NTACT THE COLLABORATIVE

Opportunities for Collaboration: Vocational Rehabilitation and WIOA Youth Programs

Rehabilitation Services Administration, USDOE, Employment & Training Administration, USDOL,
National Technical Assistance Center on Transition: The Collaborative (NTACT:C)

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OVERVIEW OF WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) YOUTH AND VOCATIONAL REHABILITATION PROGRAMS

WIOA YOUTH AND VOCATIONAL REHABILITATION PROGRAMS

The U.S. Departments of Labor and Education (Departments) are committed to increasing 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 the 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.

Youth (ages 14 through 24) may be served by both programs.

U.S. Department of Labor, Employment and Training Administration: The WIOA Youth Program (1)

The WIOA Youth program provides a comprehensive array of services that focus on assisting both 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.

U.S. Department of Labor, Employment and Training Administration: The WIOA Youth Program (2)

Eligibility:

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.

U.S. Department of Labor, Employment and Training Administration: The WIOA Youth Program (3)

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).

Participants in the WIOA Youth Program May 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.

U.S. Department of Labor, Employment and Training Administration: The WIOA Youth Program (4)

- The WIOA Youth program operates in all 50 States and territories.
- **Approximately123,000 youth were served in the WIOA Youth program in PY 2020, with approximately $913 million.**
- 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.

U.S. Department of Education, Rehabilitation Services Administration: The VR Program (1)

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.

U.S. Department of Education, Rehabilitation Services Administration: The VR Program (2)

- VR services are provided in all 50 States, the District of Columbia 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/about/people.

U.S. Department of Education, Rehabilitation Services Administration: The VR Program (3)

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 and 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
- Eligible for and receiving special education or related services under IDEA; or
- 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.

Students with disabilities may receive—

- Pre-employment transition services if they are potentially eligible or eligible for VR services (does not require application); and
- Transition services and other VR services as an applicant and eligible individual with an approved individualized plan for employment (IPE).

U.S. Department of Education, Rehabilitation Services Administration: The VR Program (4)

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)).

- There is no requirement under the Rehabilitation Act, or its implementing regulations, that a “youth with a disability” be enrolled in an educational 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”).

U.S. Department of Education, Rehabilitation Services Administration: The VR Program (5)

- 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 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).

U.S. Department of Education, Rehabilitation Services Administration: The VR Program (6)

Eligibility:

- 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/rsa/index.html.

VR Program Pre-Employment Transition Services for Students with Disabilities (1)

- 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)).

VR Program Pre-Employment Transition Services for Students with Disabilities (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.

VR Program Pre-Employment Transition Services for Students with Disabilities (3)

We're just beginning to analyze our PY 2021 (July 1, 2021-June 30,2022) performance data after receiving it last month.

- Of the 808,303 participants served in Program Year 2021, over half were under the age of 25, reflecting the program's sustained focus on serving youth with disabilities.
- In Program Year 2021, nearly 251,000 students with disabilities received at least one pre-employment transition service.
- While the number of students receiving these services declined in PY 2020 due to the pandemic, the trendline has been positive over the five-year period, increasing nearly 30 percent.
- The same is true for the total number of pre-employment transition services provided by State VR agencies; this has more than doubled since PY 2017 with nearly 1.6 million services provided in PY 2021.

Program Year	Number of SWD Receiving Pre-ETS	Total Pre-ETS Provided
2017	179,590	747,602
2018	248,506	1,227,521
2019	247,753	1,356,156
2020	203,542	1,171,097
2021	250,784	1,555,903

BENEFITS OF PARTNERSHIP BETWEEN WIOAYOUTH AND VOCATIONAL REHABILITATION PROGRAMS

Benefits of a Partnership between the WIOA Youth Program and VR Program When Serving Youth (1)

- 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 and youth with disabilities, and for meeting the needs of employers.

Benefits of a Partnership between the WIOA Youth Program and VR Program When Serving Youth (2)

- 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: (1)

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.

Examples of Coordination Opportunities Include: (2)

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 contact 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.

PROGRAM COORDINATION OPPORTUNITIES

Examples of Coordination Opportunities Include: (3)

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.

Examples of Coordination Opportunities Include: (4)

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, both programs are able to strengthen the coordination of services and evaluate and improve the outcomes of participants, including individuals with disabilities.

