

# Collaboration Opportunities

## WIOA YOUTH AND VOCATIONAL REHABILITATION PROGRAMS

**The U.S. Departments of Labor and Education** (Departments) are committed to increase skills, productivity, and earnings for disadvantaged youth, including those with disabilities.

Both Departments provide employment and training programs for youth depending upon an individual's needs and whether they meet program eligibility criteria. The U.S. Department of Labor's Employment and Training Administration (ETA) administers the Workforce Innovation and Opportunity Act (WIOA) Youth program (Section 129 of WIOA and 20 C.F.R. part 681). The U.S. Department of Education's Rehabilitation Services Administration (RSA), within the Office of Special Education and Rehabilitative Services, administers the Vocational Rehabilitation (VR) program authorized under Title I of the Rehabilitation Act of 1973 (Rehabilitation Act), as amended by Title IV of WIOA. These two programs serve youth ages 14 through 24.<sup>1</sup>

This is a joint technical assistance document for WIOA Youth program and VR program staff intended to provide a high-level overview of these two programs and to improve coordination of workforce preparation activities and employment services between these two programs. This document offers strategies and resources to increase collaboration between the State and local agencies under these two programs, as well as program providers, so they may more effectively serve youth with disabilities.

### U.S. Department of Labor, Employment and Training Administration: The WIOA Youth Program

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The WIOA Youth program provides a comprehensive array of services that focus on assisting out-of-school youth (OSY) and in-school youth (ISY) with one or more barriers to employment to prepare for postsecondary education and employment opportunities, attain educational and skills training credentials, and secure employment with opportunities for advancement.

To be eligible for the WIOA Youth program, OSY must be between the ages of 16 and 24, not attending school, and have one or more barriers to employment; and ISY must be between the ages of 14 and 21, attending school, low income, and have one or more barriers to employment. For purposes of this program, disability is considered a barrier to employment. The WIOA Youth program has a particular emphasis on serving OSY and requires that local areas spend at least 75 percent of WIOA Youth program funds on this population (Section 129 (a)(4)(A) of WIOA and 20 C.F.R. § 681.410). Another WIOA Youth program priority is work experiences, and local areas must spend at least 20 percent of program funds on those activities (Section 129 (c)(4) of WIOA and 20 C.F.R. § 681.590).

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<sup>1</sup> The VR program also assists individuals with disabilities who are adults who require VR services to prepare for, obtain, regain, maintain, or advance in employment (Section 102(a)(1) of the Rehabilitation Act). Therefore, the VR program is not limited to serving youth with disabilities aged 14 to 24 years old.

Participants in the WIOA Youth program receive the following services:

- ◆ tutoring;
- ◆ alternative secondary school services;
- ◆ paid and unpaid work experiences, including:
  - ◇ summer and year-round employment opportunities;
  - ◇ pre-apprenticeship programs;
  - ◇ internships;
  - ◇ job shadowing; and
  - ◇ on-the-job training;
- ◆ occupational skill training;
- ◆ education offered concurrently with workforce preparation and training;
- ◆ leadership development opportunities;
- ◆ supportive services;
- ◆ mentoring;
- ◆ follow-up services;
- ◆ comprehensive guidance and counseling;
- ◆ financial literacy education;
- ◆ entrepreneurial skills training;
- ◆ services that provide labor market and employment information; and
- ◆ postsecondary education and training preparation activities.

The WIOA Youth program operates in all 50 States and territories. To learn more about the WIOA Youth program and to access relevant policies and technical assistance resources, visit:

[https://www.doleta.gov/Youth\\_services/wioaformula.cfm](https://www.doleta.gov/Youth_services/wioaformula.cfm).

## U.S. Department of Education, Rehabilitation Services Administration: The VR Program

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The VR program is designed to provide a continuum of VR services for individuals with disabilities, including transition services for students and youth with disabilities and pre-employment transition services to students with disabilities, consistent with their strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, so that they can prepare for and engage in competitive integrated employment and achieve economic self-sufficiency. VR services are provided in all 50 States and territories through State VR agencies, also known as designated State units (DSUs). Some States operate with one combined DSU serving all individuals with disabilities, whereas other States operate with two DSUs, whereby one State VR agency serves individuals who are blind or visually impaired and the other State VR agency serves all other individuals with disabilities. State VR Agency contacts are available at <https://rsa.ed.gov/people.cfm>.

