

7.00 TRANSITION PLANNING AND SERVICES

Introduction

NYSCB works with students, families and school districts to facilitate the coordination of appropriate transition services for students who are legally blind and transitioning from school to the world of adult responsibilities and work. NYSCB recognizes that these efforts are critical to enable students to achieve maximum success in employment, post-secondary education, independent living, and community participation and is committed to being an active partner in the transition process. Making the transition from school to the adult world requires careful planning and a cooperative effort among families, school staff and community service providers. Planning will help students, their families and school districts design services to maximize the student's years in school to prepare for full inclusion and integration into society, employment, independent living, and economic self-sufficiency.

Federal and state laws and regulations require transition planning and services. School districts are responsible for initiating transition planning to ensure that each child with a disability has a coordinated plan for services before leaving school. Transition planning in a school setting should be a team process designed to link a child's education plan with their dreams for the future.

The NYSCB vocational rehabilitation (VR) program serves eligible transition-aged students ages 10 and older by providing an array of services that gives students the tools necessary to enable them to make informed decisions about their future goals. The youth and his or her **parent's** work with the NYSCB counselor to set academic and career goals and put a plan in motion to meet those goals. This often includes gaining work experience before graduating from high school, as well as learning self-advocacy and independent living skills that help lead to future success.

Transition services are provided through the VR program. Services are provided in accordance with VR policy and procedures.

Legal Basis/Definitions

Transition services are mandated through two federal laws: the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) and the Rehabilitation Act of 1973.

IDEA is the law providing for the education of students with disabilities. IDEA defines transition services as:

"...a coordinated set of activities for a child with a disability that (A) is designed to be a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities, including post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation; (B) is based on

the individual child's needs, taking into account the child's strengths, preferences, and interests; (C) includes 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."

The Rehabilitation Act of 1973 prohibits discrimination on the basis of disability and applies to any program that receives federal financial support. The legislation provides a wide range of services for persons with physical and cognitive disabilities.

The Rehabilitation Act defines transition as follows:

"A coordinated set of activities for a student, 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. The coordinated set of activities shall be based upon the individual student's needs, taking into account the student's preferences and interests, and shall include instruction, 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."

School Responsibilities in Transition

Schools are required to provide special education students with transition services for skills development to promote successful integrated employment, independent living, community integration, and postsecondary education outcomes.

In accordance with IDEA, students with disabilities who are identified by the Committee on Special Education (CSE) require an Individualized Education Program (IEP). The IEP is a written statement that specifies the special education goals and services that the school must provide to meet the unique needs of a student with a disability.

IDEA requires transition planning to be initiated no later than when the student is 16 years old. In New York State, transition planning in schools must be included in a student's IEP beginning with the school year in which the student turns 15.

The school district through its Committee on Special Education has the legal responsibility to coordinate transition planning and arrange for transition services.

To be effective, transition planning should be infused throughout the child's IEP. The planning must be revisited, revised and refined each year until the student exits school. IDEA outlines the importance of coordination and linkages between agencies to assure a smooth and productive transition from school to adult living. The process must focus on improving the academic and functional achievement of the student to facilitate movement from school to post-school activities.

Students with disabilities who do not have an IEP but require reasonable accommodation while attending school must have a written plan under Section 504 of the Rehabilitation Act of 1973; this is commonly referred to as a 504 plan. School districts are required to

provide access to existing programs and services on a basis equal to that provided for students who do not have disabilities. Students in this circumstance may require the development of academic skills, career preparation services, or social skills in preparation for transition to successful adult life. They will need to work with school personnel, NYSCB and other agencies to access appropriate resources, including existing academic and career preparation curricula, and other services. Each public school should have a person who serves as the school's "504 coordinator" and is responsible for coordinating the development, maintenance, and implementation of 504 plans.

