



5.0 Pre-Employment Transition Services

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5.0 Pre-Employment Transition Services

Reference:

34 CFR § 361.48(a)

34 CFR § 361.5(c)(42)(51)(55)

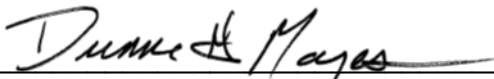
Code of Professional Ethics for Rehabilitation

Counselors from the Commission on Rehabilitation

Counselor Certification

Effective: November
01, 2021

Revised:

Approved: 
Duane G. Mayes, Director

Date: 11/01/2021

Policy

1.0 Summary

The Rehabilitation Act of 1973 (Act), as amended by the Workforce Innovation and Opportunity Act (WIOA) enacted on July 22, 2014:

- Emphasizes the provision of services to students and youth with disabilities to ensure they have opportunities to receive the training and other services necessary to achieve competitive integrated employment
- Expands the population of students with disabilities who may receive services and the kinds of services that the Vocational Rehabilitation (VR) agencies may provide to youth and students with disabilities who are transitioning from school to postsecondary education and employment
- Increases opportunities to practice and improve workplace skills, such as through internships and other work-based learning opportunities
- Requires VR agencies to reserve and expend not less than 15 percent of the Federal VR allotment to provide, or arrange for the provision of, Pre-Employment Transition Services (Pre-ETS) for students with disabilities transitioning from school to postsecondary education programs and employment
- Requires VR agencies to coordinate the provision of Pre-ETS with Local Educational Agencies (LEAs).

1.1 Pre-Employment Transition Services

Pre-ETS are services that provide an early start to job exploration; and assist students with disabilities in identifying career interests which may be further explored through



additional VR program services, such as Transition Services and other individualized VR services.

Pre-ETS represent the earliest set of services available for students with disabilities under the VR program, are short-term in nature, and are designed to help students identify career interests.

Pre-ETS may be provided to students with disabilities who are in need of these services and are eligible or potentially eligible for VR services (i.e., have not applied or been determined eligible for VR services). Students are encouraged to apply for VR services at least a year prior to graduation if they require services beyond the five required Pre-ETS activities, or if they require other VR services and accommodations beyond auxiliary aids in order to participate in Pre-ETS activities.

1.2 Student with a Disability

A student with a disability is defined by three components including: age requirements (between the ages of 14 and 21); attendance in a recognized secondary, post-secondary or other recognized education program; and the individual is eligible for and receiving Special Education services under Part B of the Individuals with Disabilities Education Act (IDEA) or is an individual with a disability as defined in Section 504 of the Rehabilitation Act.

- **Age Requirements:** In accordance with the State Department of Education's (DOE) age range for the provision of transition services under IDEA, individuals may begin receiving Pre-ETS activities when they turn 14 and can continue until the individual reaches 21 years of age, unless the student turns 22 during the school year and can therefore continue to receive services through the end of the school year.
- **Recognized Education Programs:** Includes secondary education (including home schooling); non-traditional or alternative education (e.g., general education equivalency (GED) preparatory programs and vocational education); post-secondary education programs; state, national, or other industry recognized certificate programs leading to a credential; and other recognized education programs including those offered through the juvenile justice system.
- **Disability:** The student must be eligible for and receiving special education or related services under Part B of IDEA. Students with disabilities, for purposes of Section 504 of the Rehabilitation Act, are not required to be receiving 504 Services in order to participate in Pre-ETS.

Age, education status, and disability are verified by an authorized official such as a teacher or other personnel who are able to affirm the student is indeed a student with a disability per 34 CFR 361.5(51).

Students with disabilities, regardless of whether or not they have applied for, or been



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determined eligible for, the VR program, may receive Pre-ETS if needed as long as they meet the definition of a student with a disability as defined above.

1.3 Required Activities

The five required Pre-ETS activities which are delivered to students with disabilities are those services which can be provided in a group setting or on an individual basis, and include:

1. Job exploration counseling may include counseling on in-demand occupations, labor market composition, nontraditional employment or career pathways, administration of interest inventories, and discussions of local labor market information that applies to the student's area of interest.
2. Work-based learning experiences may include in-school, after-school, summer work opportunities, or experience outside the traditional school setting (including internships), that are provided in an integrated environment in the community to the maximum extent possible.
3. Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education may include but are not limited to: counseling on course offerings and career options, types of academic/occupational training needed to succeed in the workplace, and postsecondary education associated with career fields or pathways, academic curricula advisement, college admission process assistance, help with financial aid forms, or information on scholarship opportunities.
4. Workplace readiness training may include developing social and independent living skills, communication and interpersonal skills, financial literacy, job-seeking skills and understanding employer expectations for employee's performance, orientation and mobility skills to access workplace readiness training or to learn to travel independently, and soft skills training needed for employment.
5. Instruction in self-advocacy (including instruction in person-centered planning) may include peer mentoring (including peer mentoring from individuals with disabilities working in competitive integrated employment). It may also include teaching students about their rights and responsibilities, self-determination, how to request accommodations or services and supports, and how to communicate their needs.