WIOA's amendments to the Rehabilitation Act created distinct definitions for the terms "student with a disability" and "youth with a disability." In general, a "student with a disability" is an individual with a

disability who is enrolled in an education program; is age 16 through 21, unless the State elects to provide pre-employment transition services at a younger age, or older if the State law allows for a higher maximum age for the receipt of services under the Individuals with Disabilities Education Act (IDEA); 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 (Section 7(37) of the Rehabilitation Act and 34 C.F.R. § 361.5(c)(51)). Educational programs include secondary, postsecondary, or other recognized education program. A “youth with a disability” is defined as an individual with a disability who is age 14 through 24 (Section 7(42) of the Rehabilitation Act and 34 C.F.R. § 361.5(c)(58)). Unlike a “student with a disability” who must be enrolled in an educational program, there is no requirement under the Rehabilitation Act, or its implementing regulations, that a “youth with a disability” be enrolled in such a program. The distinction between the definitions of “student with a disability” and “youth with a disability” is critical for the purposes of the various authorities for providing transition-related services under the VR program, including pre-employment transition services (pre-employment transition services are available only to those individuals who meet the definition of a “student with a disability”).

One of the primary roles of State VR agencies is to empower students and youth with disabilities to make informed choices about their careers. Pre-employment transition services are available to students with disabilities, regardless of whether they have applied and been determined eligible for VR services, and are designed to help students with disabilities to begin to identify career interests that may be explored further through additional VR services, such as transition services. Transition services are available to groups of students or youth with disabilities or on an individual basis to eligible students or youth with disabilities under an approved individualized plan for employment (IPE) (Sections 103(a) and (b) of the Rehabilitation Act and 34 C.F.R. §§ 361.48(b)(18) and 361.49(a)(7), respectively).

Eligible individuals are those who have a physical or mental impairment that results in a substantial impediment to employment, who can benefit from VR services for employment, and who require VR services to prepare for, secure, retain, regain or advance in employment (Section 102(a) of the Rehabilitation Act and 34 C.F.R. § 361.42). If a State is unable to serve all eligible individuals due to a lack of resources, then the State must give priority to serving individuals with the most significant disabilities. Qualified VR personnel must presume that an individual who meets the eligibility requirements can benefit in terms of an employment outcome. For additional information on the VR program, visit: <https://www2.ed.gov/about/offices/list/osers/ras/index.html>.

## **VR Program Pre-Employment Transition Services for Students with Disabilities**

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The WIOA amendments to the Rehabilitation Act require States to reserve at least 15 percent of their Federal VR funds for the provision of pre-employment transition services to students with disabilities (Section 110(d)(1) of the Rehabilitation Act). Section 113(a) of the Rehabilitation Act requires VR agencies, in collaboration with local educational agencies (LEAs), to provide or arrange for the provision of pre-employment transition services for students with disabilities. Pre-employment transition services include: job exploration counseling; work-based learning experiences in an integrated environment in the community (including internships); counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education; workplace readiness training to develop social skills and independent living; and instruction in self-

advocacy, including peer mentoring (Section 113(b) of the Rehabilitation Act and 34 C.F.R. § 361.48(a)(2)).

Youth with disabilities who do not meet the definition of a “student with a disability” may not receive pre-employment transition services. These individuals, if determined eligible for the VR program, may receive individualized VR services, including transition services, under an approved IPE.

## **Benefits of a Partnership between the WIOA Youth Program and VR Program When Serving Youth**

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WIOA places heightened emphasis on coordination and collaboration at the Federal, State, and local levels to ensure a streamlined and coordinated service delivery system for all job-seekers, including those with disabilities, and employers (81 FR 55629, 55630 (August 19, 2016)) ([ETA Training and Employment Guidance Letter \(TEGL\) 08-15: Second Title I WIOA Youth Program Transition Guidance](#)). WIOA also emphasizes serving students and youth with disabilities by increasing work opportunities to improve workplace skills, including internships and apprenticeships. The WIOA amendments to the Rehabilitation Act expand not only the population of students with disabilities who may receive certain services under the VR program, but also the kinds of services, particularly services to groups, the VR agencies may provide to students and youth with disabilities who are transitioning from secondary school to postsecondary education and employment. WIOA encourages collaboration around the strategic planning process, including the strategic vision and goals for preparing and educating all individuals served by the workforce system, including students with disabilities, and for meeting the needs of employers.

