



Legislation Impacting Secondary Transition

Pennsylvania Community on Transition

PaTTAN's Mission

The mission of the Pennsylvania Training and Technical Assistance Network (PaTTAN) is to support the efforts and initiatives of the Bureau of Special Education, and to build the capacity of local educational agencies to serve students who receive special education services.

PDE's Commitment to Least Restrictive Environment (LRE)

Our goal for each child is to ensure Individualized Education Program (IEP) teams begin with the general education setting with the use of Supplementary Aids and Services before considering a more restrictive environment.



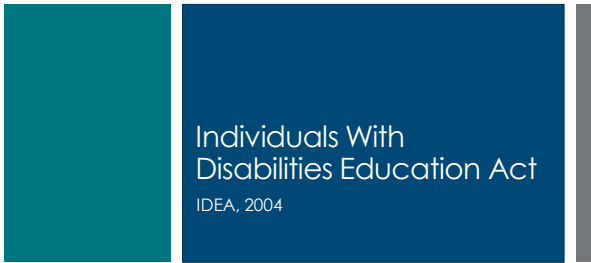
Today's Panel

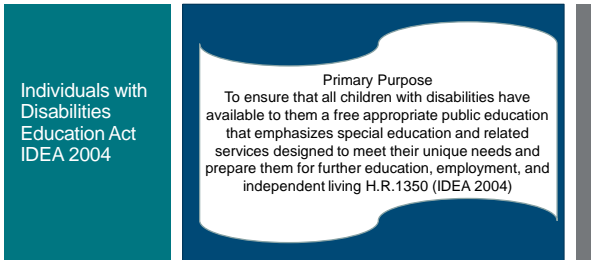
<p>Hillary Mangis Educational Consultant PATTAN</p> <p>Lee Burkett Director - Bureau of Career and Technical Education Pennsylvania Department of Education</p> <p>Kelly Arnold Human Services Program Specialist Office of Developmental Programs</p>	<p>Julie Monchon Director - Division of Policy Office of Developmental Programs</p> <p>Haslie LeFevre Western Region Section 511 Specialist Office Of Vocational Rehabilitation</p> <p>Beth Ann Fanning Vocational Rehabilitation Specialist Office of Vocational Rehabilitation</p>
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Agenda

- Individuals with Disabilities Education Act (IDEA, 2004)
- Pennsylvania Chapter 339
- Workforce Innovations and Opportunities Act (WIOA) and Section 511
- Center for Medicare and Medicaid Services - Final Rule for Home and Community Based Settings (CMS Final Rule HCBS)
- Employment First
- Act 26
- Every Student Succeeds Act (ESSA)







What is Secondary Transition?

a coordinated set of activities for a child with a disability that is designed within a **result-oriented process** that is focused on improving the academic and functional achievement of the child with a disability **to facilitate the child's movement from school to post-school activities** including post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation." (IDEA 2004)

IDEA §300.43

State Performance Plan/Annual Performance Results (SPP/APR)

Required for each State

Evaluates the State's efforts to implement the requirements and purposes of IDEA

Describe how the State will improve IDEA implementation

- 17 Indicators of compliance and performance
- The SPP/APR includes a description of the state's systems for general supervision, technical assistance and professional development, and for each indicator, baseline performance, annual targets and an explanation of a decline in performance, if any

SPP/APR Indicators

- | | |
|---|---|
| 1. Graduation | 9. Disproportionality by race/ethnicity |
| 2. Drop-Out | 10. Disproportionality by race/ethnicity/disability |
| 3. Participation and performance on statewide assessments | 11. Evaluation timelines |
| 4. Suspension and expulsion | 12. Early Childhood Transition (3-5) |
| 5. LRE school age students (6-21) | 13. Transition goals (16-21) |
| 6. LRE Preschool Early Intervention (3-5) | 14. Post-school outcomes |
| 7. Preschool Child Outcomes | 15. Mediation sessions |
| 8. Parent involvement | 16. Resolution sessions |
| | 17. State Systemic Improvement Plan |

Normal font - Indicator includes SA only data
Underlined - Indicator includes SA and PS data
Italicized - Indicator includes PS only data



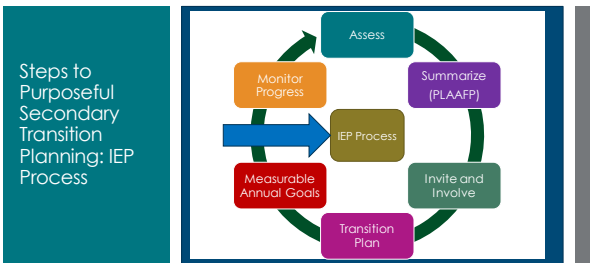
Every student by name regardless of background, condition or circumstance...

