

The Advocacy Ridge

presents








Preparing for Postsecondary Transition

What Parents Should Know

From IEP Transition Planning Through College Accommodations — A Complete Family Guide

HOW TO USE THIS GUIDE

Color-coded boxes tell you whether a rule is the same everywhere or varies by state:

-  FEDERAL LAW — same in all 50 states
-  STATE VARIATIONS — laws differ; check your state
-  STRONGER STATE PROTECTIONS — some states give you more
-  ADVOCACY TIP — practical advice for parents
-  WATCH OUT — common pitfalls and risks
-  IMPORTANT NOTE — context and clarifications
-  STRATEGY — tactical guidance for due process

IMPORTANT NOTE

- This guide covers the transition from high school special education services to postsecondary life — including IDEA's transition planning requirements, what happens to IEPs and 504 Plans after graduation, how college disability services work, and what families should prioritize during the high school years.
- Flags in this guide: Red flags identify claims that require clarification or are commonly misunderstood. Green additions identify important legal detail or context that strengthens the original information.

1. What Is Transition Planning Under IDEA?

As students with disabilities approach high school, one of the most critical — and most often underdeveloped — components of the IEP becomes transition planning. IDEA requires every IEP to include a coordinated set of activities designed to prepare students for life after secondary school.

Transition planning is not a separate document or an add-on to the IEP. It is a legally required section of the IEP itself — with the same enforceability as any other IEP component. A missing, vague, or inadequate transition plan is an IDEA violation that parents can challenge through a state complaint or due process.

If the district has not conducted an age-appropriate transition assessment, has written generic or non-measurable postsecondary goals, or has failed to provide specific transition services aligned to those goals, the IEP is not compliant. Failure to develop or implement appropriate transition planning may constitute a denial of FAPE.

ENFORCEMENT AND ACCOUNTABILITY

Parents can pursue enforcement through a state complaint or due process. When transition planning is inadequate, remedies may include:

- reconvening the IEP team
- conducting appropriate transition assessments
- revising postsecondary goals and transition services
- providing compensatory transition services to address lost opportunities

STRATEGY

If you identify concerns with transition planning:

- request the transition assessment(s) used to develop the goals
- ask how each transition service directly supports the postsecondary goals
- request Prior Written Notice (PWN) for any refusals or omissions
- consider filing a state complaint or due process if deficiencies are not corrected

FEDERAL LAW — Applies in ALL 50 States (IDEA 2004 | 34 C.F.R. Part 300)

- Legal authority: IDEA, 20 U.S.C. § 1414(d)(1)(A)(i)(VIII); implementing regulations at 34 C.F.R. § 300.320(b).
- Required age: Transition planning must begin no later than the first IEP to be in effect when the student turns 16 — meaning the IEP in place at age 16, not the IEP developed on the student's 16th birthday.
- Required content: The transition IEP must include: (1) appropriate measurable postsecondary goals based on age-appropriate transition assessments related to training, education, employment, and — where appropriate — independent living skills; and (2) the transition services needed to help the student reach those goals, including courses of study.
- Age-appropriate transition assessment: Before the transition IEP is developed, the student must receive an age-appropriate transition assessment (AATA). This assessment informs the goals and is a required procedural step — not optional.
- Age-appropriate transition assessments may include vocational or functional vocational evaluations when needed to fully understand the student's strengths, interests, and support needs.
- Student participation: IDEA requires that the student be invited to IEP meetings where transition services will be discussed. If the student does not attend, the district must take other steps to ensure the student's preferences and interests are considered (34 C.F.R. § 300.321(b)).

✓ GREEN — Stronger State Protections: Earlier Transition Planning Ages

- Federal law requires transition planning to begin no later than age 16. Many states require it earlier. Verify your state's specific requirement — earlier planning gives families more time to build skills and connect with adult services.
- California: Transition planning must begin no later than age 16 under California law (Cal. Ed. Code § 56043(g)(2)), consistent with the federal minimum. Some districts in California begin earlier.
- Oregon: OAR 581-015-2000 requires transition planning to begin at age 16, consistent with federal law.
- Washington: WAC 392-172A-03090 requires transition planning beginning no later than age 16.
- Colorado: 1 CCR 301-8 requires transition planning no later than age 16.
- Texas: Texas requires transition planning beginning at age 14 — two years earlier than the federal minimum (19 TAC § 89.1055(g)). This is a significantly stronger protection.
- New York: New York requires transition planning beginning at age 15 (8 NYCRR 200.1(fff)), one year earlier than the federal minimum.
- Massachusetts: 603 CMR 28.05(4) requires transition planning no later than age 14 or at the transition to high school, whichever is earlier — one of the earliest state requirements in the country.
- New Jersey: N.J.A.C. 6A:14-3.7 requires transition planning beginning no later than age 14.

⚠ WATCH OUT

- The federal requirement is age 16 — but this is a floor, not a ceiling. If your state requires earlier planning and the district has not begun transition services by the required age, that is a state law violation as well as potentially a federal one.
- A transition plan that says only 'student plans to attend college' or 'student will seek employment after graduation' is legally deficient under IDEA. The plan must include measurable postsecondary goals and the specific transition services the student will receive to build toward those goals. Vague transition plans are among the most commonly cited IDEA violations in state complaints.
- IDEA requires that transition goals be based on age-appropriate transition assessments. If the district has not conducted an AATA, the transition plan is procedurally deficient regardless of what it says.

2. What a Strong Transition Plan Includes

The transition section of the IEP is one of the most frequently underdeveloped — and most legally consequential — parts of the document. Here is what federal law requires, and what a genuinely useful plan looks like in practice.

