21st Century Employability Skills: Shared Understanding of CTE, Special Education and VR Programs

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Introductions

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Program Overview

1. Career and Technical Education (CTE)
2. Special Education
3. Vocational Rehabilitation
Eligibility Criteria – CTE Program

- Eligible Agency

A State board designated or created consistent with State law as the sole State agency responsible for the administration of career and technical education in the State or for the supervision of the administration of career and technical education in the State.
• ELIGIBLE RECIPIENT

(A) A local educational agency (including a public charter school that operates as a local educational agency), an area career and technical education school, an educational service agency, an Indian Tribe, Tribal organization, or Tribal educational agency or a consortium, eligible to receive assistance under section 131; or

(B) An eligible institution or consortium of eligible institutions eligible to receive assistance under section 132.
Eligibility Criteria – Special Education Program

- Under Part B of the IDEA a child with a disability means a child evaluated in accordance with 34 C.F.R. §§ 300.304-300.311 as having a disability, and who, by reason thereof, needs special education and related services. 34 C.F.R. § 300.8(a)(1).
Eligibility Criteria - VR Program

- Eligibility for Vocational Rehabilitation (VR) Services
  - To be eligible for VR services, an individual must:
    - 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.

- Individuals who receive Supplemental Security Income (SSI) and/or Social Security Disability Insurance (SSDI) benefits are presumed to be eligible for VR services.
Population(s) Served – CTE Program

- CTE is open to all students from middle grades to high school at the secondary level and;
- All students participating in an Associate’s Degree program at the postsecondary level.
General Population that are served:

The Individuals with Disabilities Education Act (IDEA) covers children from birth through high school graduation or age 21 (whichever comes first). It provides early intervention services up to age 3, and special education for older children in public school, which includes charter schools.
The IDEA and its implementing regulations address transition services for children with disabilities. The term “transition services” means a coordinated set of activities for a child with a disability that:

- Is designed to be within a results-oriented process, that is focused on improving...academic and functional achievement...to facilitate the child’s movement from school to post-school activities.
Students served by Special Education

Specifically for Secondary Transition under IDEA

Secondary Transition Services:
By the age of the students 16th birthday, the IEP must contain the services and supports needed to assist the student to gain the skills and experiences to achieve his or her desired post-school goals.

The student’s IEP must include:
• Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills;
• The transition services (including courses of study) needed to assist the student in reaching those goals; and
• Age-appropriate transition assessments based on the individual needs of the student to be used to determine appropriate measurable postsecondary goals.
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

Population to Receive VR Services

- VR services are provided to individuals with disabilities who are:
  - Eligible for VR services
Students Served by the CTE Program

In Program Year 2017-2018 there were:

- Participants
  - 8,835,158 secondary participants
  - 2,919,106 postsecondary participants

- Concentrators
  - 3,896,062 secondary concentrators
  - 1,881,857 postsecondary concentrators
Students served by the VR Program

- A “student with a disability” is an individual with a disability who:
  - Is enrolled in an education program; and
  - Meets certain minimum and maximum 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.
PYS 2017 and 2018: Students and Pre-Employment Transition Services

- Number of Students with Disabilities Reported
  - PY17: 525,958
  - PY18: 638,601

- Number of Potentially Eligible Students with Disabilities
  - PY17: 85,245
  - PY18: 137,780

- Number of Students with Disabilities who Received Pre-Employment Transition Services
  - PY17: 179,716
  - PY18: 248,320
PYs 2017 and 2018: Demographics

- Percentage of Participants Age 24 and Under
  - PY17: 49%
  - PY18: 51%

- Percentage of Participants Age 25 and Older
  - PY17: 51%
  - PY18: 49%
Local Uses of Funds - CTE

Section 135(b) of Perkins V

- The most significant changes to 135 is the link to the local needs assessment, and the requirement that the allocation of resources be *aligned with the results of that assessment.*

- Requires that funds made available to eligible recipients shall be used to support career and technical education programs that are of sufficient size, scope, and quality.
Perkins V Requirements for uses of local funds:

- Provide career exploration and career development activities through an organized, systematic framework;
- Provide professional development for a wide variety of CTE professionals;
- Provide within CTE the skills necessary to pursue high-skill, high-wage or in-demand industry sectors or occupations;
Local Uses of Funds - CTE

- Support integration of academic skills into CTE programs;
- Carry out elements that support the implementation of CTE programs and programs of study and that result in increased student achievement; and
- Develop and implement evaluations of the activities funded by Perkins.
Examples of Transition-Related Services under Section 135(b) of Perkins include but are not limited to:

- Guidance and counseling
- Work based learning
- Dual credit and concurrent enrollment
- Articulation agreements
- Apprenticeships
- Internships
Sec. 300.43 Transition services