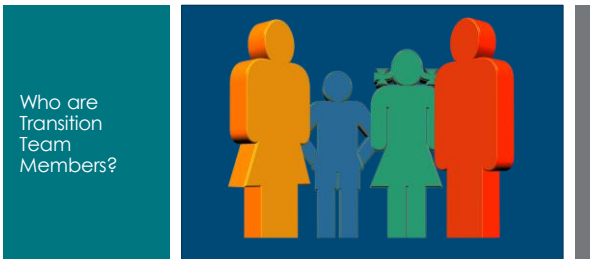
Proficient in core subjects

Graduates from high school, ready for post-secondary education and career

Achieves high outcomes

- Indicator 14:
 - Students achieving their post-secondary goals
- Indicators 1, 2 and 17:
 - Students actively engaged, staying in school and graduating
- Indicator 13
 - High quality IEPs designed to help students achieve their post-secondary goals
- The foundation:
 - High quality, rigorous, standards-aligned secondary school programs for all students





Beginning with
the end in
mind...

We strive to ensure that each student:

- Is proficient in core subjects
- Graduates from high school, ready for **post-secondary education & career**
- Achieves equitable outcomes, regardless of background, condition or circumstances



Pennsylvania Chapter 339

Vocational Education Standards

What is Chapter
339?

- Vocational Education Standards
- Pennsylvania requirement for comprehensive K-12 school counseling plan
 - To prepare every student for college and/or career readiness

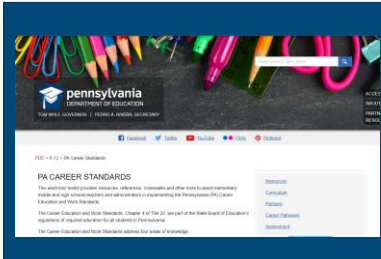
Related to

- Chapter 12 – requirement for comprehensive program of student services
- Career Education and Work Standards (CEW)

PA Career Standards



PA Career Standards on the PDE Website



PA 339

- Requirements for services and accommodations for diverse learners enrolled in CTCs
- Requirements for adequate supports under Ch. 4 and through IEP
- Calls for equal access to CTCs
- Counseling available to help students with informed decisions on CTCs
- Participation of CTC rep on IEP teams
- Work based learning experiences

339.21(5)

- A representative from CTC is necessary if student is *Enrolled* or is thinking of *Enrolling* in CTC
- Each CTC program has a "Task List" that can be used in discussion of student's progress towards achieving CTC competencies

Transition Staff and 339

- Help student in selection of area of study
- Encourage college/program visits that align with area of interest
- Assist with college/training program application process
- Understand course sequence implications
- Assist in applying for accommodations for entrance exams

Transition Staff and 339 Continued

- Work with guidance staff for College Awareness Activities
- Help to coordinate internships and job shadows
- Academic readiness supports
- Be aware of dual enrollment options
- Be aware of CTC SOAR articulation agreements
- Assistance with resume development
- Interview practice
- Access CTC program competencies

Centers for Medicare and Medicaid Services (CMS)

Final Rule for Home and Community-Based Settings (HCBS)

Final Rule for HCBS

- On January 16, 2014, the Centers for Medicare and Medicaid Services (CMS) issued a final rule for Home and Community-Based Settings (HCBS).
- The final rule, which became effective on March 17, 2014, amends the Medicaid regulations to provide requirements regarding person-centered plans of care, characteristics of settings that are home and community-based as well as settings that may not be home and community-based.
- These requirements reflect CMS' intent that individuals receiving services and supports through Medicaid Waivers **receive services in settings which are integrated in and support full access to the greater community.**

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More on Final Rule for HCBS

- Pennsylvania has 9 Medicaid home and community-based services waivers. All Medicaid Waivers must comply with these requirements. The final rule includes a provision requiring states offering HCBS under existing state plans or waivers to develop transition plans to ensure that HCBS settings will meet the final rule's requirements
- The state must meet all federal standards for HCBS by March 2019 (extension has been given to March 2022)
- Additional information can be found on the PA DHS website:
<http://www.dhs.pa.gov/HCBSwaiver>

