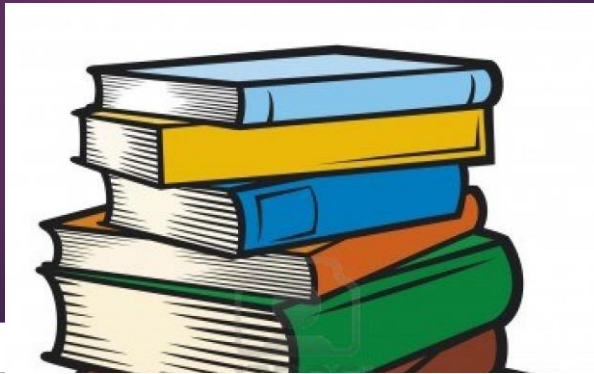


## NJ Division of Vocational Rehabilitation Services

Workforce Innovation and Opportunity Act  
Pre Employment Transition Services

Implementing VR Program Requirements



## Implementing VR Program Requirements

The Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (WIOA):

- ▶ Emphasizes the provision of services to students and youths with disabilities to ensure they have opportunities to receive training and other services necessary to achieve competitive integrated employment;
- ▶ Expands the population of students with disabilities who may receive services and the kinds of services that the VR agencies may provide to youth with disabilities who are transitioning from school to postsecondary education and employment;

## Implementing VR Program Requirements (cont.)

- ▶ Increases opportunities to practice and improve workplace skills, such as through internships and other work-based learning opportunities; and
- ▶ Requires VR agencies to reserve not less than 15 percent of the Federal VR allotment to provide, or arrange for the provision of, pre-employment transition services for students with disabilities transitioning from school to postsecondary education programs and employment in competitive integrated settings, and that these services be coordinated with the local educational agencies (LEA).

## Definition of “Student with a Disability”

A student with a disability is an individual who:

- ▶ Is in an educational program; and
- ▶ Meets certain age requirements; and
- ▶ Is eligible for and receiving special education or related services under IDEA; or
- ▶ Is an individual with a disability for purposes of section 504 of the ACT.

## Definition of “Student with a Disability” (cont.)

- ▶ Educational programs include:
  - a. Secondary education programs;
  - b. Non traditional or alternative secondary education programs, including home schooling;
  - c. Postsecondary education programs; and
  - d. Other recognized educational programs, such as those offered through the juvenile justice system.

## Definition of Student with a Disability (cont.)

- ▶ Age range requirements for a student with a disability:
  - Minimum age:
    - ▶ Not younger than the earliest age to receive transition services under IDEA; or
    - ▶ Not younger than the earliest age, if determined by the State as being different, to receive pre-employment transition services.

### Maximum age:

- ▶ Not older than 21 years old; or
- ▶ Not older than the highest age determined by the State to received services under IDEA, if older than 21 years of age.

## Definition of “Youth with a Disability”

- ▶ A youth with a disability is:
  - a. An individual with a disability;
  - b. Not younger than 14 years of age; and
  - c. Not older than 24 years of age.
- ▶ There is no requirement that a “youth with a disability” be participating in an education program.
- ▶ The age range for a “youth with a disability” is typically broader than that for a “student with a disability”.

## Transition-Related Services

Continuum of services available to students and youth with disabilities through the VR program:

- ▶ Pre-employment transition services
  - Available only to students with disabilities
  - Application and IPE are not required
- ▶ Group transition services
  - Available to both students and youth with disabilities
  - Application and IPE are not required
- ▶ Individualized transition and other VR services
  - Available to all eligible individuals
  - Application and IPE are required

## Pre-Employment Transition Services Overview

These services are an early start at job exploration that:

- ▶ Must be made available Statewide to all students with disabilities in need of such services, regardless of whether a student has applied for VR services;
- ▶ May begin once a student requests or is recommended for one of more pre-employment transition services and documentation of a disability is provided to the VR agency;
- ▶ Assist students with identifying career interests to be further explored through additional VR services, including transition services;
- ▶ Must be provided or arrange in collaboration with LEAs; and
- ▶ Are the only activities that can be paid for with the funds reserved under section 110 (d)(1).

## Population to Receive Pre-Employment Transition Services

Pre-employment transition services are provided to “students with disabilities” who are:

- ▶ Eligible for VR services; or
- ▶ Potentially eligible for VR services (i.e. all students with disabilities, including those who have not applied or been determined eligible for VR services).

