Dedicated to Protecting the Legal Rights of Students and Individuals with Disabilities



Transition Planning and Services

While formal transitional planning should begin in the school by **age 15**, there are steps that can be taken much earlier by families to help secure the future of their child. Transitional Planning should not only focus on long term goals, but also short term goals. Ask yourself, 'when my child leaves high school, what is their NEXT step and where do I want them in five years?'

- College or Vocational School
- · Gainful Employment
- Supported Employment
- Meaningful Day Programming

I. College Options

Matriculation for degree bearing college credits **requires a regents or local diploma in NY state.** There are specific exam requirements students must achieve in order to receive one of those diplomas.

Regents Diploma: Students must pass "4+1" exams with a score of 65 or higher.

- The 4 required Regents Exams are English Language Arts, one math, one history, and one science.
- Students must also complete one other "pathway" program to meet the fifth assessment requirement, such as:
 - another Regents course and exam (or department approved alternative assessment),
 - Career and Technical Education (CTE)(with assessment),
 - Career Development and Occupational Studies (CDOS) Commencement Credential,
 - World Languages (including a department approved assessment),
 - Civics Pathway, or
 - Arts Pathway (where available).
 - Students can also earn a Regents Diploma if the score on one exam is between 60 and 64 and the local district grants the student's appeal pursuant to Commissioner's Regulation 100.5(d)(7)

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Local Diploma for Students with a Disability: Students must pass "4+1" exams (as described above) with a score of 55 or higher (see Safety Net Option below).

Students can also earn a Local Diploma if:

- up to two Regents exam scores are between 52 and 54, and
- the local district grants the student's appeal pursuant to Commissioner's Regulation 100.5(d)(7).

Otherwise, students with disabilities can access the Compensatory Safety Net Option for the Local Diploma:

- scores of 45-54 on any history or science or mathematics (as a pathway) Regents exam can be compensated by a score of 65 or above on any other required Regents exam.
- Students must still earn a score of at least 55 on both of their required ELA and mathematics exams.

Local Diploma through Superintendent Determination for Students with Disabilities who have IEPs:

If a student does not meet the exam requirements for a Local Diploma, the student's parents can make a written request to the Superintendent for review of documentation demonstrating the student's graduation level proficiency in a particular subject, and if warranted, the Superintendent can grant the student a Local Diploma through Superintendent Determination.

Note: Students who obtained exemptions from Regents exams do not have to pass those exams to qualify for any diploma type.

For further information and details about diploma requirements, please refer to the following New York State Education Department documents:

New York State Diploma/Credential Requirements
New York State Diploma Requirements Applicable to All Students Enrolled in Grades 9-12

NOTE: All colleges that receive federal funds are required to provide some level of disability accommodations comparable to what your child received in school, such as extended time, preferential seating etc. Contact your intended school's disability services department for more information.

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II. Skills Credential Non-Diploma Options

For students unable to receive a high school diploma there are two other credentials a student can receive when exiting high school:

Career Development and Occupational Studies Credential (CDOS):

The **CDOS Credential** demonstrates that the student has completed comprehensive vocational exploration and developed the skills needed for entry level employment with or without supports. This credential will not count towards college, but can be used for entry to some vocational programs.

Skills and Achievement Credential (SAAC):

The SAAC is for students who have been alternately assessed and who have attended school for a minimum of 12 years (excluding kindergarten), but are unable to complete all requirements for a CDOS. Although such students may receive the SAAC before attaining the age of 21, if granted the credential, the student must also receive written assurance of the right to remain in school until the age of 21 or until the student earns a high school diploma.

III. Vocational Support Programs

Available to all students:

- ACCES-VR
- Career One Stop

Available to those with OPWDD Eligibility:

- Community Pre-Vocation
- SEMP
- ETP
- E-SEMP

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Transition Planning and Services

ACCES-VR can provide a variety of employment support services including:

- Vocational Counseling
- Assessment for Career Planning
- Funding towards college or vocational training
- Job Readiness and Job Placement services with short term coaching.