Required Documentation for Students with an IEP

Level One Career Assessment for Students with Disabilities (mandatory)

Although transition services must begin the year that the student turns age 15, or earlier as appropriate, the New York State Education Department requires that a career assessment take place at age 12. This assessment is called a Level One assessment. This assessment sets the foundation for transition planning and services. The career assessment process is a team effort and should include the student, his or her family, and the student's teachers. The Level I Assessment identifies the starting point for the CSE to begin exploring career options with the student. This assessment must be updated annually.

Although not required for all students, Level II Career Assessment and Level III Career Assessment may also be available from the school depending upon the student's individual needs.

Student Exit Summary

IDEA 2004 created a new requirement for schools that should help students with disabilities make a smoother transition to post-school employment or education. Schools must now provide a "Summary of Performance", called the **Student Exit Summary** in New York State, prior to school exit for a student whose eligibility for special education services terminates due to graduation from secondary school with a regular diploma or due to exceeding the age eligibility for a free appropriate public education (FAPE) under State law. This summary must include information on the student's academic achievement and functional performance and include recommendations on how to assist the student in meeting postsecondary goals. Congress intended for this summary to provide specific, meaningful and understandable information to the student, the student's family, and any agency, including postsecondary schools, which may provide services to the student upon transition. Schools are not required to conduct any new assessments or evaluations in order to provide the summary. While the student's Student Exit Summary is not part of the formal transition planning process, IEP teams should discuss it before the student leaves school to ensure that the summary will satisfy requirements connected with the student's post-school goals. NYSCB counselors should request a copy of this summary for planning purposes.

Coordinating School District and NYSCB Services

School districts have the primary planning, programmatic and financial responsibilities for the provision of transition services. Financial responsibility for services, other than those which are mandated for school districts by Federal or State law or regulation, may be shared by other agencies including NYSCB. In addition, NYSCB might serve as a consultant to school districts in meeting their responsibilities in areas where NYSCB has expertise (for example, providing information regarding assistive technology.)

NYSCB's responsibilities lie primarily in providing technical consultation to schools and preparing students for permanent employment. NYSCB staff should use their knowledge and experience to influence schools to provide services needed to prepare students to participate in postsecondary, employment and community living outcomes. While the following services may be provided by NYSCB, the provision of these services should not supplant the school's responsibilities.

As a participant in the school's transition planning process, NYSCB should:

- a. Contribute knowledge of rehabilitation services and outcomes;
- b. Identify the need for involvement by other state agencies, adult service programs, independent living centers, and community based services whose resources can assist students who are legally blind, their families, and education personnel during the transition planning and service delivery process;
- c. Provide information to assist in the selection of vocational goals that are consistent with labor market needs and integrated community living opportunities, including information about:
 1. work site accommodations;
 2. employer expectations;
 3. labor trends and occupational outlooks;
 4. job entry qualifications;
 5. job placement analysis;
 6. work opportunities;
 7. and other vocationally-related issues.

The NYSCB counselor may contribute to the CSE transition planning meetings as a meeting participant. If this is not possible, other alternatives should be used such as telephone conferences, so that students, parents, and school district staff can avail themselves of the NYSCB counselor's expertise.

The Joint Agreement Between the P-12 Office of Special Education and NYSCB provides the overview of purpose, objectives and joint responsibilities of each party in the provision of transition services for students who are legally blind.

Note: NYSCB is responsible only for services written into the Individualized Education Program (IEP) by the CSE with the direct knowledge and agreement of the NYSCB counselor. NYSCB must not take responsibility for services the school districts are mandated to provide.

Transition Services Available through NYSCB

Transition services at NYSCB are provided by both Children's Consultants and Transition Counselors. It is expected that youth will be transferred from the state-funded Children's Program to the federally-funded vocational rehabilitation program at age 10. The youth continue to work with their Children's Consultant until age 14 when they are transferred to a Transition Counselor. Both Children's Consultants and Transition Counselors are vocational rehabilitation counselors who specialize in assisting youth who are legally blind.

After receiving an application for vocational rehabilitation services, the NYSCB counselor will make an eligibility determination. An Individualized Plan for Employment (IPE) should be jointly developed by the counselor and the student, based on the student's interests and objectives. The IPE should be completed within 90 days of eligibility determination. Youth may receive a wide range of vocational rehabilitation services depending on individual needs to achieve the planned employment outcome identified on the IPE. See Chapter 6.00 – Individualized Plan for Employment for further guidance.

