





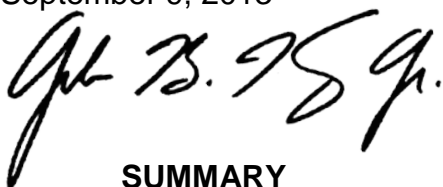
**TO:** P-12 Education and Adult Career and Continuing Education Services (ACCES) Committees

**FROM:** Kevin G. Smith   
Ken Slentz 

**SUBJECT:** Transition Planning and Services for Students with Disabilities

**DATE:** September 9, 2013

**AUTHORIZATION(S):**

  
**SUMMARY**

### **Issue for Discussion**

To provide the Board of Regents with information on new Department initiatives to improve transition planning and employment outcomes for students with disabilities.

### **Reason(s) for Consideration**

For information and discussion in order to obtain the support of the Board of Regents on these proposed initiatives.

### **Proposed Handling**

This item will come before the Board of Regents in a joint presentation to the ACCES and P-12 Education Committees at their September 2013 meeting.

### **Background Information**

The ACCES and P-12 Education Committees have made several joint presentations to the Regents on the topic of transition planning and services.

- June 2011 - We presented on initiatives in place to improve transition planning and results and presented a framework for a strategic plan to further support positive post-school outcomes for students with disabilities.

- December 2011 - We provided an update on actions taken in response to the recommendations noted in the June 2011 Report.
- April 2012 - We presented information on research-based and effective practices, with a panel presentation by a school district identified for effective transition practices and outcomes.
- December 2012 - We presented on essential actions for effective transition to employment, with presentations by two students and their respective family and community program representatives.
- April 2013 - We presented on how instruction in the career development and occupational learning standards and work-based learning experiences during a student's school years will lead to quality information to inform vocational rehabilitation services and increase the likelihood that students will obtain meaningful post-secondary employment.

Transition planning and services, as required by the federal Individuals with Disabilities Education Act (IDEA) and New York State (NYS) law and regulation, are designed to ensure students with disabilities are provided with the appropriate instruction, courses of study and transition activities to meet their post-secondary goals in the areas of education/training, employment, and where appropriate, independent living. The P-12 Office of Special Education has responsibility for policy, monitoring and technical assistance to school districts on the IDEA transition requirements.

While IDEA places responsibility for transition planning and services on school districts, the Rehabilitation Act also includes requirements to promote vocational rehabilitation and independent living services during a youth's transition planning years. ACCES-VR plays a critical role in transition coordination and planning as described in the Rehabilitation Act and in the federal VR regulations. The regulations define transition services within the scope of vocational rehabilitation services, outlining requirements for coordination with education officials, and establishing requirements for coordinating educational plans with employment plans.

As summarized below, results data indicate that the State must continuously identify and implement targeted improvement strategies focused on transition planning, services and employment results for students with disabilities.

- In 2011, data based on monitoring reviews showed that 89 percent of students with disabilities, ages 15 and older, had individualized education programs (IEPs) that were determined to reasonably enable the students to meet their post-secondary goals. This data reflects significant improvement from the data presented in 2009 that indicated only 67 percent of youth had appropriate transition IEPs.
- The percentage of youth on ACCES-VR's caseload has increased significantly over the past five years and youth make up almost half of ACCES-VR active cases. Of the 52,341 individuals ACCES-VR served in federal fiscal year (FFY) 2012, 41

percent (21,474) were youth ages 14-21 years. Over 12,000 youth apply annually to ACCES-VR. In FFY 2012 ACCES-VR assisted 4,322 youth to obtain employment (36 percent of all employment outcomes achieved).

- Based on interviews of students who exited school in 2010-11, as reported in the State's Annual Performance Report for 2011-12, only 29 percent of students with disabilities were competitively employed or in some other employment within one year of leaving high school. This rate of employment has remained relatively the same over the past three years.

## **New Improvement Strategies**

This report provides an update on specific strategies that ACCES-VR and the P-12 Office of Special Education are taking to address the following strategic action plan goals:

1. Strengthen collaborations across the Department, schools, stakeholders and community providers;
2. Expand options for paid and unpaid work experiences; and
3. Devote additional IDEA and Rehabilitation Services Administration (RSA) resources to improve transition services and outcomes for individuals with disabilities.

