

Navigating the Road to Success: Expect, Educate, Empower, Employ

2015-16 PA Community of Practice (COP) Series

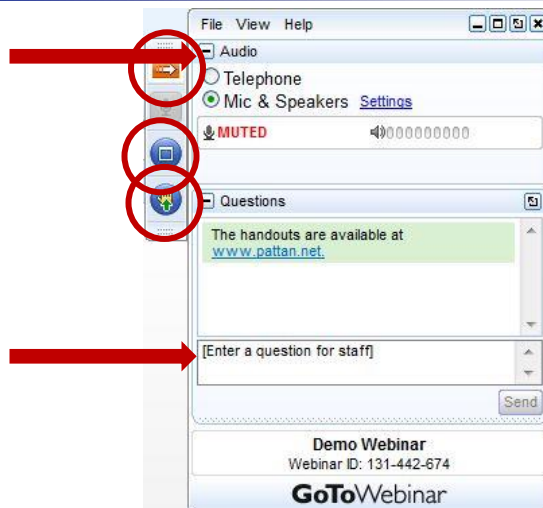
Overview of the Workforce Innovation and Opportunity Act

January 28, 2016



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PA Community of Practice on Transition

The Pennsylvania Community on Transition is a group of various stakeholders from across Pennsylvania who work collaboratively to ensure appropriate transition outcomes for Pennsylvania youth and young adults.

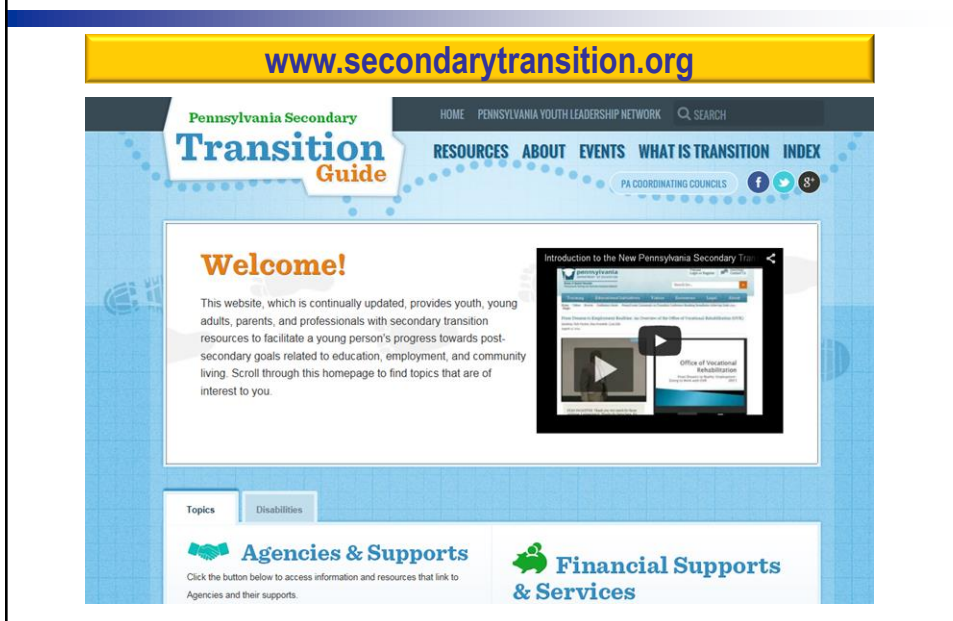
PaTTAN's Mission

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.

PA's Secondary Transition Website



The Workforce Innovation and Opportunity Act (WIOA)

Presented by: Dana Baccanti, Chief, Special Programs Division



WIOA - Background



On July 22, 2014, President Obama signed into law the Workforce Innovation and Opportunity Act (WIOA), which replaces the Workforce Investment Act of 1998 (WIA) and amends the Rehabilitation Act of 1973 (Rehabilitation Act).



Content of WIOA



TITLE I	WORKFORCE DEVELOPMENT ACTIVITIES
TITLE II	ADULT EDUCATION AND LITERACY
TITLE III	AMENDMENTS TO THE WAGNER-PEYSER ACT
TITLE IV	AMENDMENTS TO THE REHABILITATION ACT OF 1973
TITLE V	GENERAL PROVISIONS

Highlights of Changes to Rehabilitation Act Programs

The Impact on the Office of Vocational Rehabilitation



Services to Youth with Disabilities



Increases Services to Youth with Disabilities: Throughout WIOA, especially in the amendments to the Rehabilitation Act, there is a significant emphasis on the **provision of services to students with disabilities**.