FEDERAL LAW — Applies in ALL 50 States (IDEA 2004 | 34 C.F.R. Part 300)

- Measurable postsecondary goals (MPGs): The IEP must include measurable postsecondary goals in at least two areas: education/training and employment. A third area — independent living — is required if appropriate for the student (34 C.F.R. § 300.320(b)(1)).
- Transition services: The IEP must identify the specific transition services the student will receive to reach those goals. These may include instruction, related services, community experiences, development of employment and independent living objectives, acquisition of daily living skills, and provision of a functional vocational evaluation (34 C.F.R. § 300.43).
- Courses of study: The IEP must include a statement of the courses of study the student will take to progress toward their postsecondary goals — not just what the district offers, but what this student needs.
- Agency linkage: For students who may be eligible for adult services (vocational rehabilitation, Medicaid waiver programs, supported employment), the IEP must include steps to invite those agencies to the IEP meeting and to facilitate the handoff (34 C.F.R. § 300.321(b)(3)).

2a. Areas That Transition Plans Should Address

- Postsecondary education or training — 4-year college, community college, vocational/technical programs, certificate programs, supported education programs.
- Employment goals — competitive integrated employment, supported employment, job exploration, work-based learning experiences, pre-employment transition services (Pre-ETS) through vocational rehabilitation.
- Independent living skills (when appropriate) — financial literacy, transportation, daily living, health management, housing.
- Self-advocacy and decision-making skills — knowing one's rights, requesting accommodations, communicating needs, understanding one's own disability.
- Community participation — social connections, recreation, civic engagement, community-based instruction.

ENFORCEMENT AND IMPLEMENTATION

Transition services must be specific, individualized, and service-driven — not vague, generic, or limited to course listings. Simply stating that a student will “explore careers,” “prepare for college,” or “participate in general education classes” is not sufficient under IDEA.

Transition services must clearly describe:

- what the student will do
- what supports or instruction will be provided
- who is responsible for delivering the service
- and, where applicable, the frequency, location, and duration

A transition plan that includes goals without clearly defined services — or services that are not implemented as written — may constitute a denial of FAPE.

STRATEGY

When reviewing transition services, ask:

- What is the student actually receiving — beyond general education instruction?
- Is there direct instruction in self-advocacy, executive functioning, or independent living skills?
- Are there community-based experiences, work-based learning opportunities, or vocational supports?
- Can the district show data or documentation that these services are being implemented?

If services are vague, missing, or not implemented, request clarification in writing and Prior Written Notice (PWN) for any refusals.

IMPORTANT NOTE — What This Looks Like in Practice

Weak (non-compliant or minimally compliant):

- “Student will explore job interests”
- “Student will prepare for postsecondary education”

Strong (compliant and meaningful):

- “Student will participate in two community-based work experiences per semester with job coaching support”
- “Student will receive weekly direct instruction in self-advocacy skills, including requesting accommodations and communicating needs”

IMPORTANT NOTE — Vocational and Executive Functioning Assessment

Transition planning must be based on age-appropriate transition assessments that fully identify the student’s strengths, needs, preferences, and interests. This may include vocational or functional vocational evaluations as well as assessment of executive functioning skills.

Executive functioning — including skills such as task initiation, organization, time management, planning, self-monitoring, and follow-through — is a critical component of postsecondary success. These skills are often not fully captured through standard academic testing but can significantly impact a student’s ability to succeed in college, employment, and independent living. Executive functioning skills are one of the strongest predictors of postsecondary success — often more than academic performance alone.

If the district has not conducted assessments that meaningfully evaluate executive functioning or real-world functional performance, the transition plan may be incomplete and not appropriately individualized.

Failure to assess in all areas of suspected need, including vocational and executive functioning skills, may result in inadequate transition planning and may constitute a violation of IDEA.

STRATEGY

Consider requesting additional assessment if:

- the student struggles with organization, time management, or task completion
- the student relies heavily on prompts, reminders, or adult support
- transition goals do not address executive functioning or independent skills
- the student is college-bound but lacks independent work or self-management skills
- existing evaluations focus primarily on academics without functional or real-world skill assessment

ADVOCACY TIP

- The phrase 'when appropriate' for independent living skills is frequently misused by districts to avoid addressing independent living in the transition IEP. Independent living goals are appropriate for the vast majority of students with significant disabilities. If the district says independent living goals are 'not appropriate' for your child, ask them to document that determination in writing and explain the basis for it.
- Self-advocacy is arguably the most important skill a student with a disability needs before leaving high school — because in postsecondary environments, no one will advocate for the student but the student. If the IEP does not include explicit self-advocacy instruction and goals, advocate for adding them.
- Pre-Employment Transition Services (Pre-ETS) are funded through Vocational Rehabilitation (VR) under WIOA Section 113 and are available to students with disabilities ages 14–21 who may be eligible for VR services. These services include job exploration counseling, work-based learning, counseling on postsecondary education, workplace readiness training, and instruction in self-advocacy. Connect with your state's VR agency before the student turns 16 to begin the eligibility process early.

3. What Happens to the IEP and 504 Plan After High School

One of the most persistent and consequential misconceptions in special education is that an IEP or 504 Plan automatically transfers to college. It does not — and understanding why is essential for transition planning.

FEDERAL LAW — Applies in ALL 50 States (IDEA 2004 | 34 C.F.R. Part 300)

- IDEA is a K–12 law. It covers students with disabilities from birth (under Part C) through age 21 — or through graduation from high school with a regular diploma, whichever comes first. Once a student graduates with a regular diploma or ages out of IDEA eligibility, IDEA ends.
- IEPs end at graduation. There is no IEP equivalent in postsecondary education. Colleges do not have IEPs, do not provide specially designed instruction, and are not required to modify curriculum, reduce academic requirements, or provide the same level of support that IDEA requires.
- High school 504 plans do not transfer to college. A 504 plan developed by a K–12 school district is the district's document — it does not follow the student to college.
- What continues: Section 504 of the Rehabilitation Act and ADA protections still apply. Students retain the right to reasonable accommodations in college — but through a different legal framework and process that requires the student to self-identify and request supports.

