

5. School-Based Programs Addressing Transition Issues

IDEA, Part B

Safe Schools and Healthy Students

Safe and Drug-Free Schools

Transition Initiative

**Elementary and Secondary School
Counseling**

Individuals with Disabilities Education Act (IDEA), Part B: Assistance to States for Education of Children with Disabilities

Statutory Authority	Individuals with Disabilities Education Improvement Act (IDEA), most recently amended in 2004, P.L. 108-446, 20 U.S.C. § 1400 et seq.
Federal Agency	Office of Special Education and Rehabilitation Services (OSERS), Department of Education
Program Type	Formula grant to states with resources passed through to Local Education Authorities (LEAs)
Eligibility, General	Services under Part B of the IDEA are provided to children who meet the federal definition of a “child with a disability” and who because of that disability need special education and related services in order to benefit from a free and appropriate education.
Eligibility, Age	Through age 21
Eligibility, Severity of Condition	Thirteen categories of disability are listed in federal rules, including several that can include children with serious mental health conditions: Emotional Disturbance, Other Health Impaired, Autism and Specific Learning Disability. Definitions are based on function, not diagnosis.
Youth in Transition	<p>Not targeted, but schools must begin to include a statement of the transition service needs in a student’s individualized education program (IEP) by age 14, if this is determined appropriate by the IEP team. The IEP and the transition service plan are updated annually and focus on how to plan the students education program through appropriate courses of study.</p> <p>Beginning at age 16 (or younger if determined appropriate by the IEP team) a student’s IEP must include a statement of needed transition services. The IEP must address a range of activities, such as instruction, related services, community experiences, developing employment and other adult living objectives and, when appropriate, acquiring daily living skills and a functional vocational evaluation.</p> <p>Beginning at least one year before the student reaches majority (between 18 and 21, depending on the state), the IEP must contain a statement that the student has been informed of the rights under the law that now transfer to the student as an adult. This requirement does not apply to students who are determined legally incompetent under state law. Also, for students who are not able to provide informed consent but have not been found incompetent, the state must establish procedures to appoint parents to represent them in their educational interests.</p> <p>Unfortunately, some states have interpreted the law to end education and related services at age 18 for special education students who graduate without receiving a regular high school diploma. In these cases, the student’s transition services in the IEP are halted and successful transition from school to higher education or work (and other adult objectives) is stifled.</p>

Services

Federal rules define the requirements for services to be furnished to students with disabilities who are transitioning to adulthood (34 C.R.F. 300.29). Transition services are defined to mean a coordinated set of activities for a student with a disability that:

- ◆ are designed within an outcome-oriented process that promotes movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living or community participation; and
- ◆ are based on the individual student's needs, taking into account the student's preferences and interests.

Transition services may be special education, if provided as specially designed instruction, or related services, if required to assist a student with a disability to benefit from special education. Transition services include:

- ◆ instruction;
- ◆ related services;
- ◆ community experiences;
- ◆ development of employment and other post-school adult living objectives;
- ◆ if appropriate, acquisition of daily living skills and a functional vocational evaluation.

Funding

FY 2005, \$10.6 billion; FY 2006, budget request, \$11.1 billion

Evaluation

The Department of Education monitors states' performance under the IDEA on a regular basis (although these evaluations have been criticized as too focused on paper review). It also provides field grants to review the law's implementation.

Relevance for Youth with Serious Mental Health Conditions

IDEA Part B, and particularly the services required for youth in transition, are potentially of enormous benefit to youth with serious mental health conditions. However, several very significant barriers often prevent these youth from benefiting. To be eligible for IDEA Part B services, the youth must be found to have a disability that impedes the ability to benefit from a free and appropriate public education. In fact, schools identify only a small fraction of the children and youth who, through mental health assessments, have been found to have serious mental health conditions with *extreme* functional impairment (and even fewer children with serious mental health conditions and significant functional impairment, still a high standard of disability). As a result, many youth served by the mental health system are ineligible for any IDEA services.¹

A substantial proportion of children with diagnosed serious mental health conditions who are found eligible for IDEA are misidentified and, as a result, receive inappropriate placements and services.²

