatives; Thrills From the Grill and Question Why. Other partners include Capital Broadcasting at the

American Tobacco Campus, SunTrust Bank, and North Carolina Central University. Contact the Office on Youth at (919) 560-1266.

### **Community Partnerships, Inc.**

Community Partnerships, Inc. (CPI) is a private, nonprofit agency dedicated to creating opportunities for people of all ages with disabilities or social and economic disadvantages to pursue their dreams and engage fully in community life. They work to make it possible for young children with disabilities to attend regular childcare and preschools; for youth with disabilities to participate in regular out-of-school-time activities; for adults with disabilities to work in real jobs and earn competitive wages; and for our community to be strengthened by valuing the contributions of *all* of its citizens. Contact them at (919) 402-9400.

### **DAC Employment Services**

DAC's philosophy is to provide a quality service to the community for people who are either under-served or in need of services. Some of the services provided through DAC are Career Exploration, Job Search Assistance, Opportunities for Community Involvement, Peer Support, Job Seeking Skills Training, On-the-Job Training, Self-Advocacy & Leadership Skills Training. For more information call (919) 493-6552.

### **Department of Public Health**

Over the years, community health problems have dictated the mix of Health Department services. During the early 1900's, Department services dealt mainly with communicable diseases, such as typhoid fever, scarlet fever, diphtheria and polio. The impact of these diseases on the community, especially the children, led the Department to focus on the health status of women and children. As these diseases were controlled, the Department began to focus on screening and treatment of sexually transmitted diseases and tuberculosis and early detection and monitoring of chronic diseases, such as hypertension and diabetes. With increased knowledge of disease processes, it became more apparent that many of the leading causes of death were related to lifestyle behaviors. Consequently in the most recent years, the Department added health promotion and wellness programs. For more information please call (919) 560-7600.

### **Durham Exchange Club Industries (DECI)**

Durham Exchange Club Industries (DECI) is a private, nonprofit community-based vocational rehabilitation program, serving adults with disabilities in Durham, North Carolina. A self-supporting industry, DECI provides superior services to customers. The revenues earned by DECI's production services provide job training and job placement for adults who have disabilities, giving them the opportunity to work either at DECI or in the community. Contact DECI at (919) 596-1341.

### **Durham Park & Recreation Department**

Durham Parks and Recreation is Durham's source for creative and challenging recreational choices. We strive to help citizens discover, explore, and enjoy life through creative and challenging recreational choices that contribute to their physical, emotional, and social health. So let this site serve as your guide in planning healthy, fun, and quality activities for you and your family. Contact them at (919) 560-4355.

### **Goodwill Industries of Eastern North Carolina, Inc.**

Goodwill Industries of Eastern North Carolina's Contract Services Division assists and enables individuals with disabilities and other disadvantaging circumstances in the transition to competitive employment. Goodwill Industries contract workers, most of whom have a disability, work to assemble and package products for companies such as Tecstar, NSI Solutions, Burt's Bees, American Income Life, Hangers Unlimited, Duke University, Inkworks, Mixed Blessings, North Carolina Medical Society, Timmons, Sampling Corporation of America, Wake County Public Schools, J.R. Rivas and Carolina School and College Supply. Contact them at (919) 941-9600.

### **JobLink**

The Durham JobLink Career Center is a unique partnership that brings workers from across the community together with potential employers. Durham's JobLink Career Center brings together an array of services geared to help area residents find employment, increase the education and training of the local workforce and assist area employers in filling job openings. For more information call (919) 560-6880.

### **Department of Social Services**

The mission of the Durham County Department of Social Services is to partner with families and community in achieving well being through prosperity, permanence, safety and support. Contact (919) 560-8000.

### **Workforce Development, Durham Chamber of Commerce**

Workforce Development is an important component of the Durham Chamber's effort to build and sustain a healthy economic climate. Everyone benefits from a highly skilled and educated workforce. By working together to provide and train great employees, existing companies will prosper and new companies will continue to come to Durham to employ our workforce. The Chamber's Workforce Development division works closely with the Economic Development team. They work strategically to better align skills of Durham's residents with the many wonderful career opportunities available in our community. They collaborate with many local organizations to create positive, systemic change in our community by seeking ways to turn challenges in our community, into opportunities. They promote life-long learning from cradle to grave. For additional information call (919) 682-2133.

### **Division TEACCH - Treatment and Education of Autistic and Related Communication-Handicapped Children**

The TEACCH is an evidenced based service, training, and research program for individuals of all ages and skill levels with Autism Spectrum Disorders. Contact (919) 966-2174.

### **Autism Society of North Carolina**

The Autism Society of North Carolina is committed to providing support and promoting opportunities which enhance the lives of individuals within the autism spectrum and their families. The Autism Society of North Carolina strives to create a community where people within the autism spectrum and their families receive respect, services, and supports based on individual differences, needs and preferences. Contact 1-800-442-2762.