	High School (IDEA / K-12 504)	College (Section 504 / ADA)
Governing law	IDEA + Section 504 + ADA	Section 504 + ADA Title II only
IEP	Required; legally enforceable	Does not exist
Curriculum modification	Required when in IEP	Not required; college can maintain academic standards
Who identifies the student	District has Child Find obligation	Student must self-identify to disability services
Who requests accommodations	Parent and student (through IEP process)	Student only
Documentation required	District-conducted evaluation	Student must provide documentation to disability office
District funded IEE “Free evaluation”	Yes — district must fund or file Due Process	No — student may need to obtain and pay for documentation
Parental involvement	Parents are IEP team members	Student is adult; parents typically excluded without consent
Enforcement	IDEA due process, state complaint, OCR	OCR complaint, civil lawsuit

WATCH OUT

- Diploma type and timing matter. A student who graduates with a regular high school diploma immediately exits IDEA eligibility — even if they are under age 21. This includes situations where a student may still need significant support in transition areas such as employment, independent living, or self-advocacy.
- A student who exits with a certificate of completion or alternative diploma may remain eligible for IDEA services until age 21, depending on state rules. Families should verify how their state defines graduation and continued eligibility before agreeing to any exit pathway.
- Districts may present graduation as the expected or default next step, even when transition needs have not been fully addressed. Once a student accepts a regular diploma, IDEA rights end permanently — there is no mechanism to re-enter services.
- Do not rush graduation. If the student has not yet developed the skills needed for postsecondary success, it may be appropriate to continue receiving transition services under IDEA through age 21.

✓ STRONGER STATE PROTECTIONS — Extended IDEA Eligibility Age

Michigan: Michigan is one of the strongest examples of a state that has expanded IDEA eligibility beyond the federal floor. Under the Michigan Mandatory Special Education Act (MCL 380.1701 et seq.; R 340.1702), eligible students may receive special education services through age 25 (and through the end of the school year if they turn 26 after September 1), compared to the federal maximum of 21. This is a significantly stronger protection — Michigan families should not assume IDEA eligibility ends at 21 without verifying whether continued services are available.

Other states may similarly extend eligibility beyond age 21. Always verify your state’s upper age limit before agreeing to exit a student from IDEA through graduation or aging out.

⚖ ENFORCEMENT AND FAPE IMPLICATIONS

Graduation must be based on the student meeting appropriate requirements and receiving a Free Appropriate Public Education (FAPE). A district may not exit a student from IDEA by awarding a diploma if the student has not received appropriate transition planning and services.

If a student is graduating without meaningful transition services, measurable postsecondary goals, or appropriate progress toward those goals, this may indicate a denial of FAPE.

Parents have the right to challenge inappropriate graduation decisions, including situations where:

- transition services were not provided or implemented
- the transition plan was inadequate or not individualized
- the student was not prepared for postsecondary outcomes
- graduation is being used to prematurely exit services

Remedies may include delaying graduation, reconvening the IEP team, and providing compensatory education or transition services.

🎯 STRATEGY

Before agreeing to graduation:

- Ask for data showing progress toward postsecondary goals
- Review whether all transition services in the IEP were actually provided
- Confirm whether additional time (through age 21) is needed to build skills
- Request Prior Written Notice (PWN) if the district refuses to continue services

⚠ WATCH OUT — THE “SUPPORT CLIFF”

The transition from high school to college or adult life often results in a significant reduction in support. Under IDEA, schools are responsible for identifying needs, providing services, and ensuring progress. In postsecondary settings, the student is responsible for requesting accommodations, and support is typically more limited.

Students who have relied on structured supports, prompting, or intensive services in high school may struggle without deliberate preparation. Transition planning should focus on building independence, self-advocacy, and real-world skills well before graduation — not during the final year.

4. College Accommodations — How They Work

Colleges are not required to provide the same supports as K–12 schools. But students with disabilities do retain significant rights in postsecondary education under Section 504 and the ADA. Understanding how those rights work — and how they are different — is essential.

FEDERAL LAW — Applies in ALL 50 States (IDEA 2004 | 34 C.F.R. Part 300)

- Section 504 (29 U.S.C. § 794) and ADA Title II (42 U.S.C. § 12132) prohibit disability discrimination by colleges and universities that receive federal funding — which includes virtually all public colleges and most private colleges.
- Reasonable accommodations: Colleges must provide reasonable accommodations to students with disabilities who are otherwise qualified. Reasonable accommodations are modifications to policies, practices, and procedures that give students equal access — but they do not require colleges to lower academic standards, modify program requirements, or provide personal attendants or devices.
- Interactive process: The college and the student must engage in an interactive process to identify what accommodations are appropriate. The disability services office coordinates this process.
- Student's responsibility: Unlike in K–12, the student is responsible for self-identifying as a student with a disability, providing required documentation, and requesting specific accommodations. No one will seek the student out.
- ADA Title III: Private colleges that do not receive federal funding are still covered by ADA Title III (42 U.S.C. § 12181), which prohibits disability discrimination in places of public accommodation.

ENFORCEMENT AND DENIALS

Colleges are required under Section 504 and the ADA to provide reasonable accommodations to qualified students with disabilities. While colleges are not required to provide the specific accommodation requested, they must engage in an individualized, interactive process and provide an equally effective alternative if one exists.

A denial of accommodations must be based on a reasoned determination — not a blanket policy, lack of familiarity with the disability, or reliance on generalized standards. Colleges may not deny accommodations solely because a student was successful without them in the past or because the disability is not immediately visible.

