



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

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SUBJECT: Improving Services and Outcomes for Students and Young
Adults With Disabilities

DATE: November 29, 2018

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SUMMARY

Issue for Discussion

To provide the Board of Regents with information on the Department's collaborative work to identify and implement effective practices and professional development to improve outcomes for students and young adults with disabilities (differently abled).

Reason(s) for Consideration

Review of policy and joint program initiatives necessary to improve outcomes for students and young adults who are differently abled.

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 December 2018 meeting.

Procedural History

Provide an update on the collaboration between Adult Career and Continuing Education Services Vocational Rehabilitation (ACCES-VR) and the P-12 Office of Special

Education (OSE), including information on improving services and outcomes for students and young adults who are differently abled.

Background Information

To support its vision for transforming the birth to age eight early care and education system in New York State, the Board of Regents took a very important step in accepting the recommendations of the September 2018 New York State (NYS) Board of Regents Early Childhood Workgroup's [Blue Ribbon Committee Final Recommendations](#). With a focus on enhancing services for children and families, strengthening the early childhood workforce, and improving statewide supports and infrastructure, the foundation will be built to prepare young children for a successful transition from early care and education to intermediate childhood education and beyond.

It is essential to ensure that all students and young adults, including those who are differently abled, have equitable opportunities to benefit from a high-quality education in a positive learning environment and receive appropriate supports and services necessary to meet their unique needs so that they are prepared for successful college and other post-secondary education and training opportunities, careers, and citizenship. Consistent with the New York State Education Department (NYSED) [Blueprint for Improved Results for Students with Disabilities](#), students who are differently abled must be provided opportunities to benefit from high quality instruction, to reach the same standards as all students, and to leave school prepared to successfully transition to post-school learning, living, and employment. As rigor and expectations for all students in NYS have increased, policy and practices must be adjusted to support students who are differently abled to meet these challenges. Improving results for these students requires a renewed focus on the seven core principles and practices of the Blueprint, all of which are supported by research.

While there have been some incremental improvements in outcomes for students who are differently abled, the data continues to demonstrate the need for significant improvement in closing the achievement gap. Based upon that data, priorities for NYSED's Office of Special Education include improving student performance by increasing graduation rates; decreasing dropout rates; educating students in the least restrictive environment¹ to the maximum extent appropriate; on state assessments; and ensuring students are receiving appropriate transition planning and services, including career and technical education, necessary to prepare them for post-school opportunities.

Through a State Performance Plan (SPP)/Annual Performance Report (APR), all State Educational Agencies, including NYSED, are required to report annual data to the United States Department of Education's (USDE), Office of Special Education Programs (OSEP) on 17 indicators specific to the education of students who are differently abled. The

¹ Least restrictive environment means the placement of students with disabilities in special classes, separate schools, or other removal from the regular educational environment and occurs only when the nature or severity of the disability is such that even with the use of supplementary aids and services, education cannot be satisfactorily achieved. The placement of an individual student with a disability in the least restrictive environment shall (1) provide the special education needed by the student; (2) provide for education of the student to the maximum extent appropriate to the needs of the student with other students who do not have disabilities; and (3) be as close as possible to the student's home [8 NYCRR section 200.1)(cc)].

most recent [SPP/APR submitted to OSEP in February 2018](#), based on federal fiscal year 2016 data, provides data on the aforementioned priority areas. Based on SPP/APR data and other indicators that measure compliance with the requirements of the Individuals with Disabilities Education Act (IDEA), USDE OSEP has identified NYSED as a “State in Need of Assistance” in implementing the requirements of IDEA for more than ten years. For states that have been identified for more than two years as a “State in Need of Assistance”, USDE OSEP has the option to direct the use of state-level funds to address the areas in which the state needs assistance or identify the state as a high-risk grantee and impose special conditions on the state’s IDEA funding.

Office of Special Education

To ensure students and young adults who are differently abled are provided equitable opportunity to fully participate in and contribute to society, lead independent, fulfilling and self-directed lives, and are able to achieve economic self-sufficiency, it is essential that NYSED implement a research to practice approach designed to increase the capacity of school districts and programs to implement, scale-up, and sustain evidence-based practices to improve outcomes for students and young adults who are differently abled.