- Emphasizes the need for youth with disabilities to have more opportunities to practice and improve their workplace skills, to consider their career interests, and to get real world work experience.
- Allows State VR agencies to support advanced training in STEM and other technical professions.
- Dedicates half of the Federal Supported Employment program funds to provide youth with the most significant disabilities with the supports they need, including extended services, to enable them to obtain competitive integrated employment

Services to Youth with Disabilities



Increases Services to Students with Disabilities (continued):

- Requires State vocational rehabilitation (VR) agencies to make “pre-employment transition services” available to all students with disabilities.
- Requires State VR agencies to set aside at least **15 percent** of their Federal VR program funds to provide pre-employment transition services to assist students with disabilities make the transition from secondary school to postsecondary education programs and competitive integrated employment.
- Allows State VR agencies to prioritize serving students with disabilities.



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Services to Youth with Disabilities



Pre- Employment Transition Services

5 Required Activities Including:

- Job Exploration Counseling
- Work based learning experiences
- Counseling on opportunities for enrollment in comprehensive transition or post secondary education programs
- Work place readiness Training
- Instruction in self Advocacy, which may include peer mentoring

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Employer Engagement



Supports Employer Engagement: WIOA contributes to economic growth and business expansion by ensuring that the workforce is job-driven, matching employers with skilled individuals.

- WIOA places strong emphasis on employer engagement across all programs.
- There are increased opportunities under the VR program to assist employers in providing work-based learning experiences for individuals with disabilities, including participation in apprenticeships and internships.
- VR State agencies will describe in their State plans how they will work with employers to identify competitive integrated employment opportunities for individuals with disabilities.

Employer Engagement



Specific Requirements for Employer Engagement Include:

1. Providing Training and Technical Assistance to employers regarding the employment of individuals with disabilities, including disability awareness, and the requirements of the ADA and other employment laws
2. Working with Employers to:
 - (A) Provide opportunities for work based learning experiences (including internships, short term employment, apprenticeships and fellowships
 - (B) Recruit qualified applicants who are individuals with disabilities
 - (C) Train employees who are individuals with disabilities
 - (D) Promote Awareness of disability related obstacles to continued employment

Employer Engagement



Specific Requirements for Employer Engagement Include (continued):

3. Providing consultation, technical assistance and support to employers on workplace accommodations, assistive technology, and facilities and workplace access through collaborations with community partners and employers, across states and nationally, to enable the employers to recruit, job match, hire and retain qualified individuals with disabilities
4. Assisting Employers with utilizing available financial support for hiring or accommodating individuals with disabilities

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Competitive Integrated Employment



Emphasizes Competitive Integrated Employment: WIOA places significant emphasis on obtaining **competitive integrated employment**, especially in the amendments to the Rehabilitation Act.

- WIOA promotes competitive integrated employment in all of its programs, especially the VR and Supported Employment programs authorized under the Rehabilitation Act.
- VR program services are designed to maximize the ability of individuals with disabilities, including individuals with the most significant disabilities, to achieve competitive integrated employment through customized employment, supported employment, and other individualized services.

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Competitive Integrated Employment



Emphasizes Competitive Integrated Employment (continued):

- Permits the State, in its discretion to elect to serve eligible individuals first who require specific services or equipment to maintain employment
- An Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities is established to develop strategies for improving opportunities for competitive integrated employment for individuals with disabilities, especially those with the most significant disabilities.



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Competitive Integrated Employment



Sec. 458 (Sec 511) Limitations on Use of Subminimum Wage

- Perhaps the most complicated section of the Rehabilitation Act
- Greater Emphasis on VR to provide counseling & guidance to individuals considering, or already engaged in, segregated employment and subminimum wage.
- Requires VR to be involved with any transitioning student to evaluate their potential for competitive integrate employment prior to them being permitted to enter a subminimum wage environment [i.e. sheltered workshops, pre-vocational services (ID)]
- Will require significant collaborations
- Regulations are necessary to move forward on this complex area

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Sec. 458 (Sec 511) Limitations on Use of Subminimum Wage

- **§ 397.31 Are there any contracting limitations on educational agencies under this part?**

Neither a local educational agency, as defined in § 397.5(b)(1), nor a state educational agency, as defined in § 397.5(b)(2), may enter into a contract or other arrangement with an entity, as defined in § 397.5(d), for the purpose of operating a program under which a youth with a disability is engaged in subminimum wage employment.