## Pre-Employment Transition Services: “Required” Activities (cont.)

The Five “required” activities or pre-employment transition services of the Act and which can be provided in group setting or on an individual basis are:

1. Job Exploration Counseling;
2. Work-based learning experiences, which may include in-school, after school, or community based opportunities;
3. Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at IHEs (Institutions of Higher Education);
4. Workplace readiness training to develop social skills and independent living; and
5. Instruction in self advocacy, including peer mentoring

Allowable expenditures incurred in carrying out these activities may be paid with funds reserved for the provision of pre-employment transition services.

## Job Exploration Counseling-Overview of Examples in a Group Setting

General job exploration counseling in a group setting may be provided in a classroom or community setting and could include:

- ▶ Information regarding in-demand industry sectors and occupations, as well as non-traditional employment;
- ▶ Information about labor market composition;
- ▶ Administration of vocational interest inventories; and
- ▶ Identification of career pathways of interest to the students.

## Job Exploration Counseling-Overview of Examples on an Individual Basis

Job exploration counseling provided on an individual basis might be provided in school or the community and could include discussions pertinent to the particular student about:

- ▶ The student's vocational interest inventory results;
- ▶ In demand occupations;
- ▶ Career Pathways; and
- ▶ Local Labor market information that applies to the student's particular interests.

## Work-Based Learning Experiences-Integrated Settings

- ▶ Work-based learning experiences may include opportunities that are:
  - a. In school;
  - b. After school; or
  - c. Outside the traditional school setting (including internships).
- ▶ Work-based learning experiences must be provided in the community to the maximum extent possible.
- ▶ VR agencies are to exhaust all opportunities for work-based learning experiences in integrated settings before placing an individual in a non-integrated setting.

## Work-Based Learning Experiences- Overview of Examples in a Group Setting

Work-based learning experiences in a group setting may include:

- ▶ Coordinating a school-based program of job training and informational interviews to research employers;
- ▶ Work-site tours to learn about necessary job skills;
- ▶ Job shadowing; or
- ▶ Mentoring opportunities in the community.

## Work-Based Learning Experiences- Overview of Examples on an Individual Basis

Work-based learning experiences on an individual basis could include paid or unpaid:

- ▶ Internships;
- ▶ Apprenticeships;
- ▶ Short-term employment;
- ▶ Fellowships; or
- ▶ On-the-job trainings in the community





## Enrollment in Comprehensive Transition or Postsecondary Educational Programs at IHE's

### Overview of Examples in a Group Setting

Counseling on these specific opportunities in a group setting may include providing information on:

- ▶ Course offerings;
- ▶ Career options;
- ▶ The types of academic and occupational training needed to succeed in the workplace; and
- ▶ Postsecondary opportunities associated with career fields or pathways.

## Counseling on Opportunities for Enrollment in Comprehensive Transition or Postsecondary Educational Programs at IHEs

### Overview of Examples on an Individual Basis

Such counseling may also be provided on an individual basis and may include:

- ▶ Advising students and parents or representatives on academic curricula;
- ▶ Providing information about college application and admissions processes;
- ▶ Completing the Free Application for Federal Student Aid (FAFSA); and
- ▶ Providing resources that may be used to support individual student success in education and training (i.e., disability support services).

## Workplace Readiness Training-Overview of Examples in a Group Setting

Workplace readiness training services may be offered in a generalized manner in a classroom or other such group settings to provide programming to assist students with disabilities to develop social skills and independent living skills necessary to prepare for eventual employment. These services could teach skills such as:

- ▶ Communication and interpersonal skills;
- ▶ Financial literacy;
- ▶ Group orientation and mobility skills (i.e., to access workplace readiness training or to learn to travel independently);
- ▶ Job Seeking skills; and
- ▶ Understanding employer expectations for punctuality and performance, as well as other “soft” skills necessary for employment.

## Workplace Readiness Training-Overview of Examples on an Individual Basis

The services discussed in the previous slide may be tailored to the individual’s needs in a work readiness training program provided in an educational or community based setting through instruction, as well as opportunities to acquire and apply knowledge.



## Instruction in Self Advocacy-Overview of Examples in a Group Setting

Instruction in self-advocacy services may be provided through generalized classroom lessons in which students:

- ▶ Learn about their rights and responsibilities;
- ▶ Learn how to request accommodations or services and supports;
- ▶ Communicate their thoughts, concerns, and needs, in order to prepare them for peer mentoring opportunities with individuals working in their area(s) of interest.

## Instruction in Self-Advocacy-Overview of Examples on an Individual Basis

These services can also be provided through individualized opportunities that include students:

- ▶ Conducting information interviews
- ▶ Mentoring with educational staff such as principals, nurses, teachers, or office staff; or
- ▶ Mentoring with individuals employed by or volunteering for employers, boards, associates, or organizations in integrated community settings; and
- ▶ Participating in youth leadership activities offered in educational or community settings.

