

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.



 Kenneth Slertz
 Deputy Commissioner
 NYSED Office of P-12



 Kevin G. Smith
 Deputy Commissioner
 NYSED Office of ACCES

DATE: 



DATE: 12/28/12