### Strengthening collaborations across the Department, schools, stakeholders and community providers

- In January 2013, ACCES-VR and the P-12 Office of Special Education developed a Joint Agreement on the Provision of Transition Services outlining each office's commitments for coordinating services to transition age youth (attached).
- ACCES-VR is proposing to develop a new unit within ACCES-VR to promote student access to vocational rehabilitation services within their last two years of students' high school program. The unit would work closely with the ACCES-VR Regional Coordinators, ACCES-VR District Offices and P-12 Office of Special Education to ensure that clear referral, VR eligibility and service delivery processes are consistently implemented and relationships are formed among stakeholders, resulting in better employment outcomes for youth. By hiring professional staff throughout the State, including a Statewide Coordinator in ACCES-VR Central Office, ACCES-VR will ensure that there is the internal capacity to provide ACCES-VR services to youth with disabilities to support transition to employment.
- The P-12 Office of Special Education, through its Regional Special Education Technical Assistance Support Centers (RSE-TASC) Transition Specialists, conduct monthly interagency meetings to provide updated information on transition planning and engage in collaborative discussions to improve the availability of programs and services. In addition, in each RSE-TASC region, ACCES-VR District Office staff has participated in at least one Committee on Special Education Chairperson regional

meeting to provide information to school districts on VR eligibility and establish liaisons between districts and VR.

- The P-12 Office of Special Education, through its RSE-TASC Transition Specialists<sup>1</sup>, provided and will continue to provide training available in all regions of the State, targeted for parents, school districts and other agency providers on such topics as Transition and the IEP, Accommodations and Considerations, Transition Policy, Strategic Planning, Measurable Post-Secondary Goals, Work-Based Learning and Transition for Families.

#### Expand options for paid and unpaid work experiences

- ACCES-VR will initiate youth employment services in its Core Rehabilitation Services (CRS) contracts starting January 1, 2014. ACCES-VR currently provides a wide array of vocational rehabilitation services through contracts with community rehabilitation providers. These services include: assessment; assistive and rehabilitation technology; work readiness; vocational and occupational training (including postsecondary program and higher education); job placement; supported employment; and, adjunct services related to attaining employment.

In the newly developed CRS contract, ACCES-VR identified a group of services called Youth Employment Services (YES) which are based on research evidence and are related to better employment outcomes for youth. Through these particular youth employment services, transition-age youth will participate in services that will lead to employment through community rehabilitation providers. These services will include community-based work assessment in integrated real work settings and paid community work experiences prior to school exit. The objective is to prepare youth for successful long-term employment. For transition-age youth enrolled in secondary school, YES will be provided after school, during the summer or after exiting high school.

- Beginning in the fall of 2013, the P-12 Office of Special Education will present a series of new professional development sessions to include information on work-based learning opportunities for students with disabilities and the knowledge and skills students with disabilities must be explicitly instructed in to ensure their success in the work place. These professional development opportunities, developed in collaboration with the P-12 Office of Career and Technical Education, will include webinars, regional training and regional conferences.
- The P-12 Office of Special Education is developing a request for proposals to award grants to assist school districts to develop high quality work-based learning opportunities for students with disabilities and increase students with disabilities access to career and technical education (CTE) courses.

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<sup>1</sup> Transition specialists are assigned to the RSE-TASC regional centers, which are located in each of the Joint Management Team regions and New York City (NYC). The transition specialists serve all of the districts in those regions, with priority to districts with transition planning compliance findings. With the expansion, there will be five transition specialists in NYC and between two and three in each of the other RSE-TASC regions.

Devote additional IDEA and RSA resources to improve transition services and outcomes for individuals with disabilities

- The P-12 Office of Special Education will expand its technical assistance resources through the RSE-TASC to increase the number of transition specialists (from 16 to 25 FTEs) available statewide to provide professional development and technical assistance on effective transition planning and services. The expansion of transition specialists will provide an increased capacity to provide technical assistance to school districts on transition programs and services, instruction toward the Career Development and Occupational Studies learning standards, including students with disabilities in CTE courses, and engaging and supporting students in meaningful work-based learning programs.
- ACCES-VR is proposing to procure services for the provision of consultant and technical assistance by select entities to local educational agencies to inform them on student eligibility requirements for vocational rehabilitation services, availability of vocational rehabilitation services to youth who are eligible for vocational rehabilitation services; and coordination of the IEP transition activities and the individualized plan for employment. To enhance the coordination and collaboration with the P-12 Office of Special Education initiatives, these services would be provided as a component of the RSE-TASC centers located throughout NYS. The purpose of the procurement will be to support school districts' understanding of the:
  - cross connection of the students' IEPs with the preparation of their referral and preparation for adult services two years prior to school exit. VR eligibility requirements, the application procedures and the scope of services that may be provided to eligible individuals, including students with disabilities.
  - roles and responsibilities of adult State and community agencies, including financial and eligibility requirements to support successful post school employment.