## Pre-Employment Transition Coordination

Pre-employment transition coordination activities of the ACT are:

- ▶ Attending IEP meetings, when invited
- ▶ Working with the local workforce development boards, one-stop centers, and employers to develop work opportunities for students with disabilities;
- ▶ Working with schools to coordinate and ensure the provision of pre-employment transition services; and
- ▶ Attending person centered planning meetings for students with disabilities receiving services under Title XIX of the Social Security Act, when invited.

## Definition of Transition Services

- ▶ “Students or youth with disabilities”; and
- ▶ Outreach to and engagement of parents or, as appropriate, the representatives of students or youth with disabilities.

### Transition Services

Following the continuum of VR services; “transition services” represents the next set of VR services available to students and youth with disabilities and includes:

## Definition of Transition Services (cont.)

- ▶ **Group transition services; and**
- ▶ **Individualized transition services.**

### Group Transition Services

**VR agencies may provide transition services to groups of students and youth with disabilities who may not have applied or been determined eligible for VR services.**

## Group Transition Services-Example

**Examples of group transition services may include, but are not limited to:**

- ▶ **Group tours of universities and vocational training programs;**
- ▶ **Employer or business site visits to learn about career opportunities;**
- ▶ **Career Fairs coordinated with workforce development and employers to facilitate mock interviews and resume writing; and**
- ▶ **Other general services applicable to groups of students with disabilities and youth with disabilities.**

## Individualized Transition Services

- ▶ As the next step in the continuum, individualized transition services must be provided to students who have been determined eligible for the VR program and in accordance with an approved IPE.
- ▶ Any allowable VR service under section 103 (a) of the Act and 361.48 (b) can be provided as a transition service under an IPE.



## Financial Responsibilities of VR Agencies and Local Education Agencies

- ▶ LEAS are responsible for providing and paying for any transition service that is considered special education or related services necessary for ensuring a free appropriate public education (FAPE) as required under IDEA.
- ▶ Nothing under Title 1 of the Rehabilitation Act shall be construed as reducing a LEA's obligation to provide the services under IDEA.
- ▶ Pre-employment transition services and transition services can be both vocational rehabilitation services under the VR program and special education or related services under IDEA.

## Definitions of Competitive Employment and Integrated Employment

### Federal Definition:

- ▶ **Competitive employment means work “in the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.” [34 CFR §361.5(b)(11)] (Code of Federal Regulations)**
- ▶ **Integrated Setting means “An employment setting typically found in the community in which the employee with a disability is working in the same setting as those without a disability. And...interacts to the same extent that non-disabled individuals in comparable positions interact with their fellow co-workers.” [CFR, 361.5(b)33]**

## Section 511- Changes in the Use of Subminimum Wage Employment (Sheltered Employment)

- ▶ **Under WIOA no youth age 24 and under can be referred for Extended Employment (sheltered workshop) unless all 5 required PETS services have been provided either through the local education agency (school) or DVRS.**
- ▶ **Documentation has to demonstrate that the student has attempted Pre Employment Transition Services, over a reasonable amount of time, and has not been successful, prior to the referral for Extended Employment. The Extended Employment provider must maintain copies of any relevant records to maintain compliance with US Department of Labor, Wage & Hour regulations.**

## DVRS Referral Process

It is encouraged that students be referred to DVRS when...

- ✓ Student has expressed a desire to work in competitive employment.
- ✓ Student is aged 14-21 (in school) and 14-24 (out of school) and can benefit from Pre-Employment Transition Services and Transition Services.
- ✓ Student has a significant disability (physical, cognitive, and/or mental impairment) as documented in an IEP (Individualized Education Program), 504 Plan, and/or other evaluations or medical records.
- ✓ Student will require services from DVRS based on his or her disability related needs in order to be successfully employed.

## Steps in the DVRS Process

### THE REFERRAL

- ▶ Being referred to DVRS is the 1<sup>st</sup> step!
- ▶ School staff typically make the referral to DVRS. This fosters the collaboration between the school and DVRS and can streamline the process of obtaining school documentation related to the student's disability.
- ▶ Students/Parents are encouraged to ask the school to make the referral to DVRS or may do so themselves if this has not happened well before the student's exit from the school.

\*The Referral form is not an application.