1.4 Authorized Activities

After the provision of the required activities described above have been made available to all students with disabilities who need those services statewide, any funds remaining may be used on authorized activities to improve the transition of students with disabilities from school to postsecondary education or an employment outcome by:



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1. Implementing effective strategies to increase the likelihood of independent living and inclusion in communities and competitive integrated workplaces
2. Developing and improving strategies for individuals with intellectual disabilities and individuals with significant disabilities to live independently; participate in postsecondary education experiences; and obtain, advance in and retain competitive integrated employment
3. Providing instruction to vocational rehabilitation counselors, school transition personnel, and other persons supporting students with disabilities
4. Disseminating information about innovative, effective, and efficient approaches to achieve the goals of this section
5. Coordinating activities with transition services provided by local educational agencies under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.)
6. Applying evidence-based findings to improve policy, procedure, practice, and the preparation of personnel, in order to better achieve the goals of this section
7. Developing model transition demonstration projects
8. Establishing or supporting multistate or regional partnerships involving States, local educational agencies, designated State units, developmental disability agencies, private businesses, or other participants to achieve the goals of this section
9. Disseminating information and strategies to improve the transition to postsecondary activities of individuals who are members of traditionally unserved and underserved populations.

1.5 Coordination Activities

Pre-Employment Transition Services Coordination activities are as follows:

1. Attending individualized education program meetings for students with disabilities, when invited
2. Working with the local workforce development boards, one-stop centers, and employers to develop work opportunities for students with disabilities, including internships, summer employment, and other employment opportunities available throughout the school year, and apprenticeships
3. Working with schools, including those carrying out activities under section 614(d) of the IDEA, to coordinate and ensure the provision of Pre-ETS
4. When invited, attending person-centered planning meetings for individuals receiving services under Title XIX of the Social Security Act.



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1.6 Delivery of Pre-Employment Transition Services, and Financial Need

Pre-ETS provided to students with disabilities are exempt from financial participation consideration, even when such services are provided under an Individualized Plan for Employment (IPE). However, if receiving services under an IPE, all non-Pre-ETS VR services will be subject to the Alaska Division of Vocational Rehabilitation (ADVR)'s Financial Needs Assessment. Additionally, once a student no longer meets the definition of 'student with a disability', they can no longer receive Pre-ETS, and all services are subject to financial participation consideration.

1.7 Auxiliary Aids or Services Necessary to Support Pre-Employment Transition Services

If a student with a disability, including potentially eligible students, requires an auxiliary aid or service (e.g., interpreter, reader services, or accessible informational materials) to access or participate in Pre-ETS, VR may pay for the service, if not customarily provided by another entity, including local education agencies. Auxiliary aids and services are those services necessary to ensure equal access to Pre-ETS as required under the Americans with Disabilities Act (ADA) Amendments of 2008, and Section 504 of the Rehabilitation Act. Auxiliary Aids are not personally prescribed devices.

1.8 Delivery of Pre-Employment Transition Services under an Order of Selection

In the event that ADVR enters into an Order of Selection (OOS), students with disabilities are not exempt from the Order of Selection requirements for vocational rehabilitation services. A student with a disability who needs individualized VR services, in addition to Pre-ETS, must apply and be determined eligible for the VR program and have an approved IPE.

- OOS does not apply to students receiving services under the Potentially Eligible program. If the student applies for VR services, they may be subject to the waitlist.
- Eligible students assigned to an open OOS category may have Pre-ETS included in their IPE and provided for as long as the individual continues to meet the definition of a "student with a disability".
- Eligible students assigned to a closed OOS category and placed on a waiting list for vocational rehabilitation **after** receiving any Pre-ETS while in application status or under a Potentially Eligible (PE) case type, may continue to receive Pre-ETS.
- Eligible students assigned to a closed OOS category and placed on a waiting list for vocational rehabilitation **before** ever receiving any Pre-ETS may not receive Pre-ETS. These students will be required to wait for Pre-ETS (and all other VR services) until they are removed from the waiting list and an IPE can be developed.



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Regardless of OOS category assignment, Pre-ETS provision shall terminate once the individual no longer meets the definition of a student with a disability.

1.9 Service Provision and Pre-Employment Transition Services Collaboration with Local Education Agencies

ADVR works collaboratively with the State Department of Education and Early Development (DEED), Local Education Agencies (LEAs), and local school personnel to develop effective referral and outreach strategies to maximize opportunities for students with disabilities to participate in Pre-ETS activities, including students who are receiving services under an IEP and 504 plans. When invited and available, VR Counselors may attend Individualized Education Program (IEP) planning meetings, or other school related meetings in person, by video or teleconferencing.

ADVR and DEED will develop and amend as necessary, comprehensive, formal interagency agreements which address collaborative services including outlining which agency has the primary responsibility for providing and paying for transition related services for students with disabilities. These criteria are based on several factors, including the purpose of the service, which entity customarily provides the service, and program eligibility.

2.0 Definitions

This section intentionally left blank.

3.0 Exceptions to Policy

Any exception to Policy must be approved by the Chief of Rehabilitation Services or their designee.