

Transition Information: New York

Timeline

- *By the age of 14:*
 - Transition planning should begin.
 - The IEP should include post-school outcomes, including information about the student's future education goals, vocational goals, and also their plans for independent living
- *At the age of 15:*
 - The transition IEP goes into effect when the student turns 15.
- *By the age of 17:*
 - The guardianship/conservatorship process should begin. (The age of majority in New York is 18)
 - A petition should be filed with the court and either two licensed physicians or one licensed physician and one licensed psychologist certify that the student has a developmental disability that makes them incapable of taking care of themselves.
 - The vocational rehabilitation process should begin at least 2 years prior to HS graduation.
 - You should meet with a counselor and discuss the best employment and living options for the student. They also will help lead to an IPE, or an Individualized Plan for Employment. They provide training and instruction, and also help with job placement, and job maintenance.
- *By the age of 18:*
 - Apply for Social Security benefits, Social Security Disability Insurance and Medicaid.
 - If ineligible for Medicaid, look into other health insurance options, as it is likely the individual will no longer be covered by the parents plan after age 19 if not enrolled in college or covered by Medicaid.
 - Add your name to the waiting list for residential placements in the state. Regardless of future residential plans, it is good to be on the waitlist, as these lists can be extremely long, and it is easy to remove your name than it is to add it.
- *At age 18:*
 - Register to vote.
 - Male students should register for the draft, no matter the level of functioning.
 - If applicable, individuals should apply to adult agencies for vocational and day programs, as well as for supported living.

Starting the Transition Process:

Transition planning should begin when the students turn 14 years old and the IEP should be updated annually depending on the progress that the student makes over the course of one year.

By the age of 15, the IEP should include post-school outcomes, including information about the student's future educational goals, vocational goals and his or her plans for independent living. The IEP goes into effect when the student turns 15. All of the information that is included in the student's IEP should be chosen based on the student's interests and strengths. This information should specifically detail the activities and courses that the student plans on taking through the next few years until he or she is legally no longer allowed to be involved with special education programs. The plan should outline how the individual will complete their IEP goals as well as the transition process. It should also be discussed with the student's transition team, which should include the student's parents, teachers, therapists and representatives from agencies that will be involved in the student's life during the transition process.

Education:

Course work for the remaining years that the student is involved in an educational program should be included in the student's IEP. The IEP should also explain why the student is taking those courses and how they are relevant to the student's future goals. Also, the IEP should discuss whether the student is planning on going to college, and if so, the appropriate time for the student to take the required standardized tests and complete college applications. The IEP should indicate which graduation option the student is pursuing. The IEP should include any vocational training and other skill-related instruction.

In terms of graduation, the state provides minimum requirements for graduation and LEAs can add to those requirements. The state of New York offers three types of diplomas: an honors diploma, a standard high school diploma or an IEP/special education diploma. The only allowance that is permitted is that alternate tests are used to meet the testing requirements. There is a new state exit exam that is all students are required to take. The state allows two options for the state exit exam. The first option is that the students can take the same test as the regular students but they have a lower passing score. Alternatively, they can take a different test and have a different passing score. If they fail the exam, they have the option of retaking the exam, which is administered three times a year.

Students have FAPE until they **turn 21** and then services are terminated. A Student Exit Summary is completed during the student's final year of high school that helps to assess the progress the student has made and his or her skill set upon leaving school.

Guardianship:

The age of majority in New York is 18 years old. This means that at 18, all rights to make decisions about his or her welfare and future are transferred from the parents/guardians to the individual. Rights concerning educational, legal, medical and financial decisions are given to the individual if he or she is deemed capable of making decisions in his or her best interests, and if the individual has the capacity to understand the consequences of these decisions.

Alternatively, if the families feel that the individual is incapacitated or unable to make his or her own decisions, they can elect a guardian to care for the individual, which must be approved by the district court. There are various types and levels of guardianship. The most common guardianship options are guardians for people, guardians for property, or standby guardians. The court monitors the first two types of guardianships and the terms of those guardianships are detailed during the hearing. The guardians have to provide a detailed account to the court every year as to how the individual is doing, or in the case of conservatorship, the expenditure of the individual's income and assets. A standby guardian will be responsible for assuming the duties of the initial guardian, if that person is no longer capable of performing the duties of a guardian.

The process begins when a petition is filed with the court and either two licensed physicians, or one licensed physician and one licensed psychologist certify that the student has a developmental disability that makes him or her incapable of taking care of him or herself. Then, the court must approve the guardian as an individual who will serve the best interests of the disabled individual. Less restrictive ways of guardianship are: a health care proxy or living will, a personal caregiver, the power of attorney or a trust of some kind, in regards to financial assets.

*This process should begin at least a year prior to the student's 18th birthday.

Vocational Rehabilitation:

It is best to start the Vocational Rehabilitation process at least two years before the student leaves school, generally during his or her junior year of high school. The New York Vocational Rehabilitation Program has independent living services and vocational rehabilitation services for students going through the transition process. The first part of the VR process is to meet with a counselor and discuss the best employment and living options for the student. These meetings will lead to an IPE, or an Individualized Plan for Employment. The VR counselors provide job training and instruction.

The New York region is famous for its community-based work programs in schools, hospitals and other locations, which students can be involved in starting at the age of 14.

To find a VR location, please visit: www.acces.nysed.gov/vr/district-offices

Social Security:

Benefits should be applied for before the student's 18th birthday and then be re-evaluated after the student's 18th birthday. It is also important that the office be contacted well in advance before the student's 18th birthday to understand that eligibility and application process.

Applicants may apply online or by contacting Social Security directly. Local Social Security offices can be found using SSA's office locator or by calling 800-772-1213.

- *Social Security Administration:* www.socialsecurity.gov
- *Social Security Benefit Application:* www.socialsecurity.gov/disabilityonline
- *Social Security Benefits for People with Disabilities:* www.ssa.gov/disability
- *Social Security Office Locator:* <https://secure.ssa.gov/ICON/main.jsp>

Housing Resources:

New York Public Housing Agency Contact Information:

www.hud.gov/offices/pih/pha/contacts/states/ny.cfm

US Department of Housing and Urban Development: HUD in New York

http://portal.hud.gov/portal/page/portal/HUD/states/new_york

NYS Office for People with Developmental Disabilities: Housing Options Available Through OPWDD:

www.omr.state.ny.us/housing/hp_housing_options.jsp

Disability.gov Guide to Housing:

www.disability.gov/resource/disability-govs-guide-housing

New York Resources

New York Department of Education: Special Education

speced@nysed.gov

www.p12.nysed.gov/specialed

Special Education Transition Information:

www.p12.nysed.gov/specialed/transition/home.html

Transition Implementation Tools:

www.p12.nysed.gov/specialed/transition/impt.htm

Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR)

www.acces.nysed.gov/vr

Vocational Rehabilitation Services: www.acces.nysed.gov/vr/vocational-rehabilitation-services

Transition and Youth Services: www.acces.nysed.gov/vr/transition-and-youth-services

New York State Office for People with Developmental Disabilities

(866) 946-9733

www.opwdd.ny.gov

Employment Opportunities and Supports:

www.opwdd.ny.gov/opwdd_services_supports/employment_for_people_with_disabilities/employment_opportunities_and_supports