

4000 TRANSITION PROGRAMS

4001 General. The Division provides an emphasis on serving students and youth with disabilities in planning and making a seamless transition from high school to postsecondary education and/or competitive integrated employment. Transition services are defined in Individuals With Disabilities Education Act (IDEA) as a coordinated set of activities for a student with an exceptionality that are designed within a results-oriented process focused on improving the academic and functional achievement of the student to facilitate movement from school to post-school activities including post-secondary education; vocational education; competitive, integrated employment; continuing and adult education; adult services; independent living; or community participation. The Workforce Innovation and Opportunity Act (WIOA) amending the Rehabilitation Act of 1973 represents a renewed commitment for the Division to serve students and youth with disabilities and provide more opportunities for all youth with disabilities to practice and improve workplace skills, explore career interests and acquire work experiences. For the purposes of the Division's provision of transition services, the following distinctions will apply:

A. "Student" is defined as those individuals with disabilities who may be eligible to receive services under IDEA via Individualized Education Plan (IEP), or individuals with disabilities for the purposes of section 504 of the Rehabilitation Act, ages 14-21 years old who are enrolled in an educational program, including secondary education, alternative secondary educational program, Test Assessment of Secondary Completion (TASC), or post-secondary vocational training, and post-secondary educational programs.

B. "Youth" is defined as an individual with a disability who is not younger than 14 years old and not older than 24 years old. There is no requirement that a youth with a disability be participating in an educational program. The age range for a youth with a disability is typically broader than that for a student with a disability.

C. "Group Transition Services" are available to both students and youth with disabilities. The Division provides transition services to groups of individuals who are eligible or potentially eligible to foster participation in pre-employment transition activities. These services are not individualized services related to an individual plan for employment but conducted in connection

to an education agency, community rehabilitation program provider, workforce development system, business/employer or other related entities to promote employment.

4002 Pre-Employment Transition Services (Pre-ETS). Pre-ETS are activities designed to educate students with disabilities as well as stakeholders, about careers, opportunities, and self-empowerment. Pre-ETS are intended and designed to help transitioning students begin to identify career interests through informed choice. These Pre-ETS assist students in determining an appropriate vocational goal when their expressed goal is not practical with their disability, they are undecided as to a vocational goal, or they need to further explore the employment options of their chosen vocational goal. The Pre-ETS provided under a rehabilitation plan with a projected goal will also continue to be used to assist the student in making the best match in career decisions. The Division is mandated by WIOA to provide or arrange for the provision of Pre-ETS to students with disabilities in need of such services, who are eligible or potentially eligible for Rehabilitation Services in collaboration with the State Education Agency (SEA) and Local Education Agencies (LEAs) in each of West Virginia's 55 counties.

A. The five Required Pre-ETS include:

1. Job exploration counseling;
2. Work– based learning experiences;
3. Counseling on post–secondary opportunities;
4. Work place readiness training; and,
5. Self–advocacy training.

B. The Division offers statewide pre-employment transition services to eligible and potentially eligible individuals through the website www.pathwayswv.org

4003 Transition Counselors. Transition Counselors are assigned to public and private high schools in every county of West Virginia to work with students, families and educators while in high school and during the transition process.

These Transition Counselors inform of available rehabilitation services and identify students who might benefit from or need rehabilitation services and/or career planning consistent with the individual's unique employment factors: strengths, resources, priorities, concerns, abilities, capabilities, career interests, and informed choice.

A. Transition Counselors assigned to LEAs are agents to the school system and an integral part of the educational process. Communication of pertinent educational, vocational, programmatic, and diagnostic information between the Division's representative and LEAs is necessary for cooperative planning. The Division's staff are required to safeguard personally identifiable data, information, and records of students that have been collected.

B. Transition Counselors are responsible for:

1. Informing students, parents, and school staff about Division policies and procedures as they relate to transition planning, pre-employment transition services, rehabilitation services, and employment outcomes.

2. Engaging in, coordination, and facilitation of pre-employment transition services activities with the LEAs, such as Transition and Job Fairs, and planning, coordinating, and providing rehabilitation services for students with disabilities may be conducted at the state and local level to maximize service provision and individual choice.

