

Important Transition Ages and Milestones

It is important to begin the transition planning process early to allow time for planning and accessing the support services needed in the future. Applications for services occur at specific ages and students will begin to take on more responsibility for making decisions that affect their lives.

AGE 14

Register with the Local Community Centered Board

Students with a Developmental Disability should register for services with the local Community Centered Board. Registering early is important due to potential waitlists for employment and/or residential services. Registration does not require families to accept services upon availability.

Colorado Identification Cards

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

AGE 15

Substance Abuse Treatment

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

IEP Includes Specific Transition Services

Beginning when the student is fifteen, the student must be specifically invited to attend the IEP meeting. The IEP must include the student's postsecondary goals, the course of study needed to help the student reach those goals, and specific transition services that are linked to the needs and goals that may include adult agency support.

Mental Health Services

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

AGE 18

Individuals may vote, sign contracts, get married, make decisions about medical care, and be arrested as an adult. The transfer of rights from the parent to the individual in these cases is outlined in the Colorado Statute.

Note: Under Colorado law, parents maintain those rights defined in IDEA for special education students who remain in public education until the age of twenty-one. However, students can access their school records at the age eighteen.

Consider Guardianship / Conservatorship/Supported Decision-making

After the age of eighteen, without being the guardian, you cannot legally make decisions for your son or daughter. It may be necessary for a court to make a legal determination that the person is incapacitated, and someone should serve as his guardian. While guardianship provides important protection, it is one of the most restrictive options available to adults with disabilities and their families. Guardianship and/or conservatorship should be considered for a child who has a disability only when a less restrictive alternative would fail to meet the needs of an adult with a disability. Adults with disabilities are presumed competent and can facilitate the exercise of decisions regarding their day-to-day health, safety, welfare, or financial affairs unless otherwise determined through legal proceedings. Under limited guardianship, a guardian is responsible only for specific matters such as money management or medical decisions. Special education service providers or agency personnel may be able to assist parents with this process. For more information, contact the [Guardianship Alliance](#) at (303) 228-5382.

Supported Decision-making

Supported decision-making, as defined in section 15-14-802 (5), offers adults with disabilities a voluntary method of decision-making that, as appropriate, may also be used concurrently with, but subject to, an existing guardianship, Conservatorship, or power of attorney.

Supported decision-making facilitates adults with disabilities in maintaining decision-making authority over their own lives while also encouraging these adults to recognize, create, and maintain supportive communities, through supported decision-making teams, who can assist adults with disabilities in making informed decisions. Supported decision-making is a process in which an adult with a disability has made or is making decisions by using friends, family members, professionals, or other people the adult with a disability trusts to:

- Help understand the issues and choices;
- Answer questions;
- Provide explanations in a language the adult with a disability understands;
- Communicate the adult with a disability's decision to others, if necessary and if specially requested by the adult with a disability; or
- Facilitate the exercise of decisions regarding the adult with a disability's day-to-day health, safety, welfare, or financial affairs (Senate Bill 21-075).

For more information, contact the [Arc of Colorado](#) at (303)864-9334.

Parents Rights to Records

The Family Education Rights and Privacy Act, FERPA, gives certain rights to parents regarding access to their child's education records. Parents will have access to records for students over eighteen who are dependents and are continuing to receive special education services under IDEA.

Register for Selective Service

Young men must register for Selective Service at the age of eighteen regardless of their level of disability. Registration cards may be mailed directly to the student from the Selective Service Board or may be obtained from the post office. Registration can also be completed online at the [Selective Service System](#).

Eligibility for Supplemental Security Income

Eligibility for Supplemental Security Income (SSI) benefits for a child under eighteen is based on the income and assets of the parents. Beginning at the age of eighteen, eligibility for benefits is based on the assets and earnings of the individual student. Students may apply the month of their eighteenth birthday. Frequently, clients are denied benefits the first time they apply, so parents may need to supply additional documentation and apply a second time during the one-year

appeal window. Because eligibility for SSI benefits is based on the assets of the child, parents must plan carefully for the financial security of their son or daughter. Trusts and wills need to be set up by professionals who understand disability law. For more information, contact the [Guardianship Alliance](#) at (303) 228-5382.

AGE 21

The parent's rights defined in IDEA transfer to the student who is still in public education at the age of twenty-one. Even though many other rights in Colorado Statute transfer to the student at eighteen, special education rights remain with the parent until the student reaches twenty-one if the student is in public education. These include permission for assessment and placement. All rights transfer to the student at twenty-one unless guardianship has been awarded. A student's right to a free appropriate public education (FAPE) ends at the end of the semester in which they turn twenty-one if they have not received a regular diploma before that time.

This CDE guidance document is meant for clarification, is not legally binding, and is not to be confused with legal advice. This guidance reflects CDE's recommendations, but Administrative Units (AUs) may have developed their own policies or procedures that differ from those described herein. Be sure to refer to your local AU's policies and procedures through the Director of Special Education. If you are seeking legal advice, please contact your legal counsel.

The contents of this handout were developed under a grant from the U.S. Department of Education. However, the content does not necessarily represent the policy of the U.S. Department of Education, and you should not assume endorsement by the federal government.

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