Federal regulations require that development and approval of an IPE must be completed as early as possible during the transition process, but, at the latest, by the time each student determined to be eligible for VR services leaves the school setting.

Examples of services provided by NYSCB include:

- Evaluations/assessments;
- Vocational rehabilitation planning and counseling;
- Skills development training (orientation and mobility, daily living skills)
- Assistive technology assessments, for post-secondary needs;
- Recreation services to develop social skills and enhance self-confidence
- Support services while completing training;
- Low vision services;
- Employment services such as prevocational training, job-seeking skills, volunteer experiences, work experiences.

The NYSCB Counselor:

- Provides information, support and guidance to students, parents, and schools to promote effective transition planning and services;
- Networks with schools and community resources to develop and maintain referral sources to identify and reach students who are legally blind;
- Assists consumers with developing an Individualized Plan for Employment (IPE);
- Plans and coordinates skill development and confidence building activities for consumers that may include recreation programs and work experience programs;
- Acts as a consultant to NYSCB agency staff regarding transition issues;

- Assists youth in obtaining technology evaluations, recommended adaptive equipment and training in the use of equipment for post-secondary education and/or long-term employment;
- Attends relevant community transition meetings;
- Contacts appropriate representatives of other organizations (with appropriate releases from families) to encourage interagency cooperation.

Coordinating the IPE with the IEP

The coordination of the IPE with the IEP must be an integral part of the counselor's planning for transition services. Developing an IPE that coordinates closely with the IEP provides continuity of service delivery for those students who will need vocational rehabilitation services once they complete the transition services initiated by the school system. With permission, counselors should request a copy of the student's latest IEP and enter it into the Consumer Information System.

Collaboration in assessing student progress and participation in planning with the student, family and school should result in consensus about desired outcomes, goals and services that must be reflected in both planning documents. The IPE should be developed, to the extent possible, during the annual review of the transition component of the IEP. At that time, information required on the IPE will be written to be consistent with the content of the IEP, including vocational goals, educational and rehabilitation objectives, projected dates and responsibilities for participation in the transition process.

Youth Employment

Some schools provide summer youth employment for the purpose of career development for occupational education students. Schools can also provide summer youth employment as part of a 12- month educational program if such a program is necessary to prevent significant regression in the student's skills. NYSCB counselors should work closely with school staff to encourage the student's participation in any of the Work-based learning (WBL) activities offered through the schools which collaboratively engage employers and schools in providing structured learning experiences for students. These experiences focus on assisting students develop broad, transferable skills for postsecondary education and the workplace. Work-based learning is supported in the school and at the work site. While school-based learning focuses on academic and career and technical preparation as part of the classroom curriculum, work site learning occurs, away from school, in a business or community organization.

NYSCB recognizes the value of employment during high school, and may provide summer and after school youth employment opportunities including work experience training when:

1. the services are consistent with transition outcomes in the IEP;
2. the student is not eligible for the school's 12 month programming;
3. no other source of funds are available;
4. the services are part of the IPE.

Counselors should also coordinate summer youth employment opportunities with existing programs funded by other sources, including the Workforce Investment Act (WIA). See Chapter 8.32 – Work Experience Training for further guidance.

Job Coaching

Job coaching is the responsibility of the school district, when:

1. the student is enrolled in a 12-month extended school year program; or
2. the work experience takes place during the school day, as part of the student's Program; or
3. the student will receive school credit for the work experience.

For a student in a regular school year program, NYSCB will provide job coaching in conjunction with a work experience or summer job outside the school's responsibility. Consideration should be given to whether job coaching is required to enable the student to benefit from the work experience; it should not be provided routinely. (See Chapter 8.38 for additional information about job coaching, including rates).