Through a coordinated regional planning process, NYSED’s Office of Special Education must strengthen its use of data to identify and support low-performing districts and programs, assist them in identifying the root causes of their low performance, and provide differentiated supports based upon the individual needs of each district and program to promote the implementation of high-quality improvement plans and improve special education outcomes under the SPP/APR indicators.

NYSED must provide technical assistance and professional development that will promote meaningful family involvement within the educational system, build collaborative community relationships, and incorporate the principles of multi-tiered systems of academic and behavioral support necessary to build district/program capacity and promote systemic change. A multi-tiered system of support (MTSS) is an evidence-based model of instruction and intervention that rests firmly on the belief that every student can learn. One of the core values of MTSS is that all school professionals are responsive to students’ academic, behavioral, and social-emotional needs. Practices in MTSS are evidence-based and reflect students’ culture, identity, and language. Data from universal screening and other assessments are used by teams on an ongoing basis to systematically determine the effectiveness of core curricula (Tier 1), make necessary adjustments to educational practice, and identify students for whom more support is needed. Students with additional needs will be provided supplemental (Tier 2) and/or intensive (Tier 3) supports, based on frequent monitoring of progress data. Throughout this process, school professionals collaborate with families and other stakeholders to maximize student success.

ACCES-VR

ACCES-VR, as the designated general State agency providing vocational rehabilitation services to all individuals who are differently abled, other than those who are

blind and visually impaired, has prioritized services to students between the ages of 14 and 21 to better prepare them for post-school opportunities. The Rehabilitation Act, Title IV of the Workforce Innovation and Opportunity Act (WIOA), was significantly amended in the 2014 reauthorization. One of the most significant changes was the addition of pre-employment transition services (Pre-ETS) for students who are differently abled. ACCES-VR is now required to utilize 15 percent of the federal Section 110 funding to provide services to young adults ages 14 to 21 regardless of their eligibility status. Until this ruling, the only individuals for whom ACCES-VR could provide support were those determined eligible by a Vocational Rehabilitation Counselor (VRC). ACCES-VR's over 350 VRCs, deployed throughout its 15 district and 10 satellite offices, coordinate with other VR staff to offer orientation, intake, eligibility, employment planning and counseling services to nearly 50,000 individuals who are differently abled a year. VRCs have 60 days to determine an applicant's eligibility for services and 90 days to develop an Individual Plan for Employment (IPE). The IPE is designed to assist and support each participant to find and retain employment. Financial resources are allocated to support each IPE which may include the engagement of one or more of over three hundred vendors under the Core Rehabilitation Services (CRS) contract; Maintenance and Transportation support; or post-secondary tuition, books, and fees support.

ACCES-VR created a Transition Unit to improve collaboration with secondary schools. This strategy has included the development of a strong working relationship with the OSE. Implementation of the Career Development and Occupational Studies (CDOS) Commencement credential has provided additional opportunity to work with students who are differently abled during transition, especially in support of work experience. This collaboration has improved communication and coordination between ACCES-VR and OSE. It has also resulted in an increase of the number of students receiving ACCES-VR services. Between Federal Fiscal Year (FFY) 2013-14 and FFY 2016-17, ACCES-VR's caseload consisted of 58,662 individuals of which 55 percent were youth.

To assist students who are differently abled in the transition from school to adult life, ACCES-VR will utilize Pre-ETS to expose students to career and post-secondary options. Pre-ETS activities include job and career exploration counseling and activities; work-based learning experiences; counseling on postsecondary options; workplace readiness training and instruction in self-advocacy; and may include peer mentoring. Pre-ETS can be provided to students who are differently abled and who participate in a secondary education program; nontraditional or alternative secondary education program, including home schooling; other recognized educational programs, such as those offered through the juvenile justice system; or post-secondary education program.

Related Regent's Items

[October 2018](#)

<http://www.regents.nysed.gov/common/regents/files/1018p12accesd1.pdf>

[November 2017](#)

<http://www.regents.nysed.gov/common/regents/files/1117p12accesd1.pdf>

[October 2015](#)

<http://www.regents.nysed.gov/common/regents/files/meetings/Oct%202015/1015p12accesd3.pdf>

Recommendation

With support of the Board of Regents, as consistent with IDEA, the Every Student Succeeds Act, and the Rehabilitation Act, multiple offices within the Department will continue to collaborate to identify and implement effective practices and provide professional development necessary to improve services and outcomes for children and young adults who are differently abled.