## Steps in the Referral Process (cont.)

1. **Application (not required for Pre-Employment Transition Services)**
2. **Eligibility Determination-Based on significance of disability and how the disability impacts the ability to work.**
3. **Developing the Individual Plan for Employment with the DVRS counselor which indicates an employment goal.**
4. **Obtaining employment based on individual strengths, abilities and skills after attainment and completion of vocational rehabilitation services.**

## What Records Are Needed?

- ▶ **Copy of the student's most recent psychological, social and learning assessments,**
- ▶ **Include a diagnosis (NJ Administrative Code 6A:14-3.5) and a current assessment of academic functioning.**
- ▶ **DOE's "Vocational Profile" (as found on the DOE website) is an important tool to assist with planning as it documents strengths and limitations in functional terms and may note work interests and abilities gained through community work experience.**
- ▶ **An assessment of the student's social skill levels and behavioral or safety issues should be included.**

## What Records are Needed? (cont.)

- ▶ **Reports from Structured Learning Experiences (SLE) or Community Based Instruction (CBI) job sampling sites**
- ▶ **Results from Interest testing**
- ▶ **Pertinent medical or psychiatric evaluations**
- ▶ **Student's self-report of future career goals**
- ▶ **Copy of student's Summary of Performance (SOP) developed in senior year.**

## AVAILABLE RESOURCES

**Job Accommodation Network (JAN)**- [www.askjan.org](http://www.askjan.org)

**The New Jersey Career Assistance Navigator (NJCAN)** - [www.NJCAN.org](http://www.NJCAN.org)

**My Next Move**- Career Planning website geared toward youth,

[www.mynextmove.org](http://www.mynextmove.org)

**NCWD/Youth** is a source for information about employment and youth with disabilities. – [www.ncwd-Youth.info](http://www.ncwd-Youth.info)

**NJ LWD /NJDVRS**- [www.careerconnections.nj.gov](http://www.careerconnections.nj.gov)

**NJ Statewide Independent Living Council**- [www.njsilc.org](http://www.njsilc.org)

(Provides information about the Centers for Independent Living)

**Office of Disability Employment Policy (ODEP)**, US Dept. of Labor- [www.dol.gov/odep](http://www.dol.gov/odep)

**ODEP's** "Soft Skills to Pay the Bills" Curriculum (PDF format), [www.dol.gov/odep/topics/youth/softskills](http://www.dol.gov/odep/topics/youth/softskills)

**The Arc Family Institute** – <http://www.thearcfamilyinstitute.org/>

**Statewide Parent Advocacy Network (SPAN)**- Provides information, resources, support, and advocacy - [www.spanadvocacy.org](http://www.spanadvocacy.org)

**Transition Matters**- Family Support Center of New Jersey, (FSCNJ) [www.fscnj.org/transition-matters/](http://www.fscnj.org/transition-matters/) Transition information & resources

## Contact DVRS

**NJ Department of Labor & Workforce Development**

**Division of Vocational Rehabilitation Services**

**1 John Fitch Plaza, PO Box 398**

**Trenton, NJ 08625-0398**

**Toll Free Number: 1-866-871-7867**

**or**

**609-292-5987**

**609-292-8347 (fax)**

**Email address:** [dvradmin@dol.state.nj.us](mailto:dvradmin@dol.state.nj.us)

**Website:** [www.careerconnections.nj.gov](http://www.careerconnections.nj.gov)



## DVRS Local Offices

- ❖ Bridgeton (Cumberland, Salem) 856-453-3888
- ❖ Camden (Camden) 856-614-2500
- ❖ Elizabeth (Union) 908-965-3940
- ❖ Hackensack (Bergen) 201-996-8970
- ❖ Hackettstown (Sussex, Warren) 908-852-4110
- ❖ Jersey City (Hudson) 201-217-7180
- ❖ Randolph (Morris) (862) 397-5600 (Option 3 for DVR)
- ❖ Neptune (Monmouth) 732-775-1799
- ❖ Newark (Essex) 973-648-3494
- ❖ New Brunswick (Middlesex) 732-937-6300
- ❖ Paterson (Passaic) 973-742-9226
- ❖ Pleasantville (Atlantic) 609-813-3933
- ❖ Somerville (Somerset, Hunterdon) 908-704-3030
- ❖ Thorofare (Gloucester) 856-384-3730
- ❖ Toms River (Ocean) 732-505-2310
- ❖ Trenton (Mercer) 609-292-2940
- ❖ Westampton (Burlington) 609-518-3948
- ❖ Wildwood (Cape May) 609-523-0330



## PRESENTER

**Cheri R. Thompson, MS**

Program Planning & Development Specialist 1  
NJ Department of Labor & Workforce Development

1 John Fitch Plaza- PO Box 398

Trenton, NJ 08625-0398

609-292-5987

609-292-8347 (fax)

Email: [Cheri.Thompson@dol.nj.gov](mailto:Cheri.Thompson@dol.nj.gov)