

Cathy Cooper
Authorized Signature

Number: SPD-PT-06-030
Issue Date: 07/06/2006

Topic: Developmental Disabilities

Transmitting (check the box that best applies):

- New Policy
 Policy Change
 Policy Clarification
 Executive Letter
 Administrative Rule
 Manual Update
 Other: _____

Applies to (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> All DHS employees | <input checked="" type="checkbox"/> County Mental Health Directors |
| <input type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Children, Adults and Families | <input checked="" type="checkbox"/> Seniors and People with Disabilities |
| <input checked="" type="checkbox"/> County DD Program Managers | <input checked="" type="checkbox"/> Other (please specify): Brokerages, designated ODE staff |

Policy/Rule Title:	Use of Brokerage Budgets for Customers 18-21		
Policy/Rule Number(s):	OAR 411-340-0120(1a-h)(4e)	Release No:	
Effective Date:	06/26/06	Expiration:	
References:	Brokerage Expenditure Guidelines		
Web Address:			

Discussion/Interpretation:

Introduction:

SPD is publishing 3 concurrent transmittals to address the working relationship between schools and brokerages in the delivery of services to 18-21 year olds. A reader is encouraged to review them all.

The transmittals, in addition to this document, are;

- SPD PT 06-029 School Services and Brokerage Enrollment for 18-21 Year Olds
- SPD IM 06-057 Collaborative Education and Brokerage Service Planning For 18-21 Year Olds

SPD PT 06-030, identifies limits to the use of support service budgets that apply to individuals already enrolled in a brokerage and also enrolled in school. This policy

applies to individuals in Support or Brokerage services and participating in public, private or home schooling with an IEP from age 18 to 21.

Relevant Education Policy:

1. **The IEP and School Services for 18-21 Year Olds** Under IDEA 2004, the student's services for 18 to 21 year olds should be based on the student's postsecondary goal, which is developed from age appropriate transition assessments. Goal areas identified in federal law include "*movement from school to post school activities including* post-secondary education, integrated employment, adult education, adult services, independent living, or community participation." It is the responsibility of the IEP Team to define necessary services in transition.

2. **Adult Rights For Students at 18** Special education rights transfer to a student at age 18 unless the parent obtains an adult guardianship of the student through court.

3. **No compulsory School Attendance** Districts cannot compel attendance for adults with disabilities (persons aged 18 or over without a guardian) who no longer wish to attend school.

SPD Policy:

A. Brokerage Plans and Budgets For Customers Still In School

A1. **Collaborative Planning** At the request of the student and or family, a Brokerage Personal Agent will become a member of the IEP and Transition Team and attend meetings. With the same customer approval, a teacher may also be asked to participate in Support Services planning.

A Personal Agent will make every effort to work as part of the team with the customer/student, family and school to reflect ONE vision of the individual's defined person centered adult (transition) post school goals or outcomes supported by both the school IEP and the Support Service ISP. (See SPD PT 06-024)

A2. **Use of Brokerage Budget General** Brokerage funds will be used for home related supports that meet the needs of the individual and support, but do not replace IEP services to meet identified post secondary goals as outlined in education policy and the IEP. This most often means that brokerage funds will not be used to meet employment or community inclusion goals that are part of the IEP.

A3. **Limited Use of Brokerage Funds For Common ISP/IEP Goals** If alternative resources cannot be identified, it would be possible on a limited basis, to use a support service budget for essential employment or community inclusion supports when school is not in session. This means on a day when school services are not available for any student in the district i.e. weekends, holiday

periods, the time from the end of summer school to the new school year. This cannot be considered an alternative to the identification of year round or summer school within a student IEP, if it is available to others in the district.

B. ISP and Budget For Customers Who Leave School This policy applies to individuals already at the Brokerage who choose to leave school prior to the age of 21.

B1. Use of Individual Brokerage Budget Individuals may use funds in any manner that meets plan goals and is allowed in the Expenditure Guidelines.

B2. Information About School As A Resource If the individual left school with a certificate, modified diploma, or GED, than returning to school may be an option through the age of 21; the annual planning process should include a review of this option and written confirmation of the individual's informed choice.

Implementation/Transition Instructions: None required

Training/Communication Plan: None planned

Local/Branch Action Required: None required

Central Office Action Required: provide technical assistance, if needed

Field/Stakeholder review: Yes No

If yes, reviewed by: Staley Implementation Group (SIG)

Filing Instructions:

If you have any questions about this policy, contact:

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