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Goal and Scope of HCBS Rule

To "ensure that individuals receiving services through HCBS programs have full access to the benefits of community living"

- Provides opportunities to seek employment and work in competitive integrated settings, engage in community life, and control personal resources

To "further expand the opportunities for meaningful community integration in support of the goals of the ADA and the Supreme Court decision in Olmstead"

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ODP Waiver Employment Services

- Advanced Supported Employment
- Supported Employment
- Benefits Counseling
- Small Group Employment
- Community Participation Support
- Education Support

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Community Participation Supports

- Consolidated, Person/Family Directed Support and Community Living Waivers
- Replaces Pre-Vocational and Day Habilitation Services

- Flexibly wrap around and support community life secondary to employment, as a primary goal.
- This service involves participation in integrated community settings, in activities that involve persons without disabilities who are not paid or unpaid caregivers.

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More on...
Community
Participation
Supports

- The service should result in the person:
- Increasing potential for employment;
 - Developing and sustaining a range of valued social roles and relationships;
 - Building natural supports;
 - Increasing independence; and
 - Experiencing meaningful community participation and inclusion.

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Community
Participation
Supports
Continued

- The purpose of the Community Participation Support service is to broaden the types of life-long learning experiences available to individuals receiving services.
- Providers must be prepared to offer community activities no less than 25% of the person's time in the program. (In PA plan by July 2019)
- The choice whether to participate in community activity, the amount and frequency will remain with the person.


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Workforce Innovation and Opportunities Act


WIOA and Section 511




Workforce
Innovation
and
Opportunity
Act









Section 511





- Limits the use of subminimum wage employment
- Places emphasis on Competitive Integrated Employment (CIE)
- Reduces student/youth exposure to subminimum wage employment





• **Subminimum wage (SMW) employment**

- Sheltered workshops, prevocational services, Ability One Contracts, Service Contract Act

• **14(c) Certificate**

- This is a certificate issued by DOL to an employer that authorizes the payment of subminimum wages to workers with disabilities





- Under WIOA, schools and OVR **CANNOT** contract with any 14(c) holder for services that pay students/youth SMW





After 7/22/16:

- Youth (**ages 24 and younger**) are **UNABLE** to enter SMW employment until they complete **THREE** required services
- Youth who were already in SMW prior to 07/22/2016 are grandfathered in and do not need to meet the three requirements





#1) Youth must have completed Transition Services under IDEA and/or Pre-Employment Transition Services from OVR

- Documented on OVR-263





#2) Youth must apply for OVR services and the case has to either be closed ineligible or unsuccessful

- Documented on OVR Ineligibility Certificate or Case Closure letter





#3) Youth must complete Career Counseling and receive information on other employment resources in the community

- Documented on OVR-263A.
- This service is completed at the time of OVR application.





A youth in high school expresses he/she has no interest or plans to pursue CIE and is not interested in OVR services...

- What services might the youth be looking for after high school?
- Does he/she plan to use Waiver to receive Pre-Voc/Community Participation Support Services?
- Collaborate with Supports Coordinator
- Refer to OVR





A youth in high school expresses he/she has no interest or plans to pursue CIE and is not interested in OVR services...

- What services might the youth be looking for after high school?
- Does he/she plan to use Waiver to receive services that are not paid and do not involve employment?
 - The youth does not need referred to OVR





- Section 511 applies to anyone earning/planning to earn SMW
- Know the OVR Liaison for your district
- Utilize Supports Coordinator and OVR in planning
- If a student/youth expresses interest in any kind of employment, especially subminimum wage, they should be referred to OVR





EASTERN REGION: Bucks, Carbon, Chester, Delaware, Lehigh, Monroe, Montgomery, Northampton & Philadelphia Counties

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WIOA and PETS



- Pre-Employment Transition Services (PETS) for students with disabilities
 - Job Exploration Counseling
 - Work Based Learning
 - Counseling On Post Secondary Education Opportunities
 - Workplace Readiness Training
 - Instruction In Self-Advocacy
- (Requires 15% VR funds allotment)

Pennsylvania Office of Vocational Rehabilitation



What are PETS?



OVR funded PETS are intended to increase the employment rate of students with disabilities in the state of Pennsylvania.

