

## **Vocational rehabilitation (VR) services for transition-aged students with disabilities**

### **Synopsis of federal regulations**

Rehabilitation Services (RS) shall facilitate the transition of students who are receiving special education services from the provision of a free appropriate public education under the responsibility of an educational agency to the provision of VR services under RS responsibility.

The Individualized Plan for Employment (IPE) must be developed and signed before the student leaves the school setting for each student determined to be eligible for VR services or, if RS is operating under an order of selection, for each eligible student able to be served under the order. The IPE must, at a minimum, identify the long-term rehabilitation goals, intermediate rehabilitation objectives, and goals and objectives related to enabling the student to live independently, to the extent these goals and objectives are included in the student's individualized education program. *(RS policy: If the student makes an informed choice not to apply or pursue receipt of services, an IPE does not have to be developed.)*

RS shall also ensure that students with disabilities who are not receiving special education services have access to and can receive VR services, if appropriate, and shall ensure outreach and identification of these students. *(RS policy: IPEs for these students must be developed as soon as there is sufficient information for vocational planning.)*

*Reference: §361.22*

### **Additional federal regulatory guidance related to responsibilities of education agencies and RS during the transition period**

The overall purpose of transition services, as defined by the Rehabilitation Act and implementing regulations, is to ensure that all students who require VR services receive these services in a timely manner. There should be no gap in services between the education system and the VR system. These provisions are not intended in any way to shift the responsibility of service delivery from education to VR during the transition years. School officials will continue to be responsible for providing a free and appropriate public education as defined by the Individual Education Plan (IEP). The role of the VR system is primarily one of planning for the student's years after leaving school.

*Reference: Senate Report No. 102-357 as noted following §361.22*

## **RS policy**

RS and the Kansas Department of Education have signed an interagency agreement with the following intents:

- Facilitate the integration and coordination of services to all secondary students with disabilities, including those receiving special education services and those who are not receiving special education services.
- Integrate the activities of education and VR to provide seamless services with the outcome of appropriate employment and independent living.
- Create a flexible system by using available resources that focus on the provision of opportunities for students with disabilities while minimizing obstacles to learning and post-school goals.

The Local Education Agency/Authority (LEA) is not relieved of any responsibility to provide transition services until the student formally exits the public school program and as long as the student remains eligible for and receives special education services.

## **RS procedure**

Although LEAs must ensure that transition services are in place for students with disabilities when they reach age 14, RS carries no responsibility to serve students at this age. Within available resources, RS will accept applications for VR services from transition students approximately 18 months or three semesters prior to their completion or exit from school. In individual cases, RS may grant an exception to begin providing VR services for a student prior to the 18-month or three semester timeline if there are extenuating circumstances which require RS involvement.

Each RS Program Administrator will establish a procedure for routing such exception requests through the RS Managers, RS Program Administrator or both. Use of the Exceptions Request Form (Section 8 / Part 54) is required.

RS may provide technical assistance, such as participation in IEP meetings or referral to community resources, for students prior to this 18-month or three semester timeline, only if the RS Regional Program Administrator for the local area determines that existing staff resources are available to make this possible.

1. The local education authority refers a student with a disability to RS to apply for VR services. The referral from the school will include the name and address of the student with a disability (both those in special education as well as other students who have disabilities but who are not receiving special education services) who may benefit from VR services. The need for this notification to RS will be determined solely by the IEP team when considering the special education student's needs,

interests and preferences concerning employment and related independent living needs. Referrals for students with disabilities who are not in special education will be made by the appropriate school official. Information that accompanies this referral will include the student's latest IEP for those students in special education and pertinent and available assessment information, such as psychological evaluations, vocational evaluations, medical information, work histories, the expected date of graduation or exit from high school, and other relevant information, which would facilitate coordination of vocational planning.

2. Following standard referral procedures, RS will mail an informational packet about VR services to the student (and parents or guardians, if applicable) within 30 days of receiving the notification, sooner if possible. Information may also be provided in person or over the phone if that is the most effective means of communicating, and as long as the same level of information is provided as that which is included in the informational packets. This packet will include a standardized informational card as well as a personal letter from the counselor inviting the student to apply for VR services if the student is expecting to exit school in the next 18 months or three semesters. Students who are not expecting to exit school in the next 18 months or three semesters will be advised to re-contact RS at the appropriate time. They may return a postage-paid post card requesting that we send them a reminder notice at approximately 18 months or three semesters before exit from school.
3. Additional interaction from RS will occur as follows:
  - In response to a call or correspondence from the student or family expressing interest in applying for VR services.
  - In response to information from the education authority requesting additional contacts from RS in individual cases.

*Note: It is the responsibility of the student or parents to respond to the informational packet from RS (described in Step 2). Because of limited staff resources, no further attempts to contact the student or parents will be initiated by RS.*

4. In order to provide equitable services statewide for students who want to receive VR services, counselors will accept VR applications 18 months or three semesters prior to the expected exit date from school or when the counselor becomes aware of the student's interest if less than 18 months before exit from school. Exceptions to this policy may be authorized by the RS Chief for specific individual cases when there are extenuating circumstances which require earlier interaction from the VR system.

**Maintaining records:** In compliance with KSA 75-53,101, RS will maintain a case file regarding each student referred for VR services. This case file will include the referral information provided by the LEA, a copy of the referral letter provided to the student, and any other information determined relevant by the counselor. These case files will be maintained according to standard record retention procedures.

**Eligibility and Order of Selection:** A student's status in special education does not necessarily mean that the student is eligible for VR services, or if eligible that the student is an individual with a most significant or significant disability. This determination will be made in accordance with the RS eligibility and order of selection policies.

**Vocational goals/objectives:** In development of the IPE for students, the vocational goal will be as specific as reasonably possible. If the student is uncertain of the vocational goal, a more general goal, such as a general job group of "clerical," may be indicated. In such instances, assessment services should be considered as services on the IPE to help identify a more specific vocational objective. Once the specific vocational objective is identified, the IPE should be amended.

**Purchase of equipment or provision of VR services while the student is still in school:** Local education authorities continue to be responsible for providing a free and appropriate education as defined by the IEP during the transition years.

- However, if equipment is needed for post-high school training or a job and cannot be funded through other sources, counselors have the flexibility to authorize such purchases for eligible students while they are still in school as long as the service is identified on the IPE. (Note that the IPE being in place means that the student is NOT on a waiting list through Order of Selection.)
- Services may be initiated while an eligible student is still in school provided that the services are identified on the IPE and related to achievement of employment. For example, on-the-job training, community job tryouts, work experience, referral to community resources, benefits analysis/planning, and career counseling and guidance, may be provided while the student is still in school if this will result in work skills consistent with the vocational objective on the IPE. As with any IPE, RS will consider availability of appropriate comparable benefits in the provision of services.