Specific performance measures, deliverables and quality assurance controls will be used to monitor outcomes related to post-school education and employment outcomes for youth. These would include tracking the number of referrals from schools to ACCES-VR and the timely engagement of youth in vocational rehabilitation services (i.e., VR eligibility and plan development).

**Next Steps**

With support of the Board of Regents, the Department will implement the above actions.

Attachment

## **Joint Agreement on the Provision of Transition Services**

between the New York State Education Department's (NYSED's) Office of Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR) and Office of P-12 Education - Office of Special Education

### **Introduction**

This agreement is between the New York State Education Department's (NYSED's) Office of Adult Career and Continuing Education Services - Vocational Rehabilitation (ACCES-VR) and Office of P-12 Education - Office of Special Education to facilitate the transition of students with disabilities to post-school employment. ACCES-VR and the Office of Special Education will collaborate to foster a common understanding of transition requirements and responsibilities and to build a partnership between transition specialists, school districts and ACCES-VR district offices throughout the State in order to enable students with disabilities to successfully transition from school to employment. This agreement reflects federal requirements and provides the overview of the purpose, objectives and joint responsibilities of each party, in the provision of transition services for students with disabilities.

### **Purposes**

The purposes of the agreement are to: 1) strengthen shared efforts to prepare youth with disabilities for successful careers, community jobs and independent living; 2) outline a collaborative framework for coordinating State and local services and resources; and 3) provide guidance for coordinating plans, policies and procedures developed to facilitate the transition of students with disabilities from school to post-school activities - including the receipt of vocational rehabilitation services leading to employment.

### **Objectives**

The following section outlines the general objectives for this agreement. These objectives are based upon State and federal regulatory requirements for both ACCES-VR and the Office of Special Education. The objectives include:

- providing consultation and technical assistance to assist local educational agencies (LEAs) in planning for the transition of students with disabilities from school to post-school activities, including VR services;
- providing guidance to educational and vocational rehabilitation personnel responsible for facilitating the transition planning process and the development and coordination of student individualized education programs (IEPs) and individualized plans for employment (IPEs);
- providing information about each agency's roles and responsibilities, including financial responsibilities, and the State lead agencies and qualified personnel responsible for transition services; and
- developing and implementing procedures for outreach and identification of students with disabilities for the purpose of informing students about the VR program.

Outreach efforts will include a description of the VR program, the eligibility requirements, the application procedures and the scope of services that may be provided to eligible individuals.

The Office of Special Education and ACCES-VR will work in collaboration with school districts and other State agencies to ensure a coordinated approach to the provision of transition services. While local school districts are responsible for providing transition services to facilitate the movement of students with disabilities from school to post-school activities, including but not limited to, postsecondary education, vocational education, employment, continuing and adult education, adult services, independent living and community participation, ACCES-VR can provide transition services that involve preparing for the students' future employment.

ACCES-VR and the Office of Special Education jointly agree to the following:

- School districts have the primary planning and programmatic responsibilities for the provision of transition services for their students.
- School districts are financially responsible for transition services mandated for school districts by federal or State laws and regulations.
- School districts are responsible for the coordination of educational programs, including transition planning, programs and services that prepare students with disabilities for adult living, learning and earning.
- With parental or student consent, as appropriate, ACCES-VR district office staff will be informed of students who may require vocational rehabilitation services and will have the opportunity to participate in the transition planning for such students.
- Referrals and applications to ACCES-VR will be made on the basis of procedures outlined in the ACCES-VR Youth in School - Transition Services and Planning Policy.
- ACCES-VR is fiscally responsible for providing VR services that are not otherwise mandated through special education requirements, in accordance with ACCES-VR policy.
- The Office of Special Education and ACCES-VR will continue to work together to implement consistent policies and procedures for transition planning and services, including, but not limited to, student referral and access to VR services.
- The Office of Special Education and ACCES-VR will work in collaboration with LEAs and other State agencies to ensure a coordinated approach to the provision of transition services and to eliminate the duplication of assessments, services and reporting requirements.
- ACCES-VR and the Office of Special Education will work in collaboration with Independent Living Centers to enhance their role in working with students with disabilities, their families and educational personnel during the transition planning and service delivery process.
- When coordinating services through the IEP and IPE, the student and, as appropriate, the student's family, are the primary source of information regarding the student's needs, goals and services.

