Slide 1: WIOA at the 2-Year Mark

Slide 2: Happy Birthday WIOA (image of a birthday cake)

Slide 3: WIOA: The Workforce Innovation and Opportunity Act of 2014

* Signed into law July 22, 2014  
  Reauthorizes **Workforce Investment Act of 1998**, including **Rehabilitation Act**

Slide 4: WIOA Basics:

**Covers Four public systems**

* ***Workforce Development System*** serving all job seekers  
  (Titles I)
* **Wagner-Peyser Labor Exchange** (Title III)
* **Adult Education & Literacy  
  (**Title II)
* ***Public Vocational Rehabilitation*** (Title IV)

Slide 5: Core Programs Under WIOA

1. **Adult, Dislocated Worker, & Youth Workforce Investment Programs**
2. **State Employment Service**
3. **Adult Education & Literacy**
4. **Public Vocational Rehabilitation**

9 Additional Federal Programs that are Mandated One-Stop Partners,  
*but Not Core Programs*

Slide 6: Core Program: What It Means

* Must submit a **unified 4-year state plan**
* Member of state and local **workforce boards**
* Subject to **“Common Measures”**
* **Adult Measures:**
  + - *Entering & retaining employment*
    - *Median earnings*
    - *Obtaining an educational credential*
    - *Effectiveness in serving employers*

Slide 7: As of Friday, July 22nd, entire law is in effect

* **Final regulations** were released on June 30th
* **State WIOA plans** were due April 1st
* All state plans have been conditionally approved

Slide 8: Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities

Slide 9: “Competitive Integrated Employment” Defined

* Full-time or part-time work at minimum wage or higher
* Wages & benefits similar to those without disabilities performing same work
* Fully integrated with co-workers without disabilities
* *Optimal outcome under WIOA*

Slide 10: What’s “Integrated” Under WIOA?

* *Both* ***within the work unit and entire workplace***, must interact with co-workers, ***customers, and vendors*** to the same extent as ***employees*** without disabilities in comparable positions
* Interacting only with supervisor and CRP staff is insufficient

Slide 11: From WIOA Explanatory Comments

* **Group and enclave employment settings** operated by businesses **formed for the purpose of employing individuals with disabilities** will not satisfy the definition of competitive integrated employment.
* Factors that generally would result in a business being considered “not typically found in the community,” include:

1. the funding of positions through **Javits-Wagner-O’Day Act (JWOD) contracts** AbilityOne, federal set-aside program
2. **Subminimum Wage**
3. Compliance with a **mandated direct labor-hour ratio** of persons with disabilities.

Slide 12: Remember!

* Competitive integrated employment definition **only applies to placements funded by public vocational rehabilitation**
* Does not necessarily impact placements funded by other systems

Slide 13: Assessment for Eligibility for VR

* Must now, ***to the maximum extent possible***, rely on information obtained from experiences in integrated employment settings in the community and in other integrated community settings

Slide 14: Changes in Individual Plan for Employment

* IPE must be developed within 90 days of determination of eligibility
* If additional information is needed for the IPE, assessment must be done in most integrated setting possible

Slide 15: An image of VR and a High School

Slide 16: VR and Youth Under WIOA

* Youth with disabilities encompasses students with disabilities.
* Students with disabilities include those who are:
  + Age 16 to 21
  + Enrolled in school with IEP or Section 504

Slide 17: A table that compares VR Transition Services with Pre-Employment Transition Services:

**VR Transition Services**

* Available to: Youth with Disabilities (Ages 14-24)
* VR Eligibility: Must apply for and be accepted for VR Services
* Individual Plan for Employment: Required
* Level of Services: Broad and Highly Flexible

**Pre-Employment Transition Services**

* Available to: Students with Disabilities (age 16 to 21, enrolled in school with IEP or 504) – can be younger at state’s discretion
* VR Eligibility: Available to any student with a disability who can benefit
* Individual Plan for Employment: Not Required
* Level of Services: Narrow and relatively specific

Slide 18: VR Area Office *Employment Transition Coordination* Requirements

* Attend IEP Meetings
* Work to develop employment opportunities
* Work with schools on  
  pre-employment transition services
* When invited, attend person-centered planning meetings