Even when youth with serious mental health conditions receive appropriate special education and related services, they often leave school prior to reaching 18.³ Some are

1 Bazelon Center for Mental Health Law (2003). *Issue Brief: Failing to Qualify: The First Step to Failure in School?* Washington, DC

2 Forness, S.R., Cluett, S.E., Ramey, C.T., et al (1998). Head Start children at third grade: Preliminary special education identification and placement of children with emotional learning or related disabilities. *Journal of Child and Family Studies*, 8, 285-303; and Forness, S.R., Cluett, S.E., Ramey, C.T., et al (1998) Special education identification of Head Start children with emotional or behavioral disorders in second grade. *Journal of Emotional and Behavioral Disorders*, 6, 194-204; and Forness, Steven R., & Kavale, Kenneth A. (2001). Reflections on the future of prevention. *Preventing School Failure: Heldref Publications*, Winter 2001, 75-81.

3 Wagner, Mary, Cameto, Renee & Newman, Lynn (April 2003). *National Longitudinal Transition Study 2: Youth with Disabilities. A Changing Population, Report*

removed from school due to disciplinary actions, others are arrested and many drop out. For these youth, any transition services they were receiving end when they are permanently suspended or expelled from or drop out of school.

When youth with serious mental health conditions do remain in school and continue to qualify under the IDEA, parents often report very little action on a transition plan. Youth with “emotional disturbance” receive job and life-skills training assistance at much lower rates (13 percent receiving such services in 2001) than, for example, youth with mental retardation (24 percent), visual impairment (26 percent) or orthopedic impairments (37 percent). Anecdotally, families of children with serious mental health conditions also report that these youth often do not have a transition plan or receive transition services.⁴ Thus, while the IDEA is one of the most significant federal programs with the potential to aid transition-aged youth with serious mental health conditions, it fails to live up to its promise.

of Findings from the National Longitudinal Transition Study (NLTS) and the National Longitudinal Transition Study-2 (NLTS2). Menlo Park, CA: SRI International.

4 *Ibid.*

Safe Schools and Healthy Students

Statutory Authority	Safe and Drug-Free Schools and Communities Act, 20 U.S.C. § 7131; Public Health Services Act, 42 U.S.C. § 290aa; and Juvenile Justice and Delinquency Prevention Act, 42 U.S.C. § 5614(b)(4)(e) and § 5781 et seq.
Federal Agencies	Office of Safe and Drug-Free Schools, Department of Education; Center for Mental Health Services, SAMHSA, Department of Health and Human Services; and Office of Juvenile Justice and Delinquency Prevention, Department of Justice
Program Type	Discretionary grant
Eligibility, General	Eligible entities are local education agencies (LEAs). A consortium of LEAs may also be funded if it can demonstrate partnership with the relevant public mental health authorities for each of the participating LEAs.
Eligibility, Age	School-age children
Youth in Transition	Not targeted
Services	<p>The Safe Schools/Healthy Students initiative draws on the best practices of education, justice, social services and mental health systems to provide integrated and comprehensive resources for prevention programs and pro-social services for youth.</p> <p>Federal funds support a variety of activities, curriculums, programs and services, and are used to implement an enhanced, coordinated, comprehensive plan of activities, programs and services that focus on promoting healthy childhood development and preventing violence and substance abuse. Grants are for three years and grantees must provide a community-specific plan for use of the funds that focuses on six elements:</p> <ul style="list-style-type: none"> ◆ creating and maintaining a safe school environment; ◆ preventing violence and alcohol and drug abuse, and providing early intervention; ◆ school and community mental health prevention and treatment; ◆ early childhood psychosocial and emotional development; ◆ educational reform, and ◆ safe-school policies. <p>The comprehensive approach is designed to ensure that students, schools and families have available a network of effective services, supports and activities that:</p> <ul style="list-style-type: none"> ◆ help students develop the skills and emotional resilience necessary to promote positive mental health and to engage in pro-social behavior; ◆ prevent violent behavior and drug use; ◆ create schools and communities that are safe, disciplined and drug-free, and ◆ engage parents, community organizations and social services agencies to help develop an infrastructure that will institutionalize and sustain successful grant components after federal funding has ended.
Activities Funded	Grant funds may also be used to support professional development activities. These activities should directly support the activities, curriculums, programs and overall goals of the comprehensive plan. Technical assistance is provided by the National Center for Mental Health Promotion and Youth Violence Prevention.