(a) Transition services means a coordinated set of activities for a child with a disability that—

(1) Is designed to be within a results-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 postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
Transition-Related Definitions – VR Program

- Student with a disability (section 7(37) of the Rehabilitation Act and 34 C.F.R. § 361.5(c)(51));
- Youth with a disability (section 7(42) of the Rehabilitation Act and 34 C.F.R. § 361.5(c)(58));
- Pre-employment transition services (section 7(30) of the Rehabilitation Act and 34 C.F.R. §361.5(c)(42)); and
- Transition services (34 C.F.R. § 361.5(c)(55)).
Pre-employment transition services (Section 7(30) of the Rehabilitation Act and 34 C.F.R. § 361.5(c)(42)) are:

- “Required” activities (Section 113(b) of the Rehabilitation Act and 34 C.F.R. § 361.48(a)(2));
- “Authorized” activities (Section 113(c) of the Rehabilitation Act and 34 C.F.R. § 361.48(a)(3)); and
- “Pre-employment transition coordination” activities (Section 113(d) of the Rehabilitation Act and 34 C.F.R. § 361.48(a)(4))).
Pre-employment transition services include:

- Job exploration counseling;
- Work-based learning experiences;
- Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education;
- Workplace readiness training; and
- Instruction in self-advocacy.
Transition-Related Services  VR Program

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

• Pre-employment transition services (Section 113 of the Rehabilitation Act and 34 C.F.R. § 361.48(a))
  ○ Available only to students with disabilities; and
  ○ Application and individualized plan for employment (IPE) are not required.

• Group transition services (Section 103(b)(7) of the Rehabilitation Act and 34 C.F.R. § 361.49(a)(7))
  ○ Available to both students and youth with disabilities; and
  ○ Application and IPE are not required.

• Individualized transition and other VR services (Section 103(a) of the Rehabilitation Act and 34 C.F.R. § 361.48(b))
  ○ Available to all eligible individuals; and
  ○ Application and IPE are required.
Section 3(28) of Perkins V:
INDIVIDUAL WITH A DISABILITY.--
(A) IN GENERAL.--
The term "individual with a disability" means an individual with any disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).
(B) INDIVIDUALS WITH DISABILITIES.--
The term "individuals with disabilities" means more than 1 individual with a disability.
VR Program:

- An “individual with a significant disability” means an individual who has a physical or mental impairment that substantially limits one or more major life activities (34 C.F.R. § 361.5(c)(28)).

- An “individual with a most significant disability” means an individual with a significant disability who meets the designated State unit’s criteria for an individual with a most significant disability (34 C.F.R. § 361.5(c)(29)).
Work-Based Learning Experiences - CTE

A sustained interaction with industry or community professionals in real workplace settings, to the extent practicable, or simulated environments at an educational institution that foster in-depth, first-hand engagement with the tasks required of a given career field, that are aligned to curriculum and instruction.

Section(3)(55) of Perkins V
Section 134(b)(6) of Perkins V requires a description of the work-based learning opportunities that the eligible recipient will provide to students participating in career and technical education programs and how the recipient will work with representatives from employers to develop or expand work-based learning opportunities for career and technical education students, as applicable.
Section 134(e)(3) of Perkins V – Continued Consultation

An eligible recipient receiving financial assistance under this part shall consult with stakeholders described in subsection(d) on an ongoing basis, as determined by the eligible agency. This may include consultation in order to—identify and encourage opportunities for work-based learning.
Section 135(b)(1)(E) of Perkins V

(b) REQUIREMENTS FOR USES OF FUNDS.--Funds made available to eligible recipients under this part shall be used to support career and technical education programs that are of sufficient size, scope, and quality to be effective and that—
(1) provide career exploration and career development activities through an organized, systematic framework designed to aid students, including in the middle grades, before enrolling and while participating in a career and technical education program, in making informed plans and decisions about future education and career opportunities and programs of study, which may include—

(E) a continuum of work-based learning opportunities, including simulated work environments;
Work-Based Learning Experiences – Special Education

- (2) Is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests; and includes—
  - (i) Instruction;
  - (ii) Related services;
  - (iii) Community experiences;
  - (iv) The development of employment and other post-school adult living objectives; and
  - (v) If appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

- (b) Transition services for children with disabilities may be special education, if provided as specially designed instruction, or a related service, if required to assist a child with a disability to benefit from special education.
Work-Based Learning Experiences – VR Program

Integrated Settings

• Work-based learning experiences may include opportunities that are:
  ○ In-school;
  ○ After school; or
  ○ Outside the traditional school setting (including internships).