Promotes Collaboration and Efficiency: WIOA establishes several new requirements to ensure **greater efficiency** within the programs and to ensure **collaboration among all relevant stakeholders** at both the Federal and State levels to ensure that the vision of WIOA is implemented.

- WIOA seeks to improve coordination between the primary Federal programs that support employment services, workforce development, adult education, and VR activities.
- The core programs of the Workforce Innovation System, including the State VR program, must submit a Unified State Plan that includes common goals and strategies for fulfilling Federal requirements.

Collaboration & Efficiency



Promotes Collaboration and Efficiency (continued):

- WIOA encourages alignment between the four core programs:
 - (1) the Adult, Dislocated Worker, and Youth formula programs administered by the Department of Labor (DOL) under title I;
 - (2) the Adult Education and Literacy program administered by the Department of Education (ED) under title II;
 - (3) the Wagner-Peyser Act employment services program administered by DOL; and
 - (4) the VR program administered by ED.
- The evaluation standards for all programs are aligned throughout WIOA.



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WIOA – Transfer Programs



Transfers Programs: WIOA transfers certain programs from ED to the Department of Health and Human Services (HHS) and gives the Secretaries of ED and HHS authority to ensure an orderly transition as they implement these changes.

- WIOA transfers the following programs from ED to the Administration for Community Living (ACL) in HHS:
 - State Independent Living Services Program (IL, Part B), Centers for Independent Living Program (IL, Part C), National Institute on Disability and Rehabilitation Research; and Programs under the Assistive Technology Act of 1998.
- ED retains the administration of the Independent Living Services for Older Individuals Who Are Blind program, and it continues to reside in State VR agencies (blind or combined agencies) at the state level.

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Transfer Programs



Transfers Programs (continued):

- ED will continue to administer the affected programs until the orderly transfer to HHS can be completed as soon as reasonably possible.
- The transfers will be managed in a manner that minimizes any disruption to the provision of services by the grantees under these programs and to the individuals with disabilities who are served by those programs.



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Program Repeals



Repeals Programs: WIOA repeals several programs, including the following programs under the Rehabilitation Act.

- In-Service Training Program
- Migrant and Seasonal Farmworker Program
- Recreational Programs
- Projects with Industry

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Access to Workforce Services



WIOA increases individuals with disabilities' access to high quality workforce services and prepares them for competitive integrated employment.

- One-Stop career centers will provide physical and programmatic accessibility to employment and training services for individuals with disabilities and implement new Section 188 (non-discrimination) requirements related to:
 - functions of the local boards.
 - local plan content.
 - certification, at least every three years, of the One-Stop career centers to include an assessment of physical and programmatic accessibility in accordance with Section 188.

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Unified State Plan



- **The unified state plan must include all the core programs, including Vocational Rehabilitation (VR) and Adult Education. Among the requirements for the unified state plan is to:**
 - describe how the one-stop delivery system will comply with Section 188 (non-discrimination) regarding physical and programmatic accessibility of facilities, programs, services, technology, and materials for individuals with disabilities.
- **Students with disabilities will receive extensive pre-employment transition services so they can successfully obtain competitive integrated employment.**

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WIOA – Adult Basic Education



Changes to Adult Basic Education:

1. The introduction of common measures for all titles is new.
Under WIA, adult basic education had specific performance measures under Title II.
2. The addition of emphasis on career pathways.
3. There are now some required activities with our state leadership dollars. Under WIA, there was a long list of allowable activities, but none of them were required.

WIOA – Adult Basic Education



Changes to Adult Basic Education (continued):

4. New areas of focus in adult education and literacy activities
 - ESL helps English language learners develop English and math skills with the goal of attaining high school equivalency and transition to postsecondary education and/or employment.
 - Integrated education and training: a service approach in which adult basic education takes place in the context of and concurrently with occupational training.
 - Workforce preparation activities: basic academic skills, critical thinking skills, digital literacy skills, and self-management skills necessary for successful transition to and completion of postsecondary education and employment
5. EL/Civics programs must now include integrated education and training.

