



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY,
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TO: P-12 Education Committee
Adult Career and Continuing Education Services (ACCES)
Committee

FROM: John B. King, Jr.

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SUBJECT: Transition Planning and Services for Students with
Disabilities

DATE: June 13, 2011

AUTHORIZATION(S):

SUMMARY

Issue for Discussion

The P-12 Office for Special Education and the Adult Career and Continuing Education Services (ACCES) Vocational Rehabilitation (ACCES-VR) Office each play a significant role for transition planning and services for students with disabilities. The purpose of this item is to provide the Board of Regents with information on transition requirements and current initiatives.

Reason(s) for Consideration

For information and discussion and to provide a basis for further discussions on the results of transition services in New York State and pathways to achieve desired results.

Proposed Handling

This item will come before a joint meeting of the Regents P-12 Education Committee and the ACCES Committee at its June 2011 meeting.

Background Information

Transition planning and services, as required by the federal Individuals with Disabilities Education Act (IDEA) and New York State law and regulation, are designed to ensure students with disabilities are prepared for post-school living, learning and earning. School districts are responsible for implementing transition planning and services for students with disabilities. School districts have primary responsibility to ensure transition planning and services, beginning with the first individualized education program (IEP) to be in effect when the student turns age 15, and updated annually.

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 (34 CFR 361.5(b)(55), 361.22, 361.46(d) and 361.48(r)). The regulations define transition services within the scope of VR services, outlining requirements for coordination with education officials, and establishing requirements for coordinating educational plans with employment plans.

If determined eligible, students receive services through ACCES-VR to assist in preparing for transition to employment. Others may receive services through Independent Living Centers (ILCs) to assist them in preparing to live integrated and self-directed lives.

Special Education Transition Requirements

School districts are responsible for providing transition planning and services beginning no later than the school year in which the student turns age 15 and until the student graduates with a regular diploma or ages out of school at age 21. Transition planning and services are documented in a student's IEP and are a required component of a student's instructional program.

The Committee on Special Education (CSE), which includes the parent, is responsible for developing the IEP. Districts are required to invite the student to participate in discussions regarding his/her transition. With parent consent, community agencies, such as a representative from an ILC, and a vocational rehabilitation counselor may be invited, if appropriate. Transition components, developed in consideration of a student's strengths, needs, preferences, and interests, are documented in the IEP and include:

- Post-school goals for a student with a disability in education/training, employment and, if appropriate, independent living;
- Annual goals designed to incrementally assist the student in achieving post-school (long term) goals;
- Transition activities designed to reasonably enable the student to attain those annual and post-school goals. These activities include:
 - instruction;

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

Engagement with Students, Parents, Schools and Employers

ACCES-VR and the Independent Living (IL) network collectively have well-established working relationships with the Department of Labor, Office of Mental Health, Office for Persons with Developmental Disabilities, Office of Alcoholism & Substance Abuse Services, Department of Health and other State agencies that provide or fund employment services for youth with disabilities. ACCES is the primary interface for VR, IL, and adult education services for SED.

Two years prior to expected school exit, the ACCES VR counselor identifies and fosters the referrals of in-school youth with disabilities likely to be eligible for ACCES-VR services. As an active participant in the transition planning process, the ACCES-VR counselor determines eligibility for VR and coordinates VR service planning under an Individual Plan for Employment (IPE) with a student's IEP. This enables students eligible for VR to transition smoothly to post school training and/or employment. VR also provides transition services if they are beyond the scope of special education and within the scope of VR services.

Students must meet the eligibility criteria for VR services. ACCES-VR counselors, in accordance with ACCES-VR's eligibility policy, determine whether the school documentation and reports are sufficient to support the existence of a physical or mental impairment, whether the impairment is significant enough to impede the student's employability, whether VR services are needed to prepare the student for employment and whether the student desires to have an employment outcome.

Independent Living Centers (ILCs) serve thousands of school-age youth with disabilities through a wide array of peer driven IL services and they support parents with advocacy assistance in navigating the P-12 education system. Through a joint Special Education – VR initiative, eleven ILCs were funded to partner with school districts, District 75 and Boards of Cooperative Educational Services (BOCES) to evolve best practice models in transition using IL services. We found that peer role models dramatically increase parent and student involvement in the IEP process, leading to better post school outcomes. Peer counseling is also effective in increasing a student's awareness and understanding of his/her own disability and in forming an identity that recognizes his/her rights as a person with a disability. Finally, ILCs can provide early benefits advisement, as youth learn to work as a means to generate earnings to prevent long-term dependency on benefits.