Failure to engage in an interactive process, unreasonable delays, or denial without clear justification may constitute disability discrimination.

STRATEGY

If accommodations are denied or not implemented:

- Ask for the reason for denial in writing
- Request clarification on what documentation is considered insufficient or missing
- Propose alternative accommodations if appropriate
- Follow the college's internal appeal or grievance process
- Document all communication in writing
- Consider filing a complaint with the Office for Civil Rights (OCR) if the issue is not resolved

IMPORTANT NOTE — Documentation Matters

Colleges are permitted to require documentation that establishes both the presence of a disability and its functional impact. Requirements vary by institution, and some colleges apply stricter “recency” standards than others.

Outdated, incomplete, or purely diagnostic documentation (without functional impact) may result in delays or denials of accommodations. Planning ahead — including obtaining updated evaluations when needed — is critical.

WATCH OUT — COMMON COLLEGE BARRIERS

- Requiring overly burdensome or unnecessary documentation
- Denying accommodations based on rigid internal policies rather than individual need
- Delays in processing accommodation requests at the start of the semester
- Inconsistent implementation by professors
- Expecting the student to navigate issues without clear guidance

These issues are common and can significantly impact access if not addressed early.

4a. What Students Typically Need to Provide

FEDERAL LAW — Applies in ALL 50 States (IDEA 2004 | 34 C.F.R. Part 300)

- Documentation of the disability: This typically means a diagnosis from a qualified professional — physician, psychologist, psychiatrist, neuropsychologist. Requirements vary by college.
- Evidence of functional impact: Colleges want to understand how the disability affects the student's ability to access the academic program — not just the diagnosis.
- A request for specific accommodations: The student must identify what they are asking for. Colleges are not required to offer accommodations the student has not requested.
- Each college sets its own documentation standards. Some colleges have minimal requirements; others require comprehensive neuropsychological or psychoeducational evaluations. Always check the college's disability services website before the student applies or enrolls.

GREEN — No High School IEP or 504 Required for College Accommodations

- Students with disabilities are protected under Section 504 and the ADA regardless of whether they had an IEP or 504 Plan in high school. A student who was never identified for special education can still receive college accommodations based on a current disability diagnosis and documentation of functional impact.
- Conversely, having had an IEP or 504 Plan in high school does not guarantee that a specific accommodation will be approved in college. Each college conducts its own review — and may require updated documentation, especially if the prior evaluation is several years old.
- Practical note: Many students find that their high school accommodations list (from the IEP or 504) is a useful starting point for identifying what to request in college — but it is the student's job to explain and document the need for each accommodation in the college context.

4b. What Colleges Are and Are Not Required to Provide

Colleges ARE Required To	Colleges Are NOT Required To
Provide reasonable accommodations to qualified students	Lower academic standards or modify program requirements
Engage in an interactive process with the student	Provide the specific accommodation the student requests (if an equally effective alternative exists)
Keep disability information confidential	Provide personal attendants, devices for personal use, or tutors as accommodations
Ensure accommodations are implemented in classes	Proactively identify and approach students with disabilities (no Child Find obligation)
Provide auxiliary aids and services (captioning, interpreters, etc.) when needed	Provide the same services, supports, or intensity of support as K-12 schools
Follow OCR complaint process if disputes arise	Create IEPs, develop transition plans, or conduct their own evaluations

WATCH OUT

- Documentation currency matters. Many colleges require that evaluations used to document disability and support accommodation requests be recent — typically within 3 to 5 years. If your child's last comprehensive evaluation was conducted in middle school and they are now a senior in high school, the documentation may be outdated by the time they enroll in college. Request a re-evaluation before high school graduation if needed.
- A student who is denied accommodations at college does not have the same array of remedies available in K–12. There is no due process. The primary recourse is an OCR complaint or civil lawsuit. Both take time and do not produce immediate relief. Building the right documentation before enrolling — and knowing the college's process before an issue arises — is far more effective than fighting a denial after the fact.
- Some colleges use a 'recency' requirement strictly — for example, requiring that ADHD or learning disability evaluations be within 3 years. Plan ahead and consider scheduling an updated evaluation during junior year of high school if the existing documentation is aging.

STRATEGY — Before the Semester Starts

- Register with disability services as early as possible
- Submit documentation before deadlines
- Meet with disability services to discuss accommodations
- Understand how accommodations are communicated to professors
- Practice how to request and follow up on accommodations independently

5. Questions to Ask College Disability Services

Before a student enrolls, meeting with the college's disability services office is one of the most valuable steps a family can take. These conversations provide critical insight into how accommodations are determined, implemented, and supported in practice — not just on paper.

The goal is not only to gather information, but to evaluate whether the college's systems, expectations, and level of support align with the student's needs.

STEP 1 What documentation is required for accommodations?

Ask specifically: what type of professional, how recent, what format. Ask whether a high school IEP or 504 plan is accepted as documentation or only as supporting context.

STEP 2 What accommodations are commonly provided?

Common college accommodations include extended time on tests, reduced-distraction testing environments, note-taking assistance, audio-recorded lectures, priority registration, and housing accommodations. Ask specifically about any accommodations your child currently receives.

STEP 3 How are accommodations communicated to professors?

Some colleges issue accommodation letters; others require the student to initiate with each professor. Understand the process so your child knows what to do and who to contact if an accommodation is not implemented.

STEP 4 What happens when an accommodation is denied or not implemented?

Ask about the appeals or grievance process. Understand the timeline and who is responsible for resolving issues.

STEP 5 What are the policies on parent communication and student consent?

Under FERPA, once a student turns 18 or enrolls in college, parents generally cannot communicate with the college about the student's records or services without the student's written consent. Ask the disability services office specifically how they handle parent involvement, and discuss consent procedures in advance.

