

What Parents of Children with IDD Need to Know about Vocational Rehabilitation Transition Services

Created in collaboration by:



Presenters

Kathleen Redpath-Perez
Managing Attorney, Employment Unit



Susan Head
Senior Staff Advocate



Disability Rights New Jersey

- Disability Rights New Jersey is the designated Protection and Advocacy agency for New Jersey
- We advocate for and advance the human, civil and legal rights of residents of New Jersey with disabilities



We Can Do It!



**Ready, willing
and able to work.**



Finding the job that is right for you

- VR services are designed to help you get a job that fits your skills and interest and your own personal choice. CFR 361.46
- “Informing each applicant and eligible individual...through appropriate modes of communication, about the availability of and opportunities to exercise informed choice, including the availability of support services for individuals with cognitive or other disabilities who require assistance in exercising informed choice throughout the vocational rehabilitation process.” 34 C.F.R. 361.52



Learning Objectives

- What are VR Transition Services?
- How to access VR Transition Services?
- Ready to work: what happens after graduation?



NJ's Vocational Rehabilitation Agencies

- Division of Vocational Rehabilitation Services (DVRS)
- Commission for the Blind and Visually Impaired (CBVI)



What is WIOA?

- In July 2014, the Workforce Innovation and Opportunity Act (WIOA) became a law
- WIOA amended The Rehabilitation Act, which created the Vocational Rehabilitation programs



What is WIOA?

- Helps to level the playing field for people with disabilities by increasing education and training options
- Emphasizes the need for students and youth with disabilities to have more opportunities to improve workplace skills and get real work experiences
- Emphasizes **competitive integrated employment**



What is competitive integrated employment?

Competitive integrated employment is work performed by a person with a health-related disability ("health impairment") within an integrated setting. Wages are at least minimum wage or higher and at a rate comparable to non-disabled workers performing the same tasks



Other key changes to VR services under WIOA

- Pre-employment transition services - in school
- Availability of VR services - in school
- Extended supported employment - post school
- Advanced training - post-school



Pre-Employment Transition Services

WIOA requires a vocational rehabilitation agency to reserve 15% of its federal funds to provide pre-employment transition services (Pre-ETS) to students with disabilities



Supported Employment Program

- Also increased funds to support Supported Employment program to help people with disabilities obtain competitive integrated employment
- Up to 24 months of services (job coach)



Supported Employment (SE) Intensive Job Coaching

Workforce Innovation and Opportunity Act (W.I.O.A.) Definition of Supported Employment

Competitive integrated employment, including customized employment, or employment in an integrated work setting in which an individual with a most significant disability, including a youth with a most significant disability, is working on a short-term basis toward competitive integrated employment that is individualized, and customized, consistent with the unique strengths, abilities, interests, and informed choice of the individual, including with ongoing support services for individuals with the most significant disabilities. Code of Federal Regulations (CFR) Section 361.5 and 363.1



Advanced Training and Other Post Secondary Opportunities under WIOA

“Encourages qualified individuals...to pursue advanced training in, but not limited to, science, technology, engineering or mathematics...including computer science, medicine, law or business”



Student with a disability

- Enrolled in educational program (school, post-secondary, home schoolers)
- In NJ – age 14 – 21
- Receiving transition services under IDEA or is an individual with a disability for purposes of section 504 of the Act



Youth with a disability

- Individual with a disability
- Between 14 and 24 years old
- Not participating in an educational program



Continuum of VR Services

- Pre-employment transition services (**Pre-ETS**)
- Individualized VR transition services
- VR services-post-secondary/employment services



Pre-ETS - Overview

- Must be made available to all students with disabilities who are:
 - Eligible for VR services; or
 - **Potentially eligible** for VR services
- Can start when student requests or is recommended for Pre-ETS and documentation supporting the student's disability is provided to the VR agency
- Must be provided in collaboration with the school district



Changes to VR services under WIOA

- VR agency should “participate actively throughout the transition planning process, not just when the student is nearing graduation.”
- VR must inform students of the purpose of the VR program, the application procedures, etc. as early as possible during the transition planning process



Pre-ETS – VR agency responsibilities

- Attend individualized education program (IEP) meetings when invited
- Develop work opportunities for students with disabilities, including internships, summer employment
- When invited, attend person-centered planning meetings for individuals receiving Social Security benefits



VR Interagency Agreements

- VR and the schools must work together to provide services to students
- Each state should have an interagency agreement between the VR agency and the Board of Education spelling out each one's responsibilities



Required Pre-ETS Services

- Job exploration counseling
- Work-based learning experiences
- Counseling on post-secondary opportunities
- Workplace readiness training
- Instruction in self-advocacy



Job Exploration Counseling

- Figuring out what the student wants to do
- Discussions about in-demand careers
- Other services to help the student finalize employment goals



Work-based Learning Experiences

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



Work-based Learning Experience: Case example

Jane is a 16-year-old with a learning disability impacting concentration and attentiveness. She is participating in Pre-ETS and recently secured a work-based learning experience at a local marketing firm.