QUICK PROGRAM TIPS

Quick Tips for Vocational Rehabilitation Programs about The WIOA Youth Program - 1

- While the WIOA Title I Youth Program focuses predominantly on Out of School Youth (OSY), many Title I WIOA Youth programs after determining eligibility, will seek to re-engage the OSY in ***a recognized educational program.***
  - ***Context: A youth with a disability enrolled as an OSY under WIOA Title I Youth program may be eligible to receive VR services under an individualized plan for employment. An OSY with a disability served by the WIOA Title I Youth program may also receive general group transition services that are not individualized services directly related to an IPE from the VR program, regardless of whether or not they have applied for VR services.***
  - ***An OSY with a disability in receipt of WIOA Title I Youth program services who re-enrolls in a recognized educational program and meets the age requirements in the definition of a "student with a disability," may receive pre-employment transition services from the VR program, if such services are needed, regardless of whether he or she applies for VR services.***
- As previously noted, for In School Youth (ISY), the youth must be low income - for youth with disabilities, they are considered a family of one.
  - ***Context:*** For the WIOA Title I Youth Program, an ISY's parents' income is not considered, only the income of the youth is reviewed for eligibility. This means that **almost any ISY who is in receipt of Special Education services or who has a 504 plan is likely eligible for the WIOA Title I Youth Program.**

Quick Tips for Vocational Rehabilitation Programs about The WIOA Youth Program - 2

- **WIOA Title I Youth Programs have a wide range of services they can offer from providing work experiences and skills training to tutoring and supportive services; however the services that a WIOA Title I Youth Program offers will vary widely from State to State or across a state.**
  - ***Context:*** WIOA Title I Youth programs are afforded a great amount of flexibility at a local level. It's important not to assume that all Title I WIOA Youth programs offer the same services. Some programs, for example, may not offer tutoring, and instead may be leveraging that resource from another agency. This is important because it will help you understand how and what the VR program can offer that might be helpful to the Title I WIOA Youth program and vice-versa.

Quick Tips for WIOA Youth Programs about The Vocational Rehabilitation Program - 1

Vocational Rehabilitation provides a continuum of services to students and youth with disabilities:

- **Transition Services to Groups (does not require an application or eligibility determination),**
- **Individualized Transition Services (requires an application and eligibility determination); and**
- **Pre-employment Transition Services (available to students with disabilities who are potentially eligible and eligible for VR services).**
  - ***Context:*** Most ISY or OSY, if they have a disability may be eligible to receive VR services, including transition services, which are coordinated and arranged for based upon individual need. Pre-employment transition services may be available to OSY, if they have re-enrolled in an educational program and meet the definition of a "student with a disability."
  - ***Context:*** There are many ways the WIOA Title I Youth Program and the VR Program can work together across the continuum of services offered to expand both programs' capacity to help youth in transition.

Quick Tips for WIOA Youth Programs about The Vocational Rehabilitation Program - 2

- OSY with disabilities in the WIOA Title I Youth program who re-engage and enroll in a recognized educational program, and receive special education or related services under IDEA or are an individual with a disability for purposes of Section 504 of the Rehabilitation Act, may be potentially eligible for VR services and able to receive pre-employment transition services, so long as he or she meets the minimum and maximum age requirements in the State.
  - ***Context:*** Students with disabilities are individuals typically between the ages of 16 and 21, unless a State has elected to provide pre-employment transition services at an earlier age or IDEA services at a higher maximum age, who are enrolled in an educational program.
  - Students with disabilities can access pre-employment transition services, regardless of whether an individual has applied for VR services
  - ***Context:*** Documentation of a disability is required in order to access pre-employment transition services; however, there are several forms of acceptable documentation. (Examples are available at http://www.wintac.org/topic-areas/pre-employment-transition-services/faqs#q18)

Quick Tips for WIOA Youth Programs about The Vocational Rehabilitation Program - 3

- If a State VR agency is unable to serve all VR-eligible individuals in the State due to fiscal or staff resources, the agency may choose to implement an “Order of Selection” (OOS) (Section 101(a)(5) of the Rehabilitation Act and 34 C.F.R. § 361.36), which prioritizes all eligible individuals based on severity of disability.
- However, students with disabilities may continue to access pre-employment transition services, even if the State has implemented an OOS, so long as the student is in receipt of pre-employment transition services prior to being determined eligible for VR services and assigned to a closed order of selection priority category (i.e., waiting list).
  - ***Context:*** Just because your State has implemented an OOS doesn’t mean there isn’t still the potential for ISY, who meet the definition of a student with a disability, to receive pre-employment transition services.