STEP 6 Does the college offer any programs specifically designed for students with disabilities?

Some colleges offer comprehensive support programs — often fee-based — that go beyond basic accommodations. These programs may include academic coaching, executive functioning support, social skills programming, and more. If your child will need more than accommodations, these programs may be worth exploring.

✓ GREEN — Additional Questions Worth Asking

- Does the disability services office offer orientation or training for new students with disabilities? Starting college is disorienting; a specific orientation helps students understand the system before problems arise.
- Are there peer mentoring or disability community programs on campus? Social isolation is a significant risk factor for students with disabilities. Peer connections matter.
- What is the process for housing accommodations, and when is the deadline to request them? Housing accommodation deadlines often come before course registration — and missing them can result in the student living in an inaccessible or inappropriate environment for the entire semester.
- Are there resources for mental health or counseling services? Many students with disabilities also have co-occurring mental health conditions. Know where those services are before a crisis arises.

⚠ WATCH OUT — HOW TO INTERPRET RESPONSES

When speaking with disability services, pay close attention not just to what is said, but how it is said.

Potential red flags include:

- Vague or non-specific answers about accommodations
- Statements like “we don’t usually provide that” without discussion of individual need
- Heavy emphasis on student independence without acknowledgment of support needs
- Lack of clarity about implementation or follow-through
- Inconsistent answers between staff members

Strong responses should reflect an understanding of individualized decision-making, flexibility, and a willingness to engage in an interactive process.

🎯 STRATEGY — USING THIS INFORMATION

Use the information from these conversations to determine:

- whether the college is a good fit for the student’s support needs
- what documentation will be required and whether updates are needed
- what level of independence the student will be expected to manage
- what gaps may exist between current supports and college expectations

If significant gaps are identified, use the remaining high school time to build those skills intentionally through the IEP and transition plan.

📄 IMPORTANT NOTE — FIT MATTERS

Not all colleges provide the same level of support. While all colleges must comply with Section 504 and the ADA, the structure, responsiveness, and availability of support services can vary significantly.

A college that is a strong academic fit may not be an appropriate support fit — and both matter.

IMPORTANT NOTE — PROGRAMS WITH ADDITIONAL SUPPORT

Some colleges offer specialized support programs for students with disabilities, often for an additional fee. These programs may include executive functioning coaching, structured academic support, social support, and more intensive monitoring.

These programs are not required under federal law and vary widely in quality and cost. Families should carefully evaluate what is included, how services are delivered, and whether the level of support aligns with the student's needs.

STRATEGY — PREPARING THE STUDENT

Before enrollment, students should practice:

- explaining their disability and how it impacts them
- identifying and requesting accommodations
- communicating with professors or support staff
- following up when accommodations are not implemented

These skills are essential, as colleges expect students to take primary responsibility for managing their accommodations.

A college being legally compliant does not mean it is practically supportive.

6. FERPA, Parental Rights, and the Age-18 Shift

One of the most significant — and often unexpected — transitions for families occurs when a student turns 18 or enrolls in college. At that point, legal rights related to education and decision-making shift from the parent to the student.

WATCH OUT — LOSS OF ACCESS

This shift can be abrupt. Parents who were previously central to IEP development and decision-making may no longer have access to information or the ability to communicate with the college on the student's behalf without consent.

Even in urgent situations, colleges may be limited in what they can share if proper authorization is not in place.

ENFORCEMENT AND PRACTICAL REALITY

Colleges are legally required to follow FERPA and protect student privacy. Even when parents are actively supporting the student, institutions must defer to the student unless written consent is provided.

At the same time, students are expected to independently manage communication, request accommodations, and navigate systems that may be unfamiliar and complex. This creates a gap for many students, particularly those with disabilities that impact executive functioning, communication, or decision-making.

Planning for this transition before age 18 is critical.



FEDERAL LAW — Applies in ALL 50 States (IDEA 2004 | 34 C.F.R. Part 300)

- IDEA rights transfer at 18: Under IDEA, all rights held by parents transfer to the student when the student turns 18 — unless the student has been determined legally incompetent or the parent has obtained legal guardianship or other educational decision-making authority (34 C.F.R. § 300.520). The district must notify both parents and students of this transfer.
- FERPA at college: Once a student enrolls in college, FERPA gives the student exclusive control over their education records. Parents cannot access grades, disability services records, or other records without the student's written consent — regardless of who is paying tuition.
- What parents can do without consent: Unless the student is a tax dependent and the college chooses to disclose records to parents (which colleges are permitted but not required to do), parents have very limited ability to communicate with the college about the student's situation without consent.
- Guardianship is not automatically necessary: Some families pursue legal guardianship when their child turns 18 — but full guardianship removes the student's legal rights entirely. Supported decision-making agreements, educational power of attorney, and limited guardianship are less restrictive alternatives that may be appropriate depending on the student's level of independence.



ADVOCACY TIP

- Start practicing self-advocacy before 18. Every IEP meeting beginning in middle school should be an opportunity to include the student more actively. By high school, the student should be leading parts of their own IEP meeting — articulating their strengths, needs, and goals. This is not a nice-to-have; it is the core skill that makes every other accommodation and support more effective.
- Prepare a signed FERPA authorization before the student leaves for college. If you as a parent want to be able to communicate with the college — especially in a crisis — prepare a FERPA authorization form that the student signs. Review with your child what it means and why it matters.
- Before age 18, have a serious conversation with your child and their team about decision-making. Who will help? What does support look like? What decisions can they make independently? What decisions do they want help with? This is the foundation of a supported decision-making approach that preserves autonomy while building in appropriate support.