Purchasing Adaptive Technology

When possible, the transition counselor should order assistive technology at least six months before a student pursuing post-secondary training leaves high school. Assistive technology can be purchased at the end of the junior year when an IPE has been developed and assistive technology is identified as necessary for the student to participate in vocational training, post-secondary education or employment after high school. This will allow the student time to become proficient in the use of assistive technology before entering college, vocational training and/or employment. See Chapter 8.20 – Rehabilitation Technology for further guidance.

Child Labor Laws

In New York State, anyone under 18 (minors) must show an employment certificate before they begin work. Many people call these "working papers." School officials issue all working papers.

Minors 13 Years of Age

In the State of New York, minors may not begin working in formal paid employment until the age of 14. Work experiences for 10-13 year old youth should be limited to volunteer activities. Youth ages 10-13 may precipitate in pre-vocational programming provided by community partners that focuses on career exploration and often includes recreation activities.

Minors 14 and 15 years of Age

Working papers serve as an official employment certificate. There are some restrictions about the number of hours students may work, the times they may work, and the type of work they are allowed to do:

- When school is not in session, students may not work more than 8 hours a day and 40 hours in one week;
- When school is in session, students may not work more than 3 hours a day on school days or a total of 18 hours a week, outside of school hours;
- During the school year, students may work between 7 a.m. and 7 p.m. only;
- In the summer (June 21st through Labor Day) students may work from 7 a.m. to 9 p.m.

Refer to www.labor.ny.gov/youth for additional information regarding youth and work.

How Work Experiences Affect SSI

The Student Earned Income Exclusion for SSI states that a blind or disabled child, who is a student regularly attending school, college, or university, or a course of vocational or technical training, may have limited earnings that are not counted against his or her Supplemental Security Income (SSI benefits). The maximum amount of the income exclusion applicable to a student who is legally blind in 2013 is \$1,730 per month but not more than \$6,960 per year. The work experiences that NYSCB youth participate in during the summer are generally limited to 20 hours per week (or sometimes 25 hours) and students are paid minimum wage. Go to www.ssa.gov for current earning information.

Generally, the youth who work in the summer work programs do not come close to earning enough to impact their SSI. There are also Impairment Related Work Expenses (IRWE) such as transportation that can be deducted from the earnings if the youth earn enough to get closer to the maximum allowable income. If families have concerns about the effect work may have on their child's benefits they should be referred to an approved benefits advisor.

7.01 REFERRAL BY SCHOOL DISTRICTS TO NYSCB

Criteria for Referral to NYSCB VR Services

School districts should make a formal referral for a student any time the student is thought to have a severe visual impairment, the student requires additional services to meet the desired adult outcomes in the IEP that are not otherwise available through mandated district based or funded programs, or staff at the school are about to complete the transition component of the IEP and the student is in need of services provided by adult agencies. Students who are legally blind may already be known to NYSCB. Children's Consultants work with children who are legally blind and their families from birth until they enter the adult service system. The role of the Children's Consultant is to provide educational and life skills consultation to the child and family. The Children's

Consultant helps the child access opportunities not readily available in the educational setting with the goal of promoting independence and preparing the child for full integration into society.

Recommended Referral Information

A CSE representative, guidance counselor, or other school official should transmit complete referral information that explains the purpose for the referral and selected documents that describe the student's disability, needs, preferences, interests, and skills (e.g., interpersonal, work, academic, independent living) which are relevant to vocational rehabilitation and achieving employment. When referring students to NYSCB, the school district must ensure that the necessary consent for release of information has been obtained by the school from the parent or legal guardian, or from the student, if the student is 18 or older and a legal guardian has not been designated.

Preferred documentation includes descriptions of the student's current abilities, work-related limitations and service needs in functional terms. Examples include, but are not limited to, the following:

- a. the most current IEP or 504 plan with information about transition planning and services;
- b. student medical and health screening reports including the most current ophthalmological, audio logical, psychological, psychiatric, or other specialist's disability assessment, if available and relevant;
- c. reports from related services (e.g., rehabilitation teaching, orientation and mobility, occupational therapy, social work);
- d. reports indicating special equipment or other accommodations needed (e.g., communication needs, modes of reading and writing, proficiency in braille, and visual functioning aids);
- e. indicators of academic achievement, such as transcripts, grades, academic achievement testing;
- f. career assessment information including: Level I, II, or III vocational assessment reports, work experience or work study progress reports, career assessment portfolios, mentor or work supervisor evaluations, and occupational education assessment reports.