Coordination: Opportunities to Leverage Services and Resources

Alignment of VR and WIOA Youth Programs activities/services may include—

- A Work-Based Learning Experience as it is commensurate with a Paid/Unpaid Work Experience under the WIOA Youth (exception: pre-apprenticeship), or
- Instruction in Self-Advocacy as it is commensurate with Youth Leadership Development activities.

VR and WIOA Youth Programs may collaborate to coordinate services for each youth or student in a way that supports the student in reaching their goal (consistent with common performance outcomes).

- Collaborative efforts may also take into consideration the additional pre-employment transition services flexibilities described in the Final Notice of Interpretation (NOI) that was published to the Federal Register in March of 2022, by the Department of Education's Office of Special Education and Rehabilitative Services (OSERS) regarding the use of Federal VR funds reserved for pre-employment transition services.

Effective Partnerships and Outcomes

Considerations for State Teams to discuss regarding student and youth outcomes and improving agency performance:

- Do both agencies understand how the performance indicators support each other's goals?
- What documentation requirements are needed to verify outcomes for each program?
- How can the partner agency help support these documentation requirements?
- Do local practices support shared cases and common outcomes?
- Where is cross-training needed?
- How can each agency help their partners achieve their outlined outcomes?
- What systems or processes need to change in order to support these shared outcomes?
- How can agencies help with continued engagement?

WIOA Youth and VR Co-Enrollment Data (Self-Reported – RSA-911)

Vocational Rehabilitation and WIOA Youth Co-Enrollments PY 2021

AK – 1.9 %	DC – 8.5%	IL – 0.9%	MI – 7.2%	NE – 1.1%	OR – 13.3%	UT – 0.0%
AL – 0.6%	DE – 0.9%	IN – 2.5%	MN – 3.4%	NH – 1.5%	PA – 5.1%	VA – 3.8%
AR - 0.5%	FL – 10.4%	KS – 2.3%	MO – 1.5%	NJ – 5.3%	PR – 0.3%	VI – 8.0%
AS – 1.9%	GA – 15.9%	KY – 3.1%	MP – 0.0%	NM – 14.9%	RI – 5.7%	VT – 2.4%
AZ – 8.1%	GU – 0.8%	LA – 0.8%	MS – 2.0%	NV – 54.4%	SC – 1.2%	WA – 1.9%
CA – 4.4%	HI – 3.4%	MA – 1.8%	MT – 5.7%	NY – 2.6%	SD – 2.5%	WI – 2.2%
CO – 1.6%	IA – 8.5%	MD – 0.0%	NC – 1.2%	OH – 0.1%	TN – 66.4%	WV – 2.4%
CT – 3.9%	ID – 1.9%	ME – 0.6%	ND – 7.8%	OK – 1.2%	TX – 0.0%	WY – 3.2%

National – 4.3%

Check out the Series

- **3.31.20 - Vocational Rehabilitation and WIOA Youth Programs Introduction to Series:**
- This webcast provides an introduction to this technical assistance series that was created as a follow-up to the jointly developed technical assistance document entitled: Collaboration Opportunities: WIOA Youth and Vocational Rehabilitation Programs. This joint document provides a high-level overview of the programs in order to improve coordination of workforce preparation activities and employment services between the two programs and more effectively serve youth with disabilities.
  - **Vocational Rehabilitation and WIOA Youth Programs Collaboration Opportunities Part 1: Introduction to VR Program**: This webcast provides an overview of the VR program and services.
  - **Vocational Rehabilitation and WIOA Youth Programs Collaboration Opportunities Part 1: Introduction to WIOA Youth Program**: This webcast provides an overview of the Youth program under the Workforce Innovation and Opportunity Act.
- The purpose of these two separate, but complimentary webcasts is to allow staff and service providers of the two programs the option to listen to either or both webcasts, depending on the level of understanding and familiarity with the respective programs. In the coming months, we will release two additional webcasts which discuss effective collaboration strategies to serve youth and students with disabilities and will highlight effective examples from states.

Thank You

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