WIOA Important Dates



Workforce Innovation and Opportunity Act (WIOA) Key Statutorily - Required Implementation Dates

- **September 20, 2014** Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities must be established (within 60 days of enactment)
- **January 18, 2015** Department of Labor (DOL), Department of Education (ED) and Department of Health and Human Services (HHS) must publish Notices of Proposed Rulemaking to implement WIOA (No later than 180 days after enactment)
- **July 1, 2015** Provisions take effect, unless otherwise noted in the Act (1st full program year (PY) after enactment)
- **July 1, 2015** Current performance accountability system remains in effect for 1st full PY.
- **TBD (June 2016?)** DOL, ED and HHS must publish Final Rules to implement WIOA (18 months after enactment)
- **July 2016** Section 511 goes into effect.

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How OVR is implementing WIOA



- **Creation of “Pre Employment Transition Services”**
 - Provider Agreements
 - Individual and Group Services
 - I & E “Requests for Proposals”
 - Training of OVR Staff
 - Vocational Rehabilitation Counselors
 - Early Reach Coordinators
 - Business Services Representatives
- **Expanding opportunities for “braided” and/or “blended” funding with OVR to serve students with disabilities.**
 - Interagency Agreements (Work Partners- Berks CTC and Greene County ID Transition Project)
 - Joint OVR-ODP Budget Initiative
 - Creating new VRC positions dedicated to ID/Autism Populations

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How OVR is implementing WIOA



- **Creating alternatives to Subminimum Wage Employment**

- Revision of Supported Employment Policy
 - Expansion of Intensive and Extended Services
 - Inclusion of Discovery & Customized Employment
 - Negotiation of Contract after Job Placement
- Expansion of Project SEARCH
 - Rural, underserved parts of the Commonwealth.
- Funding for Comprehensive Transition Programs
 - OVR's College Policy will be amended.
- Discovery & Customized Employment
 - Pilot ongoing in three OVR District Offices (Philadelphia, Harrisburg and Washington)
 - Will Expand to other district offices over the next year.

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How OVR is implementing WIOA



- **Expanding opportunities for “braided” and/or “blended” funding with OVR to serve students with disabilities.**

- Interagency Agreements (Work Partners- Berks CTC and Greene County ID Transition Project)
- Joint OVR-ODP Budget Initiative
 - Creating new VRC positions dedicated to ID/Autism Populations
 - Dedicated funding for services for individuals with ID/Autism
 - Joint Training Initiative with OVR, ODP and Bureau of Special Education.
 - Provider Transformation Opportunities.

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How Schools can collaborate with OVR



- Invite local OVR District Office (District Administrator, Supervisor, VR Counselor or Early Reach Coordinator) to School In-Service Trainings, Open Houses, Special Education Department Meetings to develop a “joint plan”.
- Meet with OVR and Community Providers to discuss “program transformation”.
- Learn about and develop “alternatives” to “subminimum wage”

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How Schools can collaborate with OVR



- Learn about services that OVR can provide and possibly fund while students are still in high school.
 - Group Services (IL, Self-Advocacy, and Workplace Readiness Skills)
 - Individual Services (Job Shadowing, Work-Based Learning Experiences, Youth OJT)
 - Project SEARCH, Project PAS
 - Interagency Agreements (Work Partners- Berks CTC and Greene County ID Transition Project)
 - Comprehensive Transition Programs
 - Discovery & Customized Employment
 - Assistive Technology Evaluations/Training
- Consider opportunities for “braided” and/or “blended” funding with OVR to serve students with disabilities.

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Questions



Questions and Answers

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2015-16 – COP Webinar Series

- March 9, 2016 – (9:00 am – 11:00 am) Overview of Labor Laws and Employment Related Issues
- March 23, 2016 – (9:00 am – 11:00 am) Making the Connections with Local Transition Coordinating Councils
- April 13, 2016 – (9:00 am – 11:00 am) Integrated Youth Development and Youth Leadership
- April 27, 2016 – (9:00 am – 11:00 am) Assistive Technology for Youth with Complex Needs

Thank you for joining us on today's
webinar.

Please join us for the remaining webinar
sessions in this series

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