PETS are preparatory services for Students with Disabilities to identify career interests, practice and improve work skills, and explore postsecondary training opportunities at an earlier age to maximize their potential to enter competitive, integrated employment.

Pennsylvania Office of Vocational Rehabilitation



Who Can Participate in PETS?



Pre-employment transition services may be **provided to all students with disabilities**, regardless of whether an application for services has been submitted.

Pennsylvania Office of Vocational Rehabilitation



Student with a Disability



Students with Disabilities are individuals between the ages of 14 and 21, enrolled in high school (secondary), postsecondary training or any other recognized education program that who have a disability as documented by an IEP or 504 plan, or otherwise consider themselves a person with a disability.



Horizontal lines for notes

How is OVR providing PETS?



- OVR Staff
- PETS Providers
- Contracts



Horizontal lines for notes

PETS Format



- Group Services are intended to be instructional services provided to 2 or more students that IS NOT centered around an individual student or youth's situation or specific transition plan.
- Individual Services are specifically centered around an individual student's situation or specific transition plan



Horizontal lines for notes

OVR PETS - Group



Group PETS

- Self-Advocacy Instruction
- Work Readiness Training
- Independent Living Skills Training
- Group Shadowing
- Community Work Instruction
- Group Travel Training

Pennsylvania Office of Vocational Rehabilitation



OVR PETS - Individual



Individual PETS

- Work Based Learning Experiences
- Job Shadowing
- Promoting Academic Success (PAS)
- Counseling on topics like disability disclosure, job exploration, or communication in the workplace
- Student Stipend

Pennsylvania Office of Vocational Rehabilitation



Employment First

Important Dates

- 2016: Executive Order 2016-03 – Establishing “Employment First” Policy and Increasing Competitive Integrated Employment for Pennsylvanians with a Disability
- 2018: Act 36 – “Employment First Act” - Establishing Employment First, the Governor’s Cabinet for People with Disabilities, and the Employment First Oversight Commission

Employment First Act

- Establishes the Governor’s Cabinet for People with Disabilities
- Establishes independent Employment First Oversight Commission
- Provides for Training and Outreach to provide information about Employment First and available opportunities for participation in competitive integrated employment

Act 36 of 2018
“Employment First Act”

<http://www.legis.state.pa.us/ACT36>

ACT
26

THE WORK EXPERIENCE
FOR HIGH SCHOOL
STUDENTS WITH DISABILITIES
ACT
May 17, 2016
P.L. 216-26

OVR Requirements

Requires the Office of Vocational Rehabilitation (OVR) to:

- Provide pre-employment transition services to students with disabilities
-and-
- facilitate the process of job and career development between local education agencies (LEAs) and public and private employers

For the purpose of ensuring successful transition of high school students with disabilities into competitive integrated employment.



OVR and LEA Collaboration

OVR must do the following in collaboration with LEAs and other relevant public agencies:

- Provide information about job skill training being included in high school students' individual education plans (IEPs);
- Arrange for work-based learning experiences;
- Provide professional guidance relative to job coaching services;
- Provide counseling on enrollment in comprehensive transition or postsecondary education programs at institutions of higher education;
- Make information regarding the implementation of Act 26 available to the public.



Act 26 Data Collection(1 of 3)



- Local Education Agencies (LEAs) will collect data based on the five data items pertaining to work experience for students with disabilities involved in transition planning as part of their Individualized Education Program (IEP).
- Data is collected on any student 14 years of age or older with an IEP (including 13 years old turning 14 during the school year)
- LEAs must develop and utilize a recording method. The data may be collected through consultation with the teacher, and/or transition coordinator. The data collected must reflect the student's current IEP.

Pennsylvania Office of Vocational Rehabilitation

Act 26 Data Collection(2 of 3)



The following data must be collected by IEP teams:

1. Does this student have a transition plan as part of their IEP? (YES/NO) – if "Yes", then following questions must be answered YES/NO:
2. Does the IEP contain new services that support paid work-based learning experiences in a competitive (at least minimum wage) integrated setting?
3. Does the IEP contain services that include job supports/coaching?
4. Does the IEP contain services that include career development and job exploration?
5. Has the transition IEP been modified to include services that support paid work-based learning experiences in a competitive (at least minimum wage) integrated setting?

