

A,B,C's of Transition Care: *EDUCATION AND VOCATION Kruti Acharya, MD*

Midwest Region NMPRA Meeting: May 12, 2012

CASE 1

- Mary is a 17 year old with mild intellectual disability. She is a junior in public high school. She has an IEP.
- She is able to complete her ADLs independently. She cannot manage a budget, buy groceries or ride public transportation alone.

CASE 1

• What should be included in Mary's IEP?• Can Mary graduate with her class?

IDEA: INDIVIDUALS WITH DISABILITIES EDUCATION ACT

• To ensure that all children with disabilities have available to them a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for *further education*, *employment and independent living*.

http://idea.ed.gov/

• Last updated 2004: added "further education..." language

IEP AND TRANSITION SERVICES

• Individualized Education Plan (IEP)

- Written statement of educational program designed to meet individual student needs
- Any individual aged 3-21yo receiving special education services in public school has IEP
- Timeline
 - Written transition plan included by 14 ¹/₂ years (IL) or 16 years (Federal)
 - Transition services end when individual turns 22- whenever birthday falls, not necessarily end of academic year

TRANSITION SERVICES

• A results-oriented process to facilitate the child's movement from school to post-school activities

• Focused on improving the academic and *functional* achievement of the child with a disability

• Based on the individual child's needs, taking into account the child's strengths, preferences, and interests

TRANSITION SERVICES EXAMPLES

- Postsecondary education
- Vocational education
- Integrated employment (including supported employment)
- Continuing and adult education
- Adult services
- Independent living
- Community participation

BRITTANY'S LAW

- Allows a student with disability to participate in graduation, but still continue receiving secondary transition services through IDEA until age 22
- Promotes community participation of individual with disability
- Allows individual with disability to participate in important social rite of passage

From The Arc of Illinois website; http://www.thearcofil.org/legislative/document.asp?did=426

CASE 1 (cont)

- Mary is now 19. Despite having a transition program, she continues to have difficulty independently completing iADLs.
- She could likely succeed in a supported living and employment.
- What does she need to do now to plan for the future?
- What are her options?

PUNS: PRIORITIZATION OF URGENCY OF NEED FOR SERVICES

- A list of people in IL with disabilities who need services now or in the future
- To register, you must meet with a Pre-Admission Screener
- Able to sign up in adolescence
- Update PUNS yearly
- Receiving services not a guarantee
 - Unlike special education, VR not an entitlement
- Examples of services offered: Residential living, Job coaches, Respite

VOCATIONAL REHABILITATION(VR)

• Through DHS/DRS

- To assist an individual with a disability in preparing for, securing, retaining, or regaining an employment outcome that is consistent with the strengths, capabilities, interests, and informed choice of the individual
- Respect for individual autonomy
- Parallels goal-oriented transition plan

STEP: SECONDARY TRANSITION EXPERIENCE PROGRAMS

• Part of VR

• An evaluation, training, and employment program that prepares students with disabilities for transition to employment and optimum community participation during and after high school.

VR ELIGIBILITY DETERMINATION

1.General eligibility

• Determined by Certified DRS-VR Counselor

- Based on:
- 1) Is the individual a person with a disability?
- 2) Does the individual require VR services?
- 3) Can the individual benefit from VR services?
- 2. Order of selection
- Based on functional limitations- individuals with most significant disabilities served first

IPE: INDIVIDUALIZED PLAN FOR EMPLOYMENT

Once eligible, IPE developed.
Results oriented plan for employment
Agreed upon by individual and VR counselor

STEPS TO ACCESSING VR SERVICES PRIOR TO HS GRADUATION

- 1. Have "opening a case" with DRS written as part of IEP transition plan
- 2. Invite the DHS/DRS counselor in writing to all IEP and transition meetings
- 3. Apply for SSI prior to your 18th birthday this "proof" that is needed to establish the degree of "significant disability."
- 4. Consider also applying for services from DHS/DDD in addition to DHS/DRS
- 5. Request support from DHS/DRS in writing

Adapted from www.familyvoices.org

STEPS TO ACCESSING VR SERVICES FOLLOWING HS GRADUATION

- 1. Keep in contact with your DHS/DRS counselor
- 2. Network for job opportunities
- 3. Inform DHS/DRS counselor when you find a job and ask for needed supports
- 4. Keep paper trail of all communication with DHS/DRS
- 5. Ask DHS/DRS counselor to provide you written information about all policies and procedures

Adapted from www.familyvoices.org

NEXT STEPS FOR MARY

Sign up for PUNS
Referral to DHS- Vocational Services
https://drs.dhs.state.il.us/owr/setReferral.do

CASE 2

- Cherise is graduating high school this this summer and has been accepted to a private university.
- She has cerebral palsy. She uses a wheelchair. She also has spasticity of her hands.

CASE 2 (cont)

- Which laws protect Cherise's rights?
 - a) IDEA
 - b) ADA
 - c) Rehabilitation Act
- What academic adjustments can Cherise expect from the university?
- Are there any limits to what supports the university has to provide Cherise?

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ADA (1990): American with Disabilities Act

- Postsecondary school required to provide appropriate academic adjustments as necessary to ensure that it does not discriminate on the basis of disability.
- Postsecondary school not required to provide FAPE
- Appropriate academic adjustment must be determined based on disability and individual needs.

Academic Adjustments Examples Under ADA

- Arranging for priority registration Reducing course load
- Substituting one course for another
- Providing note takers, recording devices, sign language interpreters
- Extended time for testing
- Equipping school computers with screen-reading, voice recognition or other adaptive software or

Exceptions to ADA

- Postsecondary school not required to provide accommodations if
 - the student is not qualified (i.e. does not meet essential eligibility requirements)
 - providing the accommodation would fundamentally alter the program
 - the student is asking the institution to meet a personal need
 - the accommodation would involve an undue financial or administrative burden

ADA: more details

- Title II applies to state funded schools such as universities, community colleges and vocational schools.
- Title III applies to private colleges and vocational schools
- Title III has lower burden for institution than Title II

Rehabilitation Act (1977)

- Title V (section 504) covers any school that receives federal dollars regardless of whether it is private or public
- Requires schools to make their programs accessible to qualified students with disabilities
- Overlaps with ADA

CASE 3

- Juan is a 30 year old man with a TBI after falling off a ladder. He had previously worked as a painter. He now receives SSDI.
- He would like to work again but does not know what job he can perform and is afraid of losing his benefits.
- What are his options?

WORK INCENTIVE PLANS

• State via DHS:

- Work Incentive Planning and Assistance Program (WIPA)- Help individuals understand how working will affect benefits
- Supported Employment Program (SEP)
- Federal
 - Ticket to Work
 - www.ssa.gov/work/workincentives.htm

TICKET TO WORK

- Eligibility: Anyone 18-65yo who receives SSI or SSDI because disabled or blind
- Allow individuals to keep cash benefits and Medicare or Medicaid while they test ability to work.
- Exchange a "voucher" for employment and supports from an Employment Network (EN)
- Example: If receive SSDI, allow a trial work period during which you can receive full benefits regardless of how much you earn, as long as you report your work activity and continue to have a disabling impairment

EDUCATION AND VOCATION RESOURCES

- The Illinois State Board of Education : Educational Rights and Responsibilities: Understanding Special Education in Illinois. www.isbe.net
- Family Manual on Transition to Employment and Adult Services for Youth with Developmental Disabilities in Illinois

<u>http://www.familyvoicesillinois.org/documents/do</u> <u>cumentdetails.asp?did=2486</u>