Current Initiatives in Transition

The P-12 Office of Special Education has established a number of technical assistance and monitoring initiatives to ensure school districts implement effective transition planning and services for students with disabilities. These include the following.

- The U.S. Department of Education (USDOE) Office of Special Education Programs (OSEP) requires that all states submit a State Performance Plan (SPP). The SPP details the State's efforts to improve outcomes for students with disabilities across 20 OSEP-defined priority areas, 14 of which evaluate individual school district performance. Two of the 14 district-specific indicators are transition-related. The P-12: Office of Special Education monitors and reports data on the following:
 - The IEPs of all transition-age students with disabilities must include measurable post-secondary goals and corresponding annual goals and transition services that will reasonably enable a student to achieve his or her post-school goals. Data is reported on the transition components of over 3,000 student IEPs annually based upon a representative sample of school districts. Using a Statewide self-review monitoring protocol, one sixth of all districts report this data annually. New York City is required to report this data annually. P-12's Regional Offices for Special Education Quality Assurance Districts work with districts identified as in non-compliance with these requirements to ensure that deficiencies are corrected.
 - School districts are required to report the post-school outcomes achieved by their former students with disabilities one year after they leave school by graduating with a regular high school diploma, obtaining an IEP diploma or dropping out. Interviews are conducted with these former students with disabilities one year after they exit school to determine the degree to which they actually achieve competitive employment and/or post-secondary education following their high school programs. Based on a representative sample of school districts, this data is reported on one sixth of all districts and over 2,500 students annually. New York City is required to report this data annually.
- Beginning with the 2011-12 school year, school districts are required to use a State mandated IEP form. This form and the accompanying guidance and online training program are designed to assist school districts to meet federal and State requirements for IEP development (including transition components in the IEP) and to provide a consistent format for all IEPs. Additional information regarding the State mandated forms and related training is available at: <http://www.p12.nysed.gov/specialed/formsnotices/>.

- The P-12 Office of Special Education’s ten Regional Special Education Technical Assistance Support Centers (RSE-TASC) includes 14 Transition Specialists whose role is to provide technical assistance and professional development to improve school district transition planning, programs and services. These include but are not limited to:
 - assisting districts strengthen the transition components of the IEP and provide services designed to reasonably enable the student to achieve post-school goals;
 - providing multi-district team events involving focused planning, such as targeted work in developing transition assessment practices;
 - developing training materials designed to promote an accurate and consistent message across the State;
 - working with other specialists within the RSE-TASC (such as the bilingual specialists) as well as other technical assistance centers (such as the Special Education Parent Centers) to determine the needs of the region around transition and provide assistance as appropriate (either to the specialist or to the district/family); and
 - developing and/or strengthening regional collaborative groups around transition to ensure appropriate referrals to adult agencies and a smooth transition process. VR counselors and representatives from ILCs are often participants in these regional groups.

- The P-12 Office of Special Education funds a Transition Services Professional Development Support Center (PDSC) charged with:
 - providing professional development and support to the RSE-TASC Transition Specialists to ensure they have the knowledge and skills necessary to assist districts improve transition programs and services; and
 - creating a website designed to:
 - provide detailed descriptions and videos of transition-related best practices;
 - provide a mechanism for districts with these best practices to engage in online discussion and resource sharing with other districts across the State;
 - allow districts to assess their current status in relation to transition programs and services according to five quality indicators (student development, student-focused planning, program structure, family involvement and interagency collaboration), and then create and track their progress on an improvement plan; and
 - provide resources for the public including a community resource finder, transition-related articles and research, and an online discussion and planning forum.

- The P-12 Office of Special Education and ACCES work together to develop policy, ensure a common understanding of transition requirements and

- In 2010, the Office of Special Education collaborated with VR on the development of the VR Youth in School Transition Policy (http://www.acces.nysed.gov/vr/current_provider_information/vocational_rehabilitation/policies_procedures/0421_youth_in_school_transition_planning_and_services/policy.htm).
- Representatives from the P-12 Office of Special Education and ACCES serve on each other's advisory panels as required by State and federal law and regulation. ILCs and VR representatives serve on the Commissioner's Advisory Panel (CAP) for Special Education Services while the P-12: Office of Special Education is represented on the State Rehabilitation Council.