✓ GREEN — Supported Decision-Making: A Less Restrictive Alternative to Guardianship

- Full legal guardianship strips the student of all legal rights — including the right to vote, enter contracts, and make medical decisions. For many students with disabilities who are capable of participating in decisions with support, full guardianship is far more restrictive than necessary.
- Supported Decision-Making Agreements (SDMAs) allow a person with a disability to designate trusted supporters who help them understand information and make decisions — without removing legal rights. At least 14 states have enacted Supported Decision-Making statutes as of 2024.
- Educational Power of Attorney: Parents can be designated as educational decision-making agents without pursuing full guardianship. Consult with a disability rights attorney about the least restrictive option appropriate for your child.
- Resources: The National Resource Center for Supported Decision-Making (supporteddecisionmaking.org) and ASAN (autisticadvocacy.org) both have extensive resources on decision-making alternatives to guardianship.

🎯 STRATEGY — BEFORE AGE 18

- Discuss with the student what level of support they want and need
- Identify who will help with decision-making and communication
- Complete FERPA consent forms for any college the student plans to attend
- Explore supported decision-making or power of attorney if appropriate
- Begin shifting responsibility gradually during high school (emails, meetings, requests)

🎯 STRATEGY — BUILDING SELF-ADVOCACY

Students should have repeated opportunities during high school to:

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- participate in and lead portions of their IEP meetings
 - explain their disability and how it impacts them
 - practice requesting accommodations
 - communicate directly with teachers and support staff
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Self-advocacy is not a skill that develops automatically — it must be explicitly taught, practiced, and supported over time.

⚠️ WATCH OUT — COMMON MISUNDERSTANDINGS

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- Turning 18 does not automatically mean a student is fully independent in practice
 - Parents cannot assume access to information without consent
 - Colleges are not required to communicate with parents, even if the student is struggling
 - Guardianship is not required for most students and should be carefully considered
 - The legal shift at age 18 is immediate — but the skills needed to manage it must be developed over time.
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7. What to Prioritize in High School

Rather than focusing only on IEP compliance or academic performance, the high school years should prioritize building the skills, supports, and connections that will determine success after graduation.

Transition planning is not just about documenting goals — it is about ensuring the student is meaningfully prepared for postsecondary education, employment, and independent living.

7a. A Strong, Individualized Transition Plan



FEDERAL LAW — Applies in ALL 50 States (IDEA 2004 | 34 C.F.R. Part 300)

- The transition IEP must reflect the student's individual strengths, needs, preferences, and interests — not generic goals reused across students.
- Transition goals must be measurable and based on age-appropriate transition assessments. If goals are written without assessment data, the IEP is procedurally deficient.
- Transition services must be clearly defined, individualized, and implemented as written.
- Review the transition section of every IEP carefully. Ask: Are the postsecondary goals measurable? Do the transition services actually connect to the goals? Is the student's voice reflected? Are the right agencies being invited to the table?

ENFORCEMENT AND ACCOUNTABILITY

A transition plan that is vague, not assessment-based, or not implemented may constitute a denial of FAPE.

Parents have the right to challenge inadequate transition planning through a state complaint or due process.

When reviewing the transition section, ask:

- Are the postsecondary goals measurable and specific?
- Are the goals clearly connected to assessment data?
- Do the transition services directly support those goals?
- Is there documentation showing the services are being implemented?

7b. Self-Advocacy and Executive Functioning Skills

Self-advocacy and executive functioning are among the most important predictors of postsecondary success. Many students who perform well academically still struggle after graduation due to difficulties with organization, time management, task initiation, and independent problem-solving.

Students should be explicitly taught and given opportunities to practice:

- understanding and explaining their disability
- knowing their rights and supports
- requesting accommodations independently
- managing time, assignments, and responsibilities
- communicating with teachers, employers, and service providers

IMPORTANT NOTE

Executive functioning skills are often not directly taught or measured in school, yet they are critical for success in college, employment, and independent living. If these skills are not addressed through goals, services, or supports, the transition plan may not fully meet the student's needs.

7c. Connections to Adult Services

ADVOCACY TIP

- Vocational Rehabilitation (VR): Every state has a VR agency funded under the Rehabilitation Act that provides employment-related services to people with disabilities. Students should apply for VR services before graduating from high school — the waitlist can be long, and early application maximizes access to Pre-Employment Transition Services (Pre-ETS).
- Medicaid Waiver Programs: Students with significant disabilities who may need long-term community-based supports should explore Medicaid waiver programs in their state. These programs often have long waitlists — years, not months. Get on the list while the student is still in high school.
- Centers for Independent Living (CILs): Federally funded CILs in every state provide peer support, transition assistance, and independent living skills training for people with disabilities. They are free to use and can be enormously helpful during the transition period.
- Adult disability services agencies (ARC, AAIDD-affiliated providers, community mental health agencies): Know your community's provider landscape before your child leaves high school. Finding providers after graduation in a crisis is far harder than building relationships in advance.

7d. Documentation Preparation for College

If the student is college-bound, documentation must be current, relevant, and aligned with the student's functional needs.

Students should:

- obtain updated evaluations if existing data is outdated (typically within 3–5 years)
- collect copies of all IEPs, evaluations, and relevant records before graduation
- understand how their disability impacts them in a postsecondary setting
- prepare to explain and request accommodations independently

STRATEGY — TIMELINE FOR COLLEGE PREPARATION

- **10th grade:** Review existing evaluations and identify gaps
- **11th grade:** Request updated evaluations if needed
- **12th grade:** Finalize documentation and register with college disability services early

WATCH OUT — COMMON TRANSITION GAPS

- Transition goals that are vague or not measurable
- Lack of age-appropriate transition assessments
- No direct instruction in self-advocacy or executive functioning
- Limited or no community-based or work-based experiences
- No connection to adult service agencies
- Outdated or insufficient documentation for college

These gaps are common and can significantly impact postsecondary success if not addressed before graduation.