Students must qualify for ACCES-VR by demonstrating that they have a disability that is a barrier to gainful employment and that the student can benefit from rehabilitation services.

Students should **apply for ACCES-VR by their junior year** so they can complete their ACCES-VR qualifying interview and trial to determine qualification and services prior to leaving high school.

OPWDD

There are eligibility requirements in order to receive respite services, medicaid funded employment supports, day programming options, and Self-Direction through OPWDD. Eligibility is met if your child fits into one of the three categories listed below:

- i. an IQ below 60;
- iii. an IQ between 60-69 or Qualifying Diagnosis and an adaptive behavior assessment;
- iii. an IQ above 70 and Qualifying Diagnosis and adaptive behavior challenges that impact daily life skills and demonstrate your child will be unable to function at a fully independent level.

To apply you must submit the application for eligibility, documentation of a qualifying diagnosis from a medical professional, a psychological and psycho-social evaluation report including IQ and Adaptive Behavior Scores. (These can be received from your school as they are typically included in Triennial Evaluations, and can be requested if not.)

You can apply for OPWDD at any age. OPWDD eligibility is tricky-click the following link to watch our video presentation for more helpful information: OPWDD Video

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Transition Services and Planning

IV. OPWDD Funded Employment Support Programs

Students cannot apply for OPWDD Funded Employment programs until AFTER they have been evaluated for ACCES-VR and were either rejected or have completed ACCES-VR services and need additional ongoing employment support. They must also have OPWDD Eligibility to qualify.

- Community Pre-Vocation: exploratory internships for those who are not ready for employment.
- ETP: 60 hour vocational discovery period, job placement, short term coaching support.
- **SEMP:** 270 hour vocational discovery period, assistance with job search, ongoing coaching support.
- **E-SEMP**: Extended SEMP services for participants who were unable to sustain gainful employment through SEMP without ongoing support.

V. Day Programs

Program without Walls (PWW) Day Habilitation Centers offer clients who are not yet appropriate for gainful or supported employment, and either can't or don't want to remain home during the day, a structured environment with daily activities. PWWs are required to bring participants out into the community at least 50% of the day to local community activities, volunteer programs, shopping etc. Many day programs have waitlists and you should begin touring programs at least a year prior to exiting school. Not all programs are equal.

Things to consider and questions to ask when selecting a program:

- What activities are you doing all day?
- What is your staffing ratio?
- What type of Vocational and Life Skills are worked on?
- Is Transportation Included?
- Are you flexible on scheduling?

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Transition Services and Planning

VI. Self-Direction

Consumer Directed Program. Families work with a broker and Fiscal Intermediary to create a life plan and budget that includes all of the programs and services a client would need to live a fulfilling and independent life. SD offers families more flexibility than general OPWDD funded programs and can cover staffing, community classes, housing support, vocational training, etc.

Some things to remember about Self-Direction:

- Families must find and manage their own staff.
- There is a considerable amount of ongoing paperwork involved for the family.
- SD has become so popular that there is a backlog for qualified brokers and FIs.

VII. Other Considerations for When Your Child Turns 18:

- **SSI**: Monthly income stipend (2020 around \$800) Eligible if you can demonstrate permanent disability that will prevent you from gainful employment. Cannot have more than \$2,000 in assets and income will reduce benefit until it surpasses the poverty threshold when it will be eliminated entirely. Parental income no longer applies once 18.
- **SSDI**: Monthly income stipend determined based on parental contribution. If you paid into the disability insurance system, then your disabled child could receive a portion of your SSDI benefit with a DAC determination.
- **SNAP**: Monthly stipend for food, based on income threshold.
- Guardianship: Allows a parent to continue to make legal, financial and medical decisions.
- Trusts and Able Accounts: Protect your child's benefits from reductions due to monetary gifts.

Additional Resources:

ACCES-VR

NYSED

<u>CareerOneStop</u>

OPWDD

SSA