(Note: There may be "No" answers for questions 2-5)

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Act 26 Data Collection(3 of 3)



Q. Will answering "NO" to any of these questions reflect negatively on LEAs?

- A. No. The purpose of the data collection is for LEAs and the PDE to collaborate with OVR to achieve the objectives of Act 26 requirements. The data collection is NOT for purposes of the BSE to monitor LEAs to ensure that they are complying with federal and state special education laws and regulations.

Pennsylvania Office of Vocational Rehabilitation

OVR Data Reporting



In order to meet the requirements of Act 26, OVR also reports on:

- OVR staff attendance at IEP meeting
- Job referrals made to employers on behalf of students with disabilities while still in high school
- HS students working in PT or summer jobs as a result of referrals made by OVR staff
- HS students working in PT or summer jobs who are receiving job coaching services
- HS students who enter CIE within 3 months of HS graduation

Pennsylvania Office of Vocational Rehabilitation



ACT 26 Resources



Annotated IEP (Updated May 2017)---Pg. 19:

<http://pattan.net.annotatedIEP>

PA General Assembly:

<http://www.legis.state.pa.us/act26>

Pennsylvania Office of Vocational Rehabilitation



Every Student Succeeds Act (ESSA)
Pennsylvania's Consolidated Plan

ESSA: Historical Context

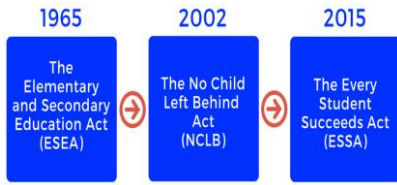
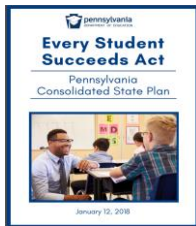


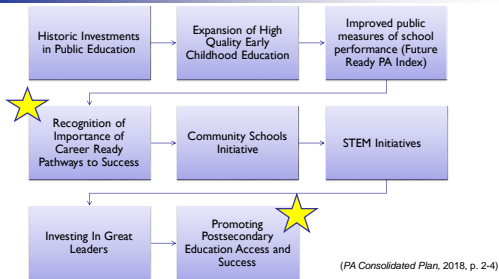
Figure 1. Timeline of ESSA. Adapted from "The Every Student Succeeds Act: Pennsylvania's Consolidated State Plan," Pennsylvania Department of Education. Retrieved June 15, 2018, from <http://www.education.pa.gov/K-12/ESSA>

ESSA: Pennsylvania's Plan

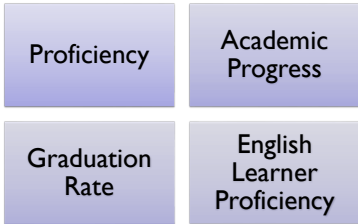


<https://ESSA.ConsolidatedPlan>

Pennsylvania's Plan: The Vision for Public Education

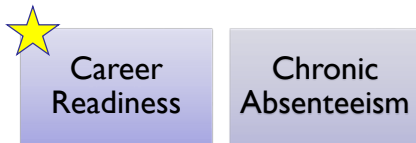


ESSA: Required Indicators for School Measuring Performance



From <<http://www.education.pa.gov/K-12/ESSA/Indicators>>

Pennsylvania's Plan: Two Additional Indicators



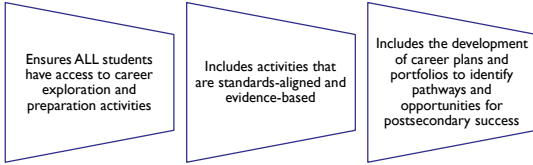
From <ESSA INDICATORS>

What Is the Career Readiness Indicator?

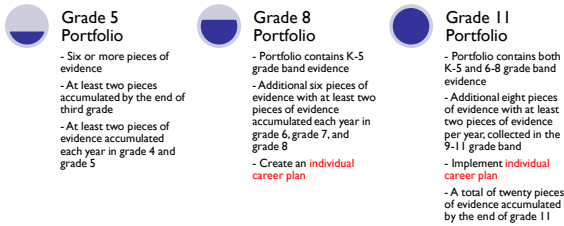
"a measure of students' career exploration, preparation, and readiness as part of Pennsylvania's state and federal accountability system"