The most effective transition plans are those that build real-world skills, independence, and self-advocacy over time — not those that simply meet minimum compliance requirements.

8. Does Disclosing a Disability Hurt College Admissions?

This is one of the most common questions families ask — and the answer requires both legal clarity and practical context.

IMPORTANT NOTE

- Under Section 504 and the ADA, colleges are prohibited from asking applicants whether they have a disability on admissions applications and from considering disability status in admissions decisions (34 C.F.R. § 104.42(b)). Disclosure of disability to the admissions office is legally separate from disclosure to the disability services office.
- If a student chooses to disclose in an application essay — for example, to explain a difficult period in their academic record — that is the student's choice. The law prohibits discrimination on the basis of disability, but it does not prohibit a student from voluntarily describing their experience.
- Practical reality: While the law prohibits discrimination, disclosure decisions should still be thoughtful and intentional. Admissions decisions are holistic, and how information is presented matters. A well-written disclosure that reflects insight, growth, and problem-solving can strengthen an application. A vague or unfocused disclosure may not add value. The key question is not whether disclosure is “good” or “bad,” but whether it meaningfully contributes to the student's overall application.
- The disability services office is confidential and separate from admissions. Registering with disability services after enrollment does not retroactively affect admissions decisions.

GREEN — What Research Actually Shows

- Research from the National Center for Learning Disabilities and organizations like Understood.org has consistently found that disclosing a learning disability or other disability in a college application essay does not inherently disadvantage applicants — and in some cases, a well-written essay about disability-related experience can strengthen an application.
- The key is narrative framing: an essay that shows how a student has grown, developed self-awareness, and built skills in response to disability-related challenges often reads as a strength narrative, not a vulnerability disclosure.
- See: Understood.org — 'Do Colleges Look Less Favorably on Students with IEPs?' and related resources at ldadvisory.com. These resources consistently find that the legal prohibition on disability discrimination in admissions is generally followed, and that disability disclosure does not automatically disadvantage applicants.

 **FEDERAL LAW — Applies in ALL 50 States**

More precisely: Under 34 C.F.R. § 104.42(a), colleges may not deny admission or subject applicants to discrimination on the basis of disability. Under 34 C.F.R. § 104.42(b)(4), colleges may not make preadmission inquiry as to whether an applicant is a handicapped person. After admission, colleges may make confidential inquiries about disability for purposes of arranging accommodations.

Disclosure of a disability in the admissions process is entirely voluntary and is legally separate from registering with the college's disability services office. Registering with disability services occurs after admission and does not impact admissions decisions.

 **IMPORTANT NOTE — VOLUNTARY DISCLOSURE**

Students may choose to disclose a disability in an application essay or supplemental materials. This is a strategic decision, not a legal requirement. Disclosure may be appropriate when it:

- provides meaningful context for academic performance or gaps
- demonstrates growth, resilience, or self-awareness
- explains inconsistencies that would otherwise be unclear

Disclosure is generally less effective when it is included without clear purpose or connection to the student's academic narrative.

 **WATCH OUT — COMMON MISCONCEPTIONS**


- Colleges cannot require disability disclosure during admissions
- Having an IEP or 504 plan is not part of the admissions record unless the student chooses to share it
- Disclosure to admissions is separate from disability services and does not automatically result in accommodations
- Choosing not to disclose during admissions does not prevent a student from receiving accommodations later

 **STRATEGY — MAKING THE DECISION**

When deciding whether to disclose, consider:

- Does the disability explain something in the academic record?
- Does the student feel comfortable discussing it?
- Can the student frame the experience in a way that highlights growth and self-awareness?
- Would the application be incomplete or confusing without this context?

If the answer to these questions is no, disclosure may not be necessary.

 **IMPORTANT NOTE — SEPARATE PROCESSES**

The admissions office and disability services office are separate. Students should plan to register with disability services after acceptance if accommodations are needed, regardless of whether they disclosed during admissions.

Disclosure is not required — but when used intentionally, it can be a tool to provide context, not a risk to avoid.

9. Your Rights — Quick Reference

Your Right / Requirement	Legal Basis
Transition planning must begin no later than age 16 (earlier in some states); Transition services must be provided and aligned to postsecondary goals	20 U.S.C. § 1414(d)(1)(A)(i)(VIII); 34 C.F.R. § 300.320(b); 34 C.F.R. §§ 300.320(b), 300.43
IEP must include measurable postsecondary goals based on transition assessments	34 C.F.R. § 300.320(b)(1)
Student must be invited to IEP meetings where transition is discussed	34 C.F.R. § 300.321(b)
IDEA rights transfer to student at age 18 (with exceptions)	34 C.F.R. § 300.520
IDEA ends at graduation with regular diploma or age 21, whichever comes first	20 U.S.C. § 1412(a)(1)(A)
IEPs do not transfer to college; postsecondary governed by Section 504/ADA	29 U.S.C. § 794; 42 U.S.C. § 12132
Colleges must provide reasonable accommodations to qualified students with disabilities; Colleges must engage in an interactive process to determine accommodations	34 C.F.R. § 104.44; 42 U.S.C. § 12182 OCR guidance; 34 C.F.R. Part 104
Colleges are NOT required to lower academic standards or provide the same supports as K-12	34 C.F.R. § 104.44(a); OCR guidance
Student must self-identify and request accommodations at college	34 C.F.R. Part 104; ADA regulations
Parent access to college records requires student written consent (FERPA)	20 U.S.C. § 1232g; 34 C.F.R. Part 99
College admissions may not discriminate based on disability	34 C.F.R. § 104.42(b)
TX: Transition planning begins at age 14	19 TAC § 89.1055(g)
NY: Transition planning begins at age 15	8 NYCRR 200.1(fff)
MA and NJ: Transition planning begins at age 14	603 CMR 28.05(4); N.J.A.C. 6A:14-3.7

IMPORTANT LEGAL CLARIFICATIONS

Transition planning is part of FAPE. Failure to develop or implement appropriate transition services may constitute a denial of FAPE.