### Responsibilities of NYSED's Office of P-12 Education – Office of Special Education

The Office of Special Education shall undertake the following responsibilities with respect to the education and transition planning for students with disabilities:

- Designate Office of Special Education personnel to be responsible for the provision of technical assistance, consultation and the development of statewide program strategies and procedures applicable for students with disabilities.
- Assure that LEAs are implementing the special education requirements for transition services as specified by the Individuals with Disabilities Education Act and the Regulations of the Commissioner of Education.
- Coordinate a network of professional development specialists focused on assisting LEAs with implementing effective transition planning, programs and services.
- Through this network, create and maintain community networks for effective linkages between families, schools and State and community agencies that serve youth and adults with disabilities.
- Promote access, as appropriate, for students with disabilities to career and technical education.
- Provide technical assistance to vocational rehabilitation personnel through formal and informal training, joint problem-solving, and exchange of information on policies and procedures.

### Responsibilities of NYSED's Office of Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR)

ACCES-VR shall undertake the following responsibilities with respect to transition planning and vocational rehabilitation services for eligible youth:


- Designate vocational rehabilitation personnel to be responsible for the provision of technical assistance, consultation and the development of statewide program strategies and procedures applicable for youth with disabilities.
- Facilitate the identification of youth with disabilities who may benefit from vocational rehabilitation services as early as possible during the transition planning process. Two years prior to expected school exit, the ACCES-VR counselor will work to identify and foster the referral and application process of in-school youth with disabilities likely to be eligible for ACCES-VR services.
- Make relevant data available about eligibility for vocational rehabilitation services and track information about employment outcomes for youth with disabilities.
- Assign vocational rehabilitation counseling personnel to liaison relationships with LEAs to formalize collaborative approaches to student outreach and transition planning and referral development and tracking.
- Make LEA personnel, students and their families aware of the vocational rehabilitation program, including VR eligibility requirements (in accordance with CFR 361.42), the application procedures and scope of services (in accordance with 34 CFR 361.48) that may be provided to all eligible individuals.

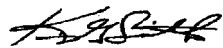


- To begin the application process, the ACCES-VR counselor designated by the local ACCES-VR district office will work with designated school personnel or the youth/student to obtain the signed application for VR service, the confidentiality release forms and necessary available school records needed to determine eligibility. Youth/students can directly apply for services from ACCES-VR without a referral from the school. If the student is 18 or older and has no legal guardian, the student can make this decision independently.
- Utilize existing school records, to the extent possible, to determine eligibility for vocational rehabilitation services. Only the ACCES-VR counselor, in accordance with ACCES-VR policies and 34 CFR 361.42, may determine whether youth/students meet the eligibility criteria for vocational rehabilitation services. The eligibility determination is based on the student having a physical or mental impairment that is a substantial impediment to employment, requiring VR services to prepare for, secure, retain or regain employment.
- Collaborate with educational agency personnel to ensure alignment of the IEP with the IPE.
- Develop approved (signed by the student and ACCES-VR counselor) IPE prior to the eligible student exiting school.
- Implement policies and procedures that allow flexibility with respect to assessment, eligibility determination and career preparation.
- Provide technical assistance on vocational rehabilitation to LEA personnel through formal and informal training, joint problem-solving and exchange of information on policies and procedures.
- Track agency data in order to improve collaboration efforts, vocational rehabilitation services and employment outcomes.

This agreement will be in effect from January 1, 2013 through December 31, 2017. This agreement will be reviewed annually and may only be modified with written agreement from both parties.

By signing below, the signatories agree to these terms and conditions on behalf of their respective offices.

  
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 Kenneth Slertz  
 Deputy Commissioner  
 NYSED Office of P-12

  
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 Kevin G. Smith  
 Deputy Commissioner  
 NYSED Office of ACCES

DATE:   
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DATE: 12/28/12