Under Title I of WIOA, the State VR program is a core partner in the one-stop service delivery system, and it provides, in accordance with its authority under Title I of the Rehabilitation Act, individuals with disabilities the services needed to compete for, achieve, and sustain employment. Also, as American Job Centers' partners, VR agencies play a critical role in working with employers who are interested in hiring qualified individuals with disabilities, including students and youth with disabilities.

Local workforce development boards and VR agencies should coordinate and complement agency specific services with each other, as well as educational agencies serving students with disabilities.

### **Examples of coordination opportunities include:**

- ◆ **Coordinating referrals across the two programs.** Both the WIOA Youth and VR programs may take advantage of the strengths of each other's program and make cross-agency referrals. For example, VR agencies can refer youth with disabilities, particularly those who are out of school, to the WIOA Youth program for training and work experience services. Likewise, WIOA Youth programs can refer students with disabilities, including ISY with disabilities, as appropriate, to the VR program for pre-employment transition services provided through funds reserved for such services, transition services, and VR services. WIOA Youth programs can also refer OSY with disabilities to the VR program for VR services, as appropriate. As is true with the provision of most VR services to eligible individuals, VR agency staff must determine whether comparable services and benefits exist prior to providing transition and other such services to students and youth with disabilities.

- ◆ **Developing linkages for recruitment and placement.** VR program staff and WIOA Youth program staff can collaborate on providing business services to better serve employers and to meet the needs of students and youth with disabilities more effectively. Work-based learning experiences under pre-employment transition services can align with work experiences offered through the WIOA Youth program. The two programs may also share business account information to ensure efficient and effective service delivery to employers and to ensure the best candidates from both programs are referred to employers for employment, work experience, or other opportunities.
- ◆ **Promoting information-sharing between programs.** VR and WIOA Youth program staff can consider obtaining signed releases of information forms allowing the two programs to share participant information that would be necessary for the administration of the two programs, such as the referral of students and youth from one program to another and for the coordination of services between the two programs. The sharing of personal information between the two programs, pursuant to informed written consent, must be consistent with requirements for the release of personal information set forth at 34 C.F.R. § 361.38 and 20 C.F.R. part 603.
- ◆ **Collaborating to evaluate and improve services.** The partnership between the WIOA Youth and VR programs can encourage building of internal understanding, knowledge, and access to resources. Because the WIOA Youth and VR programs share some of the same performance indicators, they are able to strengthen the coordination of services and evaluate and improve the outcomes of participants, including individuals with disabilities.

## Technical Assistance Resources<sup>2</sup>

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### Resources

- ◆ [A Transition Guide to Postsecondary Education and Employment for Students and Youth with Disabilities](#) (Transition Guide)  
As a student approaches the time to leave high school, it is important that preparations for adult life are well underway. The Transition Guide, developed by the U.S. Department of Education's Office of Special Education and Rehabilitative Services, is a resource for students and families to use during the transition planning process and may assist with the identification of needs and available services. This resource highlights educational opportunities, credentials, and employment strategies designed to assist students with disabilities while in school to prepare for a meaningful postsecondary education and thriving career.

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<sup>2</sup> The examples and resource materials contained in this document are provided for the user's convenience. The inclusion of these materials is not intended to reflect their importance, nor is it intended to endorse any views expressed, or products or services offered. These materials may contain the views and recommendations of various subject matter experts as well as hypertext links, contact addresses and websites to information created and maintained by other public and private organizations. The opinions expressed in any of these materials do not necessarily reflect the positions or policies of the U.S. Department of Education or the U.S. Department of Labor (Departments). The Departments do not control or guarantee the accuracy, relevance, timeliness, or completeness of any outside information included in these materials.



- ◆ [Youth Connections Community of Practice](#)

This WIOA Youth program online community developed by ETA provides a platform for youth workforce practitioners, partners, and other stakeholders to access promising practices, technical assistance tools, and the opportunity to share their expertise with peers across the nation.

### Technical Assistance Centers' Resources

- ◆ [American Indian Vocational Rehabilitation Services Training and Technical Assistance Center](#)

This resource developed by Northern Arizona University's Institute for Human Development provides information on training and technical assistance available to the American Indian Vocational Rehabilitation Services (AIVRS) programs which serve tribal members with disabilities and prepare them for gainful employment.