Jane is having difficulty concentrating on assignments due in the office due to the level of noise caused by the office layout and number of staff. Jane's employer suggested she consider using noise cancelling headphones.

Can Pre-ETS funds be used to purchase noise cancelling headphones so Jane can participate in her work-based learning experience?



Case example

Yes! The following are broad examples of types of costs that **may** be allowable for providing work-based learning experiences with VR funds reserved for pre-employment transition services:

- Interpreter or reader services or accessible informational materials necessary to ensure equal access to the work-based learning experience, as required by the ADA or section 504



Counseling on Post-Secondary Opportunities

- Counseling on comprehensive transition programs
- How to complete a Free Application for Federal Student Aid (FAFSA)
- Providing information about college application and admissions
- College disability support services



Case Example

Nick is an 18-year-old student who is interested in attending one of the postsecondary programs for individuals with intellectual disabilities upon graduation from high school

- Can VR utilize funds from the required 15% set aside for pre-employment transition services to cover Tom's tuition costs?



Case Example: Nick

No.

Pre-employment transition funding is restricted to the five authorized activities – does not include tuition payments

<https://www2.ed.gov/policy/speced/guid/increasing-postsecondary-opportunities-and-success-09-17-2019.pdf>



Workplace Readiness Training

May include skills training:

- Communication and interpersonal skills
- Financial literacy
- Group orientation and mobility skills
- Job-seeking skills
- Understanding employer expectations for punctuality and performance, as well as other “soft” skills necessary for employment



Instruction in Self-Advocacy

- Learning about rights and responsibilities
- How to request accommodations, services or supports
- Peer mentoring with people with disabilities who are working in competitive, integrated settings
- Participating in youth leadership activities offered in educational or community settings



More about accessing Pre-ETS

- Pre-employment transition services must be made available Statewide to all students with disabilities, regardless of whether the student has applied or been determined eligible for vocational rehabilitation services

34 CFR § 361.48



Accessing - Pre-Employment Transition Services

DVRS – Complete online Pre-ETS referral form

<https://nj.gov/labor/career-services/special-services/individuals-with-disabilities/index.shtml>

CBVI – Parents of students who are blind, deaf-blind or visually impaired may contact their child's CBVI teacher for a referral or contact one of CBVI's regional offices

<https://www.state.nj.us/humanservices/cbvi/facilities/>



Individualized VR Transition Services

If a student needs a service that goes beyond the scope of pre-employment transition services - remember Nick!
The student can apply for VR services



Overview of the VR Process

1. Application for VR services (may apply at age 14)
2. Determination of Eligibility
3. Development - Individualized Plan for Employment (IPE)
4. Provision of VR services



Eligibility for VR Transition Services

To be eligible for individualized VR transition services, student must meet the following criteria:

“Have a physical or mental impairment that constitutes or results in a substantial impediment to employment; and

Require VR services to prepare for, secure, retain, advance in, or regain employment”



Individualized Education Plan (IEP) to Individualized Plan for Employment (IPE)

- VR must have a plan for students who are graduating
- An IPE lays out your employment goal-the job you want to get and the supports you need to get it
- An IPE can be developed to cover services for students outside of the 5 required categories of pre-ETS services



Individualized Plan for Employment (IPE)

May include a projected post-school employment goal that:

- Is based upon the informed choice of the student or youth with a disability eligible for the VR program
- May be revised
- A final employment goal must be chosen



Ready, willing and able to work

- The VR Agency has to prove that you cannot work before they can deny you assistance
- Trial work experiences for individuals with significant disabilities
 - The VR agency must give you a chance!



Individualized VR Transition Services

- Job coaching
- Job accommodations
- College and vocational training
- Physical and mental restoration services
- Assistive technology



Continued Emphasis - Informed Choice

- Selecting a (projected) employment goal
- Selecting the specific services to be provided
- Selecting the entity providing the specific services
- Selecting the methods to obtain the services



Applying for Individualized VR Services

DVRS - Students with disabilities

<https://www.nj.gov/labor/career-services/special-services/individuals-with-disabilities/>

CBVI - Students who are blind, deaf-blind, or visually impaired
- Request application from student's NJCBVI Transition Counselor



The Client Assistance Program (CAP)

- CAP is a federally funded program designed to assist individuals seeking or receiving VR services who need assistance
- If you have questions or concerns about your rights to VR services, or you disagree with VR service decisions you may contact Disability Rights New Jersey



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210 S. BROAD STREET, 3RD FLOOR
TRENTON, NEW JERSEY 08608



800.922.7233 (NJ ONLY) | 609.292.9742



advocate@disabilityrightsnj.org



@disabilityrightsnewjersey



@advocateDRNJ



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20 WEST STATE STREET, 6TH FLOOR, TRENTON, NEW JERSEY 08625-0700



800.792.8858 | 609 292.3745



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Thank you!

