

Preparing All Students with Disabilities for Employment Success

A Guide to Understanding Workforce Innovation and Opportunity Act (WIOA) Requirements

The purpose of this document is to assist local education agencies (and other interested parties) in understanding specific components of the Workforce Innovation and Opportunity Act (WIOA). WIOA is a federal law that sets forth requirements to ensure students with disabilities gain skills and have experiences that lead to success in competitive integrated employment.

Pre-Employment Transition Services (Pre-ETS)

Vocational Rehabilitation Services (VRS), in collaboration with local educational agencies, must provide statewide access to Pre-Employment Transition Services (Pre-ETS) for all students with disabilities. Students with disabilities include those receiving special education services or that have a disability for the purpose of section 504 of the Rehabilitation Act. Pre-ETS must be available to students with disabilities starting in grade nine through the age of 21.

Pre-Employment Transition Services (Pre-ETS) are the following five activities:

- Job exploration counseling
- Work-based learning experiences
- Counseling on opportunities for enrollment in postsecondary education programs
- Workplace readiness training
- Instruction in self-advocacy

Pre-ETS can be embedded into a district's career and college readiness activities (documented through a district's "World's Best Workforce" plan) for students with disabilities along with their general education peers. Pre-ETS/ career development goals and accomplishments can be documented in a student's Personal Learning Plan (PLP) and within a student's Individualized Education Program (IEP), both of which are to be updated annually. Starting in 2017, VRS will be contracting with community agencies throughout the state to assist schools in providing Pre-ETS to students with disabilities. Furthermore, students can apply for VR services if more individualized employment and training assistance is needed. VRS has a counselor assigned to every high school in the state. You can go to <https://mn.gov/deed/vrs> to learn more.

Process for Youth Considering Subminimum Wages

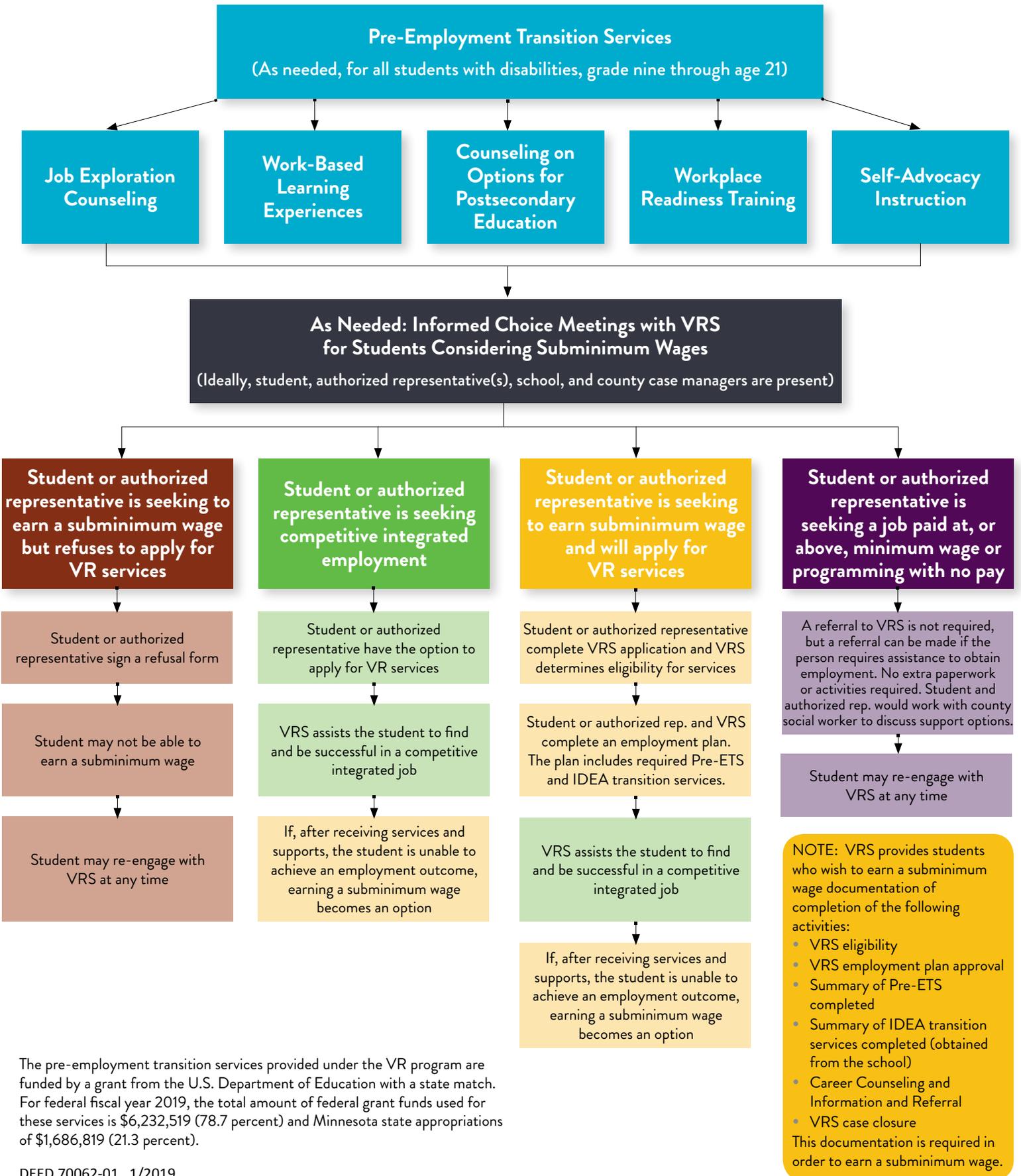
Subminimum wage (less than the federal minimum wage) is allowable when an employment or day service provider holds a special 14(c) certificate from the U.S. Department of Labor. While WIOA does not prohibit the use of subminimum wage, it does require youth with disabilities who are 24 and younger to have documentation that they completed the following actions before they can earn a subminimum wage:

- Participated in Pre-ETS and/ or special education transition services and activities while still in high school and eligible for services under the Individuals with Disabilities Education Act (IDEA), and
- Applied for VRS and determined ineligible or found eligible but unsuccessful in competitive, integrated employment and their VRS case was closed, and
- Received career counseling, information, and referral to resources that could assist in securing competitive, integrated employment.

VRS counselors will work with schools to coordinate informed choice meetings with students and parents/ authorized representatives who are considering subminimum wage positions. Ideally, school and county case managers would also participate in these meetings so that supports and services are coordinated. VRS counselors will explain WIOA requirements, review available options, and provide an opportunity for the student to apply for VR services.

See next page. —>

WIOA PROCESS FOR STUDENTS WITH DISABILITIES



The pre-employment transition services provided under the VR program are funded by a grant from the U.S. Department of Education with a state match. For federal fiscal year 2019, the total amount of federal grant funds used for these services is \$6,232,519 (78.7 percent) and Minnesota state appropriations of \$1,686,819 (21.3 percent).

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