Funding

Funds for this program are authorized through three Departments: Education, Justice and Health and Human Services.

FY 2005: Department of Education, \$74.8 million; SAMHSA, \$94.2 million and Department of Justice \$0

FY 2006 budget request: Department of Education, \$88.5 million; SAMHSA, \$66.8 million and Department of Justice, \$0

The maximum yearly award for a grant is \$1 million for rural school districts and Bureau of Indian Affairs schools, \$2 million for suburban school districts and \$3 million for urban districts.

Evaluation

Grantees submit data for an Annual Performance Report. The effectiveness of the initiative is assessed by a national evaluation of process and outcomes funded by the federal partners. The evaluation provides information on how the initiative was implemented.

Findings from the process evaluation help identify site attributes and procedures that may serve to enhance or impede successful implementation. It also answers questions about the impact the initiative has on problems such as alcohol and substance use, violence, and school climate.

Relevance for Youth with Serious Mental Health Conditions

This program funds interagency collaborations around safe schools, promoting best practices in education and mental health to improve students' behavior and strengthening their psychosocial and emotional development. Thus, the program can significantly benefit transition-age youth with serious mental health conditions who are still in school.

The interventions, however, are school-wide and focus on the entire school community. Some students with serious mental health conditions may need additional services, and the services furnished through the Safe Schools and Healthy Students program, while building strengths in transition-aged youth with serious mental health conditions, do not directly address their most pressing needs with respect to assuming adult roles (such as daily living skills, post-secondary education or employment).

Safe and Drug-Free Schools

Statutory Authority	Elementary and Secondary Education Act of 1965, as amended, Title IV, Part A, Subpart 1, 20 U.S.C. §§ 7111-7117
Federal Agency	Office of Safe and Drug Free Schools, Department of Education
Program Type	Formula grant to states
Eligibility, General	The program provides support to state educational agencies for a variety of drug and violence prevention activities focused primarily on school-age youth.
Youth in Transition:	Youth in transition are not specifically targeted, but would likely be a significant percentage of those who benefit from this program.
Services	<p>Funds are provided through a formula grant to state educational agencies, which then distribute 91 percent of the money to local education agencies (LEAs). Of the funds that go to LEAs, 30 percent must be awarded to those with the greatest need for additional funds for drug and violence prevention. The other 70 percent must be awarded on the basis of school enrollment.</p> <p>Funds may be used for various services and activities that prevent youth from using and abusing illegal drugs.</p> <p>Specifically, LEAs may use the funds for:</p> <ul style="list-style-type: none">◆ developing instructional materials;◆ developing counseling services;◆ professional development programs for school personnel, law enforcement officials, judicial officials or community leaders;◆ implementing conflict resolution, peer meditation and mentoring programs;◆ implementing character-education programs and community-service projects;◆ establishing safe zones of passage for students to and from school, and◆ acquiring and installing metal detectors and hiring security personnel.
Funding	FY 2005, \$43 million. FY 2006 budget request, \$0.
Evaluation	This program has been criticized as ineffective by the RAND Corporation and others for failing to furnish evidence-based interventions. It has also been stated that the program needs modifications to better integrate it within school-based reforms.
Relevance for Youth with Serious Mental Health Conditions	Youth with serious mental health conditions are at high risk of substance abuse and accordingly may benefit from some of the programs funded through this formula grant. However, the program may need reforms to make it more effective and link it better with other school-based reforms. Moreover, unless Congress acts to restore funding, the program may end in 2005.

