

LDA of NYS Position Statement on the Need for Coordination of Services For Individuals Who Have Learning Disabilities

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The Learning Disabilities Association of New York State (LDANYS) is a statewide parent driven organization, representing thousands of individuals who have learning disabilities and their families throughout the state. A learning disability is a neurobiological disorder, which is developmental in nature. A learning disability manifests itself as a chronic condition in many aspects of learning and behavior across the lifespan and its impact upon an individual's ability to function can be significant.

Getting individuals who have learning disabilities the services they need to fully participate in our society and be independent is a growing challenge. Some individuals are able to receive services, such as residential habilitation and supported employment from OMRDD and VESID; however, others may not always meet the eligibility criteria of these two agencies. Additionally, the needs of individuals with learning disabilities can be complicated by concurrent issues that are often a manifestation of their disability such as substance abuse, mental illness, the need for public assistance and trouble with the law. Below are some statistics that illustrate these occurrences:

- 35% of students identified with learning disabilities drop out of high school. This is twice the rate of their non-disabled peers. Source: National Longitudinal Transition Study (Wagner, 1991).
- 60% of adults with severe literacy problems have previously undetected or untreated learning disabilities. Source: National Adult Literacy and Learning Disabilities Center 1994.
- 50% of juvenile delinquents tested were found to have undetected learning disabilities. Source: National Center for State Courts and Educational Testing Service, 1977.
- Up to 60% of adolescents in treatment for substance abuse have learning disabilities. Source: Hazelden Foundation, Minnesota 1992.
- 62% of students with learning disabilities were unemployed one year after graduation. Source: National Longitudinal Transition Study (Wagner, 1991).
- 50% of females with learning disabilities will be mothers (many of them single) within 3-5 years after leaving high school. Source: National Longitudinal Transition Study (Wagner, 1991).
- 31% of adolescents with learning disabilities will be arrested 3-5 years out of high school. Source: National Longitudinal Transition Study (Wagner, 1991).
- 54% (Learning Disabled: 35%, Slow Learner: 14%, Mentally Retarded: 5%) of the State of Washington's Welfare caseload is estimated as

having some type of special learning need. Source: Washington State (DESS) Learning Disabilities Research Project, 1997.

OMRDD and VESID do not provide services that address these problems and within the agencies that do, such as OMH, OASAS, OCFS, OTDA, DOL and DCJS, individuals with learning disabilities do not receive the accommodations needed to gain access to the services. Therefore, services become segmented and disconnected. What is missing is coordination and centralization of these diverse services to address all of the needs of individuals with learning disabilities and a comprehension that the disability and other issues are interwoven.

LDANYS supports the following concepts to address this issue:

- The creation of an agency or commission to administer appropriate services that can meet the multiple needs of individuals with learning disabilities.
- A protocol to allow these individuals to have “carry along” services, meaning they are able to access services from multiple agencies, not just those that exist to serve individuals who have disabilities.
- Development of training for staff at OMH, DOL, OCFS, OASAS, DCJS and OTDA on learning disabilities, such as how to recognize them, understand them and be aware that the very reason why the person they are serving is in front of them may be due in large part to their disability.
- Continuity of services so that when an individual with a learning disability does enter into the correctional system or welfare system, for example, their disability is also being dealt with.

The current system is designed to reactively deal with individuals who have learning disabilities *after* they’ve gone on welfare or *after* they’ve committed a crime or *after* they’ve abused drugs and alcohol. By implementing the above concepts, the state would be creating a more innovative and cost-effective service delivery system by addressing the needs of these individuals upfront through the provision of job placement, crime prevention and alcohol/ substance abuse programs, for example, that are developed specifically for individuals who have learning disabilities. Until this is understood and dealt with, the state will continue to spend money on costly services that deal with one issue while ignoring the other, thereby neither benefiting the individual in need nor the taxpaying citizens of this state who fund these programs.

LDA of NYS Statement on “Order of Selection” for VESID Services

The Learning Disabilities Association of New York State (LDANYS) is a statewide parent driven organization, representing thousands of families and consumers who have learning disabilities throughout the state. A learning disability is a lifelong, neurobiological disorder, which is developmental in nature.

LDANYS and the State Education Department’s Office of Vocational and Educational Services for Individuals with Disabilities (VESID) have had a productive relationship meeting the vocational rehabilitation needs of individuals with learning disabilities. Demand for VESID services has been steadily increasing but resources have not kept pace. VESID has received no additional state funds over the past eight years and federal programs, such as Welfare to Work, Workforce Investment, and Ticket to Work are putting more pressure on VESID to serve even more people with disabilities entering the workforce; more people to serve with less money means the potential implementation of order of selection.

The policy on order of selection requires that services will be provided on a prioritized basis and that not all eligible individuals will be served. Under an order of selection, individuals would be assigned to priority categories based only on the following criteria regardless of residency, type of disability, referral source, type of expected outcome, need for specific service, income level, age, color, religion, creed, disability, marital status, veteran status, national origin, race, gender, or sexual orientation. Individuals who are Public Safety Officers and whose disability is a result of action performed in the line of duty and which is a result of a criminal act, apparent criminal act or a hazardous condition resulting directly from the officer's performance of duties in direct connection with the enforcement, execution and administration of law, fire prevention, fire fighting or related public safety activities and meet eligibility criteria for a specific category, would be given priority for services within that specific category of eligibility. Based on available funds, individuals in priority category I would be served first, individuals in category II would be served next and finally, individuals in category III would be served.

Priority Category I - Persons with Most Significant Disabilities

An individual with a most significant disability means an individual:

- 1) who has one or more physical or mental disabilities determined by an assessment of eligibility and vocational rehabilitation needs to cause substantial functional limitations; and

2) who has a physical or mental impairment which seriously limits three or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, cognition, work tolerance, or work skills) in terms of an employment outcome; and

3) whose vocational rehabilitation will require multiple vocational rehabilitation services over an extended period of time.

Priority Category II - Persons with Significant Disabilities

An individual with a significant disability means an individual:

1) who has one or more physical or mental disabilities determined by an assessment of eligibility and vocational rehabilitation needs to cause substantial functional limitations; and

2) who has a physical or mental impairment which seriously limits one or two or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, cognition, work tolerance, or work skills) in terms of an employment outcome; and

3. whose vocational rehabilitation will require multiple vocational rehabilitation services over an extended period of time.

Priority Category III - Persons with Less Significant Disabilities

This category includes eligible individuals with less significant disabilities who are not included in Categories I and II.

It is LDANYS' goal to promote awareness and understanding of what order of selection would mean for some individuals with learning disabilities among state and federal policymakers. LDANYS also asks that funds available for VESID services be carefully examined and adequately appropriated on the state and federal level to ensure that all individuals who have disabilities, regardless of which category they fit into, have the services they need to fully participate in our society.