- ◆ [Data and Resources to Inspire a Vision on Employment \(DRIVE\)](#)

This website launched by the U.S. Department of Labor's Office of Disability Employment Policy (ODEP) shares information on State policies, practices, technical assistance initiatives, and outcomes that are focused directly or indirectly on the employment of individuals with disabilities. By visiting this site, State government leaders, policy-makers, disability advocates, and other stakeholders can learn about what is working in the area of disability employment.

- ◆ [ExploreVR](#)

ExploreVR is based at the Institute for Community Inclusion at UMass and offers State VR agencies and partners easy and convenient access to a range of VR research, related data, webinars, projects, and tools for planning, evaluation, and decision-making.

- ◆ *ExploreVR is funded by the National Institute on Disability, Independent Living, and Rehabilitation Research and RSA of the U.S. Department of Education.*

- ◆ [National Clearinghouse of Rehabilitation Training Materials](#)

This repository, maintained by RSA, provides training resources for the VR program. It also offers VR program and education communities, grantees, researchers, trainers, and practitioners the opportunity to gain visibility for their work while contributing new knowledge to their specific fields.

- ◆ [National Collaborative on Workforce and Disability for Youth](#)

This resource assists State and local workforce development systems to better serve all youth, including youth with disabilities and other disconnected youth. The National Collaborative on Workforce and Disability for Youth (NCWD/Youth), created in 2001, is composed of partners with expertise in education, youth development, disability, employment, workforce development and family issues. Funded by a grant from the U.S. Department of Labor's Office of Disability Employment Policy, NCWD/Youth is managed by the Institute for Educational Leadership in Washington, D.C. NCWD/Youth offers a range of technical assistance services to state and local workforce investment boards, youth councils, and other workforce development system youth programs.

- ◆ [National Technical Assistance Center on Transition \(NTACT\)](#)

This resource is designed to assist State Education Agencies (SEAs), LEAs, State VR agencies, and VR service providers in implementing evidence-based and promising practices ensuring students with disabilities, including those with significant disabilities, graduate from secondary education prepared for success in postsecondary education and employment.
- ◆ [Partnership on Employment and Accessible Technology](#)

This multi-faceted initiative is designed to foster collaboration and action around accessible technology in the workplace. Guided by a consortium of policy and technology leaders, Partnership on Employment & Accessible Technology (PEAT) works to help employers, information technology companies, and others to understand why it pays to build and buy accessible technology, and how to do so.

  - ◇ *PEAT is funded by the [U.S. Department of Labor's Office of Disability Employment Policy \(ODEP\)](#).*
- ◆ [The LEAD Center](#)

This resource is a collaborative of disability, workforce and economic empowerment organizations dedicated to improving employment and economic advancement outcomes for all people with disabilities.
- ◆ [Vocational Rehabilitation Technical Assistance Center for Youth with Disabilities](#)

This resource is designed to provide technical assistance to State VR agencies to improve services to and outcomes of (1) students with disabilities, as defined in Section 7(37) of the Rehabilitation Act, who are in school and who are not receiving services under the IDEA; and (2) youth with disabilities, as defined in Section 7(42) of the Rehabilitation Act, who are no longer in school and who are not employed, including dropouts.
- ◆ [Vocational Rehabilitation Technical Assistance Center—Targeted Communities](#)

This resource is designed to provide technical assistance and training to upgrade and increase the competency, skills, and knowledge of VR counselors and other professionals to assist underserved individuals with disabilities living in economically disadvantaged communities to achieve competitive employment outcomes.
- ◆ [Workforce Innovation Technical Assistance Center](#)

This resource is designed to provide training and technical assistance to State VR agencies on the new statutory requirements imposed by the Rehabilitation Act. The Workforce Innovation Technical Assistance Center develops and provides training and technical assistance to State VR agency staff and related rehabilitation professionals and service providers to help them develop the skills and processes needed to meet the requirements of the Rehabilitation Act.

This website also includes “Using Explore-Work.com Pre-Employment Transition Services Online Modules,” developed by this center with Employment Resources, Inc., the University of Wisconsin-Madison, and the University of Wisconsin-Stout Vocational Rehabilitation Institute. The modules provide one method of delivering the five “required” pre-employment transition services activities, described in Section 113(b) of the Rehabilitation Act, to students with disabilities.