3. Utilizing the *Transition Program Survey* to identify students with disabilities who could benefit from pre-employment transition services and vocational rehabilitation services.

4. Participating in school-based meetings to facilitate students and parents understanding of the differences in educational and rehabilitation services, as well as coordination of services concerning the student's progress (with emphasis on Individualized Education Program (IEP) Team meetings) appropriate to transition and to promote inclusion of work-based experiences in the IEP. The Transition Counselor may also assist in the development and coordination of the IEP and rehabilitation plan.

5. Determining eligibility for Division services depending on when the student makes an application and based on the expected graduation/exit date.

6. Counseling transition students and their parents about vocational and career planning utilizing existing school records and information gathered through the provision of Pre-ETS.

7. Providing information regarding occupational demands and current labor market information in relation to the career cluster and vocational exploration;

8. Advising students, parents, and school staff on the availability of community-based services from other State agencies, adult services programs, and independent living centers; providing information and support related to education advocacy, issues and enhancing the partnership between home and school.

9. Development of the student's rehabilitation plan with specific goals by the student's expected graduation/exit date.

10. Continuing implementation of the IPE and provision of post-secondary rehabilitation services;

11. Job seeking and placement activities; and,

12. Closing the rehabilitation case according to the Division's current policy.

4004 The Provision of Pre-Employment Transition Services/Vocational Rehabilitation Services. As the student moves from school to post school life, there is no gap in services between the education and the vocational rehabilitation systems. While local school districts are responsible for providing education and transition services to students with disabilities who are still in the secondary school system, Transition Counselors provide vocational rehabilitation services that involve planning and preparing for the student's future employment. The provision of pre-employment transition and/or vocational rehabilitation services while a student is still enrolled in a secondary education program is determined based on state and local cooperative agreements and the Division's policies. The Transition Counselor will provide Pre-ETS when the eligible and/or potentially eligible student enters tenth grade or as early as appropriate. Vocational rehabilitation services that can be provided are:

- A. Pre-employment transition services (Pre-ETS);
- B. Vocational in nature;
- C. Supportive and lead to the achievement of the employment goal identified on the IPE;
- D. Not the responsibility of the school district under IDEA or Section 504 of the Rehabilitation Act; and,
- E. Not readily available from the school district.

4005 Referral. The Division will seek referrals from the school system as early as 10th grade or at least three years before the student's projected exit from high school. Referrals as early as appropriate to the student's needs allow more opportunities for vocational planning and exploration of career goals through Pre-ETS. Transition Counselors will seek referrals for all students with disabilities including students in special education, students with 504 Plans and self-referrals utilizing the transition survey. Students may otherwise refer themselves or be referred by school personnel, family members, guardians, or other interested persons.

A. All individuals, including students, have the right to apply for the Division's services. There are situations in which application for pre-employment transition services may be premature, depending on individual circumstances. Application for or receipt of pre-employment transition services from other agencies does not preclude a student's application to the Division. Access to pre-employment transition services from other agencies, whether actual or anticipated, is never a basis for refusing to accept an application for the Division's services.

B. Any other youth with disabilities who are not enrolled in or have exited secondary education will be provided rehabilitation services through the General caseload.

C. Section 511 of the WIOA imposes requirements on Education and Rehabilitation about youth with disabilities seeking sub-minimum wage employment. The Transition Counselor will work with the LEAs to identify

students who have voiced a projected career goal with sub-minimum wage employment. These students must receive Pre-ETS and must have the documented opportunity for informed choice regarding sub-minimum wage employment and competitive integrated employment.

D. The Division recognizes the need for outreach and emphasizes that not all students or youth with disabilities are identified in the typical school setting. Examples include but are not limited to: incarcerated youth, youth in alternative placements, home schooled and/or homebound, involved in high school equivalency (HSEA) or Test Assessment of Secondary Completion (TASC) or Mountaineer Challenge Academy participants. School districts, community groups, and organizations that serve out-of-school youth (i.e., drop-outs) are provided with contact information for the Division's local offices and staff

E. The Division developed the www.pathwayswv.org website which provides Pre-ETS information to eligible and potentially eligible students with disabilities on a statewide basis.