Counselors may request and obtain additional school records if further information is required for eligibility determination or planning purposes, provided that the appropriate signed consent form is in place and appropriate notification of students and families has occurred.

Eligibility Criteria

Schools are encouraged to refer any student who is known or believed to be legally blind.

A student must meet the same eligibility criteria as other NYSCB consumers (see NYSCB VR Manual, section 4.00).

To the maximum extent possible, information from school records will be used to determine eligibility if the records are received in time for an eligibility decision to be made (60 days from the time of application). This includes using information from career and vocational assessment and district-based planning processes in which the student already participates.

7.02 TRANSFER FROM NYSCB CHILDREN'S SERVICES TO NYSCB ADULT SERVICES

Family Preparation

In order to prepare the family for the transition from children's services to VR services and begin planning for the future, the Children's Consultant should meet with the child and family during the child's 9th year and discuss that the child will be referred to the Vocational Rehabilitation Unit at the appropriate age. The discussion with the family should take place during each annual plan review until the transfer occurs and should be documented in the child's Electronic Case File (ECF).

Transfer Guidelines

All children who are expected to graduate by age 18 and who clearly have vocational potential must be referred to the vocational rehabilitation program during the year after the child's 9th birthday. Exceptions to this rule should be discussed with the Children's Consultant's supervisor and documented in the ECF. The Children's Consultant will discuss the case transfer with the child and his/her parent(s) or legal guardian before transferring the case to the Vocational Rehabilitation Program.

Children's Consultants will complete an "Indicators of Employability" form for all children who remain on their caseloads after the child has turned 14. The form was developed to evaluate whether youth with multiple disabilities can benefit from vocational rehabilitation services. The form should be completed by the Children's Consultant with input from the child's teachers and parents. The completed form should be submitted to the Children's Consultants supervisor for review and signature.

Children for whom the Children's Consultant and supervisor are **unsure** of vocational potential should be referred to the specialized Transition Counselor no later than the year they turn 18. Referrals can take place any time between the child's 14th year and 18th years. Children's Consultants should complete the "Indicators of Employability" for each year for these youth and review the outcome with their supervisor to determine the child's progress/vocational potential.

Children who have habilitation needs only as indicated on the initial "Indicators of Employability" form should remain open with the Children's Consultant until age 21. Linkages with the Office for People with Developmental Disabilities (OPWDD) should be in place before the child leaves school. The "Indicators of Employability" form should be completed no less than every three years for these youth, until their case is closed at age 21.

Referral/Transfer Meeting

As part of the transfer to the Vocational Rehabilitation Unit, the Children's Consultant will schedule a meeting with the Senior Counselor and the Vocational Rehabilitation Counselor expected to be working with the student, if known. The meeting may also include other rehabilitation professionals who are familiar with the child and family. The Children's Consultant should be prepared to provide a description of the child's disability and its impact on the child's functioning, a social summary, education information, relevant work experience, if any, and a summary of daily living skills. If possible, a date for transfer from the Children's Consultant to the Vocational Rehabilitation Counselor should be established at the meeting.

Procedures for Transfer

Once a counselor has been assigned, the Children's Consultant should follow this procedure:

- a. Make an entry in the ECF summarizing the referral meeting, indicating the response of the child and family, and status change;
- b. Close the case using the Progress Report, indicating the reason for closure;
- d. When possible, obtain signed Application for Services form;
- e. Inform the child's Teacher of the Visually Impaired of the transfer of NYSCB management responsibilities to the specified rehabilitation counselor;
- f. Assign the ECF to the Senior Counselor or counselor if know.

The Children's Consultant should remain available for consultation upon request.