State Level Commitment to Vocational Rehabilitation Performance Goals

The U.S. Department of Education (USDOE) Rehabilitation Services Administration requires SED to submit a State Plan for Vocational Rehabilitation and Supported Employment Services. ACCES-VR has an established goal for youth in its current Federal Fiscal Year (FFY) 2011 State Plan for Vocational Rehabilitation:

Goal 1.1.2: *Increase the total number of youth (applicants at age 14 – 21) who achieve an employment outcome.*

Performance Result for FFY 2009: 4,202, an increase from FFY 2008

Performance Result for FFY 2010: 4,318, an increase from FFY 2009

ACCES-VR continues to focus on effectively assisting youth in transition, and this particular indicator shows a continued increase (+114) in FFY 2010. ACCES-VR achieves these positive results through VR counselor collaboration with students, families and schools. Collaboration with schools and work experiences for students are essential benchmarks of successful transition to work.

The FFY 2012 VR State Plan has established a new goal:

Goal 1.1.A Youth: *Increase the percentage of youth with disabilities (applicants prior to age 22) exiting the VR Program after receiving services that achieve an employment outcome and exceed the national standard of 55.8 percent.*

In the State Plan, ACCES-VR commits to increasing the percentage of youth who achieve employment after VR services through the following strategies:

- Developing stronger local partnerships with school districts and postsecondary institutions, particularly through local transition and postsecondary consortiums.

- Using paid employment and volunteer experiences to develop work experience for youth. Provide experiential learning and work experiences through summer, part-time and temporary work experiences.
- Working collaboratively with other State agencies and community organizations with programs that serve transition-age youth to establish participation in ACCES-VR services.

Partnership with employers is essential for youth employment. ACCES-VR Business Relations staff at the ACCES-VR district offices work with VR counselors, schools and employers to provide meaningful work experiences and job placements for youth. The Business Relations staff serves as conduits to make the necessary employer connections.

A student's level of motivation, social skills and extent of family support are important factors in a student's postsecondary success in higher education and employment. Schools and VR must assertively engage students, parents and employers. ACCES-VR counselors are assigned to secondary schools throughout the State where they must have a clear point of contact with a school-based transition coordinator or guidance counselor. The ACCES-VR counselor and the school-based transition coordinator can then effectively engage the student and family in collaborative post school planning and the development of measurable transition goals with specific outcomes related to employment. From the Model Transition Program (2007-2009), we learned that students with measurable post-secondary goals in their IEP were twice as likely to participate in work experiences and 2.4 times more likely to apply for VR services, as compared to their peers without measurable post-secondary goals.

Recommendations and Next Steps:

With the support of the Board of Regents, the Department will:

- Enhance stronger collaborations among ACCES, P-12 Office of Special Education, schools, ILCs, community-based partner providers and employers to increase the likelihood of work experience and post school employment for youth with disabilities.
- Identify VR staff to work collaboratively with each of the RSE-TASC's Transition Specialists on regional technical assistance and planning.
- Work with ILCs to identify staff who can act as liaisons to the regional consortiums that already exist or are under development through the RSE-TASC Transition Specialists.
- Revise the Community Work Study Programs with Employers in the Community Policy 1380.00 to promote the active participation of high school students with significant disabilities in paid and unpaid work experiences.

- Allocate VR staff so as to assure that we have adequate coverage of all school districts across the State. This is essential if we are going to improve our ability to support students in achieving quality employment.
- Advocate for additional resources for transition services with the reauthorizations of IDEA and the Rehabilitation Act.
- Include the linkage of VR data as a component of the creation of a P-20 Longitudinal Data System.
- Schedule further joint Regents Committee discussions on the topic of Transition including a panel presentation focused on effective practices in the field and the intersection of ACCES and P-12 roles in transition planning and services. Include representatives from students and parents, school teachers and administrators, ILCs, RSE-TASCs and others. The end result should be the development of strategies that will drive more effective transition planning and services in New York State.