Transition Initiative

Statutory Authority	P.L. 108-446 authorized Section 663 (technical assistance authority) of the Individuals with Disabilities Education Act, 20 U.S.C. § 1401
Federal Agency	Office of Special Education and Rehabilitative Services, Department of Education
Program Type	Discretionary grant
Eligibility, General	If funded, the Special Education Transition Initiative would help states improve high school graduation rates and post-school outcomes for students with disabilities through implementation of research-based employment, education and transition practices.
Eligibility, Age	Individuals through age 21
Eligibility, Severity of Condition	Students who qualify as a student with a disability under the Individuals with Disabilities Education Act (IDEA) (see IDEA fact sheet).
Youth in Transition	The program is targeted to youth in transition.
Services	Approximately seven grants could be made to states to design, develop and implement programs to improve post-school outcomes.
Funding	FY 2005, program not authorized; FY 2006 budget request, \$5 million An additional \$2 million will be used from the Demonstration and Training programs under the Rehabilitation Services and Disability Research account.
Evaluation	The initiative would collect and analyze student data to meet program goals.
Relevance for Youth with Serious Mental Health Conditions	<p>This program has not yet been funded. As one of the groups of students most poorly served under IDEA transition requirements, youth with serious mental health conditions who are identified as needing special education and related services could benefit significantly. The emphasis on research-based practices would be particularly helpful for these youth.</p> <p>However, the authority for the program is small, and even if it were fully funded, only seven grants are anticipated. While the pilot projects would have the potential to demonstrate convincingly the effectiveness of these types of efforts, achieving wider application would require translation of these results into schools' main IDEA transition initiatives.</p>

Elementary and Secondary School Counseling

Statutory Authority	Elementary and Secondary Education Act of 1965, as amended, Title V, Part D, Subpart 2, 20 U.S.C. § 7245
Federal Agency	Department of Education
Program Type	Discretionary/ competitive grants for programs to enable local agencies to establish or expand counseling programs in elementary and secondary schools.
Eligibility, General	Funds are awarded through a competitive grant process to school districts that demonstrate the greatest need for new or additional counseling services and the potential for replication or dissemination, or that propose the most innovative programs. School districts are awarded a maximum of \$400,000 per year for three years.
Eligibility, Age	The program serves children in elementary and secondary schools.
Eligibility, Other	If the amount of funds appropriated by Congress annually is less than \$40 million, grants are made only to establish or expand counseling programs in elementary schools. If the appropriation is \$40 million or more, then \$40 million is to be used for grants to establish or expand counseling programs in elementary schools and the remainder for grants for secondary schools.
Youth in Transition	Targeted
Services Covered	<p>Funds are to be used to provide the following services.</p> <ul style="list-style-type: none"> ◆ Increase the range, availability, quantity, and quality of counseling services. ◆ Expand counseling services provided by qualified school counselors, school social workers, school psychologists, other qualified psychologists or child and adolescent psychiatrists. ◆ Use innovative approaches to increase children’s understanding of peer and family relationships, work and self-decisionmaking, or academic and career planning, or to improve peer interaction. ◆ Provide counseling services in settings that meet the range of student needs. ◆ Include in-service training appropriate to the activities funded for teachers, instructional staff, and appropriate school personnel. ◆ Involve parents of participating students in the design, implementation, and evaluation of the counseling program. ◆ Involve community groups, social service agencies, or other public or private entities in collaborative efforts to enhance the program and promote school-linked integration of services.
Activities Funded	These funds may also be used to help meet the American School Health Association student/mental health professional ratios and to reduce the number of referrals and suspensions for disciplinary reason among students receiving program services.
Funding	FY 2005, \$34.7 million; FY 2006 budget request, \$36 million
Evaluation	For FY 2004, the Department of Education awarded just over \$11.5 million in elementary and secondary school counseling program grants to 32 school districts in

**Relevance for
Youth with Serious
Mental Health
Conditions**

15 states and the District of Columbia to improve elementary school counseling programs for the 2004-2005 school year.

Youth in secondary school could receive mental health services through this program if the appropriation were increased to \$40 million or more. Currently, however, only children in elementary schools are eligible. The program could overcome significant barriers to youth with serious mental health conditions, since school counselors are specifically trained to identify early warning signs of students' mental, emotional or developmental problems.

This program also emphasizes collaboration with community-based organizations that provide mental health and other services to students.