Assessments must address all areas of suspected need, including vocational and executive functioning skills when relevant.

Graduation with a regular diploma ends IDEA eligibility — even if the student continues to need support.

College rights are narrower than K–12 rights and require student initiation.

STRATEGY — USING THIS REFERENCE

Use this section as a guide when:

- reviewing an IEP for compliance
- preparing for an IEP meeting
- identifying potential violations
- communicating concerns with the school or college
- determining next steps for advocacy (state complaint, due process, OCR)

If a requirement listed here is not being met, request clarification in writing and Prior Written Notice (PWN) for any refusals or omissions.

10. Practical Tips and Final Reminders

Transition planning is most effective when it is proactive, individualized, and focused on real-world outcomes. The following principles can help guide decision-making throughout the high school years and into postsecondary planning.

Start Earlier Than You Think You Need To

Transition planning, vocational connections, documentation updates, and adult service applications often take significantly longer than expected. Delays can limit options and access to services.

Make the Student the Center of the Process

Transition planning must reflect the student's preferences, interests, and goals — not just adult assumptions. Students should be actively involved in IEP meetings and decision-making well before age 18.

A Vague Transition Plan Is Not Compliant

Statements such as “student plans to attend college” or “student will seek employment” are not measurable postsecondary goals. Transition plans must be specific, assessment-based, and supported by clearly defined services.

Services Matter as Much as Goals

Goals alone are not enough. Transition services must be individualized, clearly defined, and implemented as written. Without meaningful services, transition planning does not meet IDEA requirements.

Get Updated Documentation Before Graduation

If the student is college-bound, ensure evaluations are current and reflect functional impact. Many colleges require recent documentation (typically within 3–5 years).

Know the Difference Between High School and College Rights

IDEA protections — including IEPs, district responsibility, and parent involvement — do not transfer to college. Postsecondary systems require student self-identification, documentation, and independent request for accommodations.

Connect with Adult Services Early

Programs such as Vocational Rehabilitation (VR), Medicaid waivers, and community-based supports often have long waitlists. Early connection helps prevent gaps in services after graduation. VR's Pre-Employment Transition Services (Pre-ETS) are available starting at age 14 and can provide work-based learning, job exploration, and self-advocacy training — all while the student is still in high school and IDEA-eligible.

Self-Advocacy Is the Most Important Skill

Students must be able to explain their disability, request accommodations, and follow up when supports are not provided. These skills should be explicitly taught and practiced throughout high school.

ENFORCEMENT AND ACCOUNTABILITY

Transition planning is part of FAPE and is legally enforceable under IDEA. If transition planning is inadequate, not individualized, or not implemented, parents have the right to pursue corrective action through a state complaint or due process.

If a student exits high school without appropriate transition planning and services, remedies may include compensatory education or transition services.

WATCH OUT — COMMON MISTAKES

- Waiting until junior or senior year to focus on transition planning
- Accepting vague or generic transition goals
- Failing to request or review transition assessments
- Overlooking executive functioning and independent living skills
- Not connecting with adult service agencies early
- Assuming college supports will mirror high school supports
- Agreeing to graduation before the student is ready

STRATEGY — FINAL CHECK BEFORE GRADUATION

Before the student graduates, confirm:

- **transition assessments have been completed and updated as needed**
- **postsecondary goals are measurable and aligned with the student's needs**
- **transition services have been provided as written**
- **the student has practiced self-advocacy and independent skills**
- **documentation for college or adult services is complete and current**
- **connections to adult service systems are in place**

FINAL REMINDER

The most effective transition plans are those that build independence, self-advocacy, and real-world skills over time — not those that simply meet minimum compliance requirements.

ADVOCACY TIP

- Wrightslaw — Transition myths and accommodation facts: www.wrightslaw.com (search 'transition myths Hamblet')
- NCLD / Understood.org — College accommodations and disability disclosure: www.understood.org
- LD Advisor — College admissions myths: ldadvisory.com/myths-about-college-admissions
- Pre-Employment Transition Services (Pre-ETS) through your state VR agency: search '[your state] vocational rehabilitation Pre-ETS'
- National Resource Center for Supported Decision-Making: supporteddecisionmaking.org
- PACER Center — Transition resources: www.pacer.org/transition
- The Advocacy Ridge: Need help with transition IEP review, dispute resolution, or college access planning? Connect with our advocates.

Need Advocacy Support?

The Advocacy Ridge is brought to you by experienced non-attorney special education advocates who work with families across multiple states.

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This guide provides general educational information and does not constitute legal advice. Transition planning requirements and college disability services practices vary. Consult a qualified special education advocate or attorney for case-specific guidance.

Federal law cited: IDEA (20 U.S.C. §§ 1400–1482); Section 504 of the Rehabilitation Act (29 U.S.C. § 794); ADA Title II (42 U.S.C. § 12132); ADA Title III (42 U.S.C. § 12181); FERPA (20 U.S.C. § 1232g); Rehabilitation Act § 113 (Pre-ETS / WIOA). Regulations: 34 C.F.R. Parts 99, 104, 300. State laws cited: Cal. Ed. Code § 56043; OAR 581-015-2000; WAC 392-172A-03090; 19 TAC § 89.1055; 8 NYCRR 200.1; 603 CMR 28.05; N.J.A.C. 6A:14-3.7. All laws are subject to change.

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