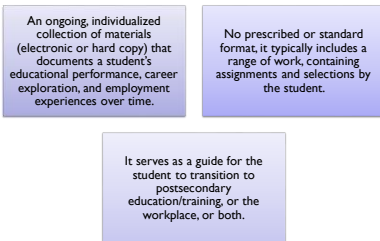
Components of Career Readiness Indicator



Requirements By Grade Bands

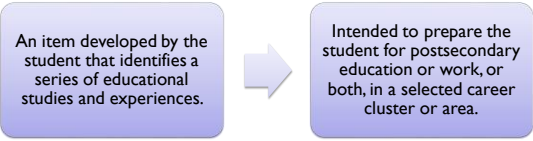


Career Portfolio



(PDE, "Career Readiness Guidance", p. 2)

Individualized Career Plan



(PDE, "Career Readiness Guidance", p. 2)

How is the Career Readiness Indicator Calculated?

of students in grades 5, 8, & 11 who demonstrate evidence that they have satisfied state-mandated CEW standards

All students enrolled in grades 5, 8, & 11

From <FutureReadyCRS>

Calculation of the Career Readiness Indicator

Calculations will be performed as follows:

1. The percentage of all students and each subgroup of students who, by the end of grade 5, demonstrate engagement in career exploration and preparation aligned to CEW standards.
2. The percentage of all students and each subgroup of students who, by the end of grade 8, create an individualized career plan and participate in career preparation activities aligned to the CEW standards.
3. The percentage of all students and each subgroup of students who, by the end of grade 11, implement their individualized career plan through ongoing development of a career portfolio and participation in career preparation activities aligned to the CEW standards.

(PA Consolidated Plan, 2018, p. 42)

Reporting the Career Readiness Indicator

Career Readiness Indicator will be reported on the Future Ready PA Index as:

- **BLUE** for a school that exceeds the Performance Standard
- **GREEN** for a school that meets the Performance Standard
- **RED** for a school that does not meet the Performance Standard

Additional Information will be reported using the following icons:



Reporting Guidelines

Reporting the Career Readiness Indicator			
Individual student data entered in June into PIMS	School assures quality and sufficiency of data	Activities must be implemented and evaluated with fidelity and rigor	Activities should be aligned to CEW standards

Points of Consideration for Students With Disabilities

Important!!



- The IEP cannot replace the career portfolio.
- Services and activities in the IEP serve as individual supports to help students accomplish goals aligned with the portfolio.

What the research says...



“Students who are more involved in setting educational goals are more likely to reach their goals.”

Wehmeyer, 2003

Evidence Based Predictors of Post-School Success

- access to community experiences
- interagency collaboration
- paid employment/work experience
- parental expectations and involvement
- self-advocacy/self-determination
- self-care/independent living skills
- **social skills**
- student support
- **inclusion in general education**

National Technical Assistance Center on Transition (NTACT), 2009

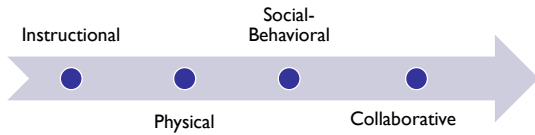
Supplementary Aids and Services (SaS) Toolkit:

- The Supplementary Aids and Services Toolkit guides teams through steps that lead to the identification of services and supports to enable a student with a disability to learn and succeed within general education classroom settings.
- The SaS Consideration Toolkit consists of five components that are packaged separately to facilitate ease of use.
- PaTTAN and Intermediate Unit consultants have been trained in the use of these tools, and are available to provide on-site support to IEP teams as they become familiar with the process.



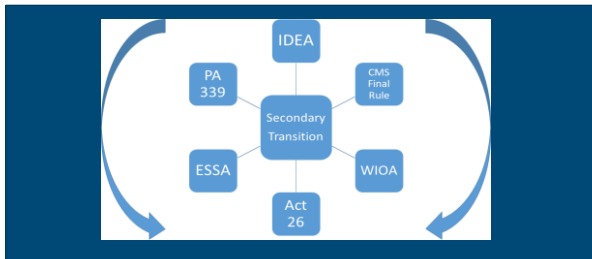
<http://www.pattan.net/SASToolkit>

Categories for Consideration



From: The Supplementary Aids and Services Toolkit.

College and Career Ready Standards



Employment



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Commonwealth of Pennsylvania
Tom Wolf, Governor
Pennsylvania Department of Education
Pecio A. Rivera, Secretary
Matthew Stem, Deputy Secretary, Elementary and Secondary Education
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