4006 Eligibility. A student's status in special education with an IEP, a student with a disability under a 504 Plan, or a student identified as having an otherwise significant health condition, does not automatically mean that the student is eligible for vocational rehabilitation services. All determinations of eligibility are made according to Division policy. (section 2500 *Eligibility*)

4007 Individualized Plan for Employment (IPE). The IPE for students with disabilities should be completed as early as is appropriate during the transition process, prior to but no later than when the eligible student graduates/exits the school setting. (*See 2500 Rehabilitation Program Development*)

4008 Cooperative Agreements. Cooperative agreements facilitate collaborative working relationships leading to positive employment outcomes for eligible students with disabilities, including those served through an IEP or a 504 Plan, or those with other documented disabilities. Cooperative agreements with the State Educational Agency (SEA) include a mutually agreed upon definition of transitioning students and an age range. The Program Specialist for Transition and Education Programs acts as the Division's liaison with the State Board of Education and provides statewide coordination and technical assistance for pre-employment transition services and post-secondary transition services.

Transition services are implemented through cooperative agreements between the Division and various educational bodies, including:

- A. West Virginia Department of Education (WVDE);
- B. All 55 West Virginia County Boards of Education;
- C. West Virginia Higher Education Policy Commission;
- D. West Virginia Department of Education, Division of Technical and Adult Education; and,
- E. West Virginia Schools for the Deaf and the Blind.

4008.1 Contents of Agreements. The cooperative agreement with the SEA contains provisions for:

- A. Consultation and technical assistance to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including vocational rehabilitation services;
- B. Transition planning by the Rehabilitation/Transition Counselors and educational agency personnel for students with disabilities that facilitates the development and completion of their IEP and IPE;
- C. The roles and responsibilities, including financial responsibilities, of each agency;
- D. Procedures for outreach to and identification of students with disabilities who need transition services; and, coordination, facilitation, and provision of Pre-ETS.
- E. Continuous and uninterrupted services are provided without duplication or encroachment of the separate programs.
- F. Conflicts are to be resolved using the process outlined in the cooperative agreement with the SEA.

G. Rehabilitation and Education working cooperatively to ensure that the individual, before beginning work that is compensated at a sub minimum wage, has completed and produces appropriate documentation as specified in Section 511 in WIOA.

4008.2 Financial Responsibilities of Each Agency. The following financial responsibility guidance is outlined in the agency's cooperative agreement between DRS and WVDE:

A. Education assumes responsibility for all expenses incurred in the provision of special education and related services to achieve Free Appropriate Public Education (FAPE) when those services, including assistive technology devices and services, are necessary for the student's educational program or course of study, as well as participation in school activities and during the pendency of any interagency dispute.

B. Rehabilitation may be responsible for services that occur outside of the school environment that are vocationally oriented and are specifically intended to prepare students with disabilities to transition into post-secondary training or work, including pre-employment transition services, in accordance with the CSNA. Rehabilitation is not otherwise responsible for payment of any service that has not been directly agreed to during the development of a student's IEP and is not included as a service on a student's IPE for Rehabilitation services. Rehabilitation is not responsible for career development activities that are part of a School to Work initiative within the school system. The responsibility for implementing the requirements of Department of Education Policy 2510 remains with the school system.

C. The transference to the student of assistive technology devices that have been purchased by Education will occur consistent with the surplus equipment policies and regulations in existence within Education. After the student has exited the school system, Rehabilitation may reimburse Education at a rate in accordance with the surplus equipment policy, dependent upon the student's continued need or desire for the equipment, the condition of the equipment, and its future usefulness.

4008.3 County Agreements. In addition to the interagency cooperative agreement with WVDE, the Division maintains individualized agreements between LEA and the Division's Field districts. These agreements define

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referral procedures and the roles of the school and Division staff in the provision of transition services that are specific and tailored to the unique situation of each school district and the Division's Field districts. The District Manager is the Division's party responsible for local agreements with those school districts within the Field district.