Slide 19: Pre-Employment Transition Services

* **15% of state Title I VR Funds must be used for  
  “Pre-Employment Transition Services”**
  + Total for FY 2015: **$468 million**
* **Required services:**
  + job exploration counseling
  + work based learning experiences
  + counseling on post-secondary opportunities
  + workplace readiness training
  + Instruction in self-advocacy, which may include peer mentoring
* **9 additional activities allowed if funding is available**

Slide 20: Pre-Employment Transition Services Part of a Continuum, based on explanatory comments from WIOA final regulations

* **Pre-employment transition services:** earliest set of services available to students with disabilities.
  + *Designed to help students with disabilities begin to identify career interests that will be further explored through additional VR services, such as transition services*
* Job placement assistance is not included among the listed **pre-employment transition services**, but could constitute a **transition service**

Slide 21: Scope of Pre-Employment Transition Requirements

* VR agency, in collaboration with local school districts, must provide, or arrange for provision of pre-employment transition services for ***all students with disabilities in need of these services,*** eligible or potentially eligible for VR services, from 15% of Title I funds, and any funds made available from state, local, or private funding sources.

Slide 22: Pre-Employment Transition Services are to be widely available:

* Must be available statewide **all students with disabilities *in need of such services***, without regard to the type of disability
* Do not need to apply or be accepted for VR services
* Under final regulations, includes post-secondary

Slide 23: How do we define, “in need of”?

Slide 24: Who Needs these services? How are they defined?

* Job exploration counseling
* Work based learning experiences
* Counseling on  
  post-secondary opportunities
* Workplace readiness training
* Training on self-advocacy

Slide 25: WIOA Definition:

* May include in-school or after school opportunities, or experience outside the traditional school setting (including internships), that is provided in an integrated environment in the community to the maximum extent possible.

Slide 26: John Wooden ***"*Never mistake activity for achievement.*"***

Slide 27: Section 511: New restrictions on use of sub-minimum wage effective July 22, 2016

Slide 28: Individuals 24 & Under: Before being placed in sub-minimum wage employment

* 1. Pre-employment transition services from VR or transition services from school
  2. Either being determined ineligible for VR or an unsuccessful VR closure
  3. Provision of career counseling & referrals designed to assist individual to achieve competitive integrated employment, in a way that facilitates independent decision-making and informed choice

Slide 29: Informed Choice Under Olmstead

“Individuals’ and their families’ initial response when offered integrated options may be reluctance or hesitancy.”

***Affirmative steps must be taken to ensure individuals have an opportunity to make an informed choice***

**Steps include**:

1. Providing information about the **benefits of integrated settings**
2. Facilitating **visits or other experiences** in such settings
3. Offering opportunities to **meet with other individuals** with disabilities working in integrated settings, with their families, and with community providers.
4. Identify and **address any concerns or objections** raised by individual or another relevant decision-maker.

Slide 30: Schools are no longer allowed to contract with organizations to pay sub-minimum wage

Slide 31: Steps Required Annually for All Individuals Earning Sub-Minimum Wage

* **VR** must provide career counseling and referral to other programs & resources
* Is informed by ***employer*** of self-advocacy, self-determination, & peer mentoring opportunities not provided by ***employer***

Slide 32: “Who are known” Issue

* Section 511 applies only to individuals **“who are known”** to VR
* Final regulations state that VR may know of an individual with a disability through the **VR process, self-referral, or by referral from the client assistance program, another agency, or entity**

Slide 33: Leveraging Section 511

* **VR – ID/DD System Partnership**
  + Source of referral
  + Inform providers, individuals and families
  + Link annual review under 511 with ISP
  + Identify and create self-advocacy,  
    self-determination, & peer mentoring opportunities
* **Department of Education**
  + Partner with VR beyond documentation requirements in WIOA
  + Clear referral process
  + Inform schools about new requirements
* **Advocates**
  + Inform individuals about new rights under section 511
  + Ensure enforcement and truly informed choice

Slide 34: WIOA: Bottom Line

* **Real Jobs, Real Wages**
* Great opportunity to ***get transition right!***
* Reinforces national movement **away from segregated services, sub-minimum wage**

Slide 35:

**“The foundation of the VR program is the principle that individuals with disabilities, *including those with the most significant disabilities,* are capable of achieving high quality, competitive integrated employment when provided the necessary skills and supports.”**

Slide 36:

**“The biggest mistake people make in life, is not trying to make a living at doing what they most enjoy. " – Malcolm Forbes**

END