• Work-based learning experiences must be provided in an integrated setting 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.
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.
VR Program:

- For each of the five pre-employment transition service categories (Job Exploration Counseling, Work-Based Learning Experiences, Counseling on Enrollment Opportunities in comprehensive transition and postsecondary educational programs at institutions of higher education, Workplace Readiness Training, and Instruction in Self Advocacy), there are four corresponding Data Elements that may be reported in PD 19-03.

- As a result, there are 20 Data Elements for the various services.
VR agencies are required to report the following (when occurs):

- Work Based Learning Experiences Service Provided by VR Agency Staff (in-house);
- Work Based Learning Experiences Service Provided Through VR Agency Purchase;
- Work Based Learning Experiences Purchased Service Provider Type; and
- Work Based Learning Experiences VR Program Expenditure for Purchased Service.
States must select 1 Program Quality Indicators:

**Attained Recognized Postsecondary Credential**
Percentage of CTE concentrators graduating from high school having attained a recognized postsecondary credential;
Attained Postsecondary Credits

Percentage of CTE concentrators graduating from high school having attained postsecondary credits in the relevant CTE program or program of study earned through a dual or concurrent enrollment program or another credit transfer agreement; and
Participated in Work-based Learning

- Percentage of CTE concentrators graduating from high school having participated in work-based learning.
Reporting Pre-Employment Transition Services

Accurately reporting the provision of pre-employment transition services requires multiple data elements.

For example:

- An individual is identified as a student with a disability (Reportable Individual or Participant).
- Start Date of Pre-ETS is reported (Reportable Individual or Participant).
- If any Pre-ETS (20 potential DE) are reported, the start date must also be reported.
- In subsequent quarters, VR must report all applicable data elements, including the provision of any new Pre-ETS.
Comprehensive Local Needs Assessments - CTE

To be eligible to receive financial assistance under this part, an eligible recipient shall—

- conduct a comprehensive local needs assessment related to career and technical education and include the results of the needs assessment in the local application submitted under subsection (a); and

- not less than once every 2 years, update such comprehensive local needs assessment.”

Section 134(c)(2) of Perkins
(a) An evaluation of the performance of the students served by the eligible recipient with respect to State determined and local levels of performance established pursuant to section 113, including an evaluation of performance for special populations and each subgroup described in section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965.
(B) A description of how career and technical education programs offered by the eligible recipient are—

(i) sufficient in size, scope, and quality to meet the needs of all students served by the eligible recipient; and

(ii)(I) aligned to State, regional, Tribal, or local in-demand industry sectors or occupations identified by the State workforce development board described in section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111) (referred to in this section as the `State board') or local workforce development board, including career pathways, where appropriate; or

(II) designed to meet local education or economic needs not identified by State boards or local workforce development boards.
Comprehensive Local Needs Assessment Requirements

- (C) An evaluation of progress toward the implementation of career and technical education programs and programs of study.

- (D) A description of how the eligible recipient will improve recruitment, retention, and training of career and technical education teachers, faculty, specialized instructional support personnel, paraprofessionals, and career guidance and academic counselors, including individuals in groups underrepresented in such professions.
Comprehensive Local Needs Assessment Requirements

(E) A description of progress toward implementation of equal access to high-quality career and technical education courses and programs of study for all students, including—

(i) strategies to overcome barriers that result in lower rates of access to, or performance gaps in, the courses and programs for special populations;

(ii) providing programs that are designed to enable special populations to meet the local levels of performance; and

(iii) providing activities to prepare special populations for high-skill, high-wage, or in-demand industry sectors or occupations in competitive, integrated settings that will lead to self-sufficiency.
Comprehensive Local Needs Assessment

Other Elements to Consider:

1. Instruction and teaching methods
2. Facilities and Equipment
3. Business and Community Partnerships
4. Career Development
5. Career Technical Student Organizations (CTSOs)
6. Work-based Learning
7. Data and Program Improvement

Unified or Combined State Plan Requirements  Comprehensive Statewide Needs Assessment (CSNA) (34 C.F.R. § 361.29(a)(i)(D)

- VR agencies are required to describe in the CSNA, the vocational rehabilitation (VR) needs of individuals with disabilities residing within the State, including, but not limited to—
  - Youth and students with disabilities, including their need for pre-employment transition services or other transition services;
  - An assessment of their needs for services; and
  - The extent to which these services provided are coordinated with transition services under IDEA.
Conclusion

During your State Team time, consider your agency’s role and how it can be a vital partner in the Perkins V planning process; and

How you operationalize working in CTE, Special Education or VR programs in order to align similar requirements under the statutes in order to—

• Ensure students with disabilities have access to and can participate in CTE programs and curriculum;
• Support teachers and school professionals in providing students with disabilities’ high quality, differentiated instruction for 21st century employability skills; and
• Identify service needs and coordinate necessary services and supports to ensure students with disabilities are prepared for college and careers.