



## Pre-employment Transition Services

A new law called the Workforce Innovations and Opportunity Act (WIOA) requires that Vocational Rehabilitation Services provide pre-employment transition services to all students with disabilities.

These services prepare students with disabilities for college and employment. They include:

- Job exploration counseling,
- Work-based learning experiences,
- Counseling about opportunities after high school,
- Training to develop social and independent living skills, and
- Training in self-advocacy.

### Eligibility

The services are available to any student with a disability, including students in public high schools or homeschools, colleges or universities, or other non-traditional education programs (such as residential treatment or juvenile justice education programs).

To be eligible for the services, a student must:

1. Be in an education program;
2. Be between 14 and 21 years old; and
3. Have proof of a disability.

WIOA uses the same definition of “disability” used in the Rehabilitation Act: a physical or mental impairment that substantially limits a major life activity. The goal of using a broader definition of disability is to increase eligibility for the services. **A student does not have to receive special education services (have an IEP or 504 plan) or receive SSI benefits to be eligible for these services.** The hope is that these services will help improve the low employment rate of people with disabilities.

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## **How Do I Get Pre-employment Transition Services?**

The North Carolina Division of Vocational Rehabilitation Services (DVRS) and the Division of Services for the Blind (DSB) are responsible for making pre-employment transition services available statewide. It is not a student or parent's responsibility to request services in most educational programs; it is the responsibility of DVRS and DSB to coordinate with education programs to make services available to all eligible students. This includes attending Individualized Education Program (IEP) meetings whenever invited. DVRS and DSB are not required to conduct outreach to homeschooled or other nontraditional students; these students need to initiate contact with these agencies to begin services.

## **I'm Not Receiving Services. Who Do I Contact?**

Anyone, including a student, may request the services by contacting the local DVRS or DSB office. There is no application process to receive pre-employment transition services.

## **How Do I Request More Individualized Transition Services?**

Pre-employment transition services may be provided in group or individualized settings. If group services do not meet a student's transition needs, the student may receive more individualized services by contacting their local DVRS or DSB office and applying for the Vocational Rehabilitation (VR) program.

## **"No Comparable Services" Requirement**

Before providing pre-employment transition services, DVRS and DSB will verify that a student cannot receive comparable services from other sources. For instance, DVRS and DSB will not provide job exploration counseling if the student is already receiving this service from their school. To be "comparable," the services must meet the student's pre-employment transition needs.

## **Community-Based Settings Requirement**

Work-based learning experiences must be provided in integrated community settings to the maximum extent possible. DVRS and DSB must exhaust all opportunities for placing students in integrated community work settings before considering segregated work settings, such as a sheltered workshop.

## **How to Appeal A Decision**

Students with disabilities have a right to appeal any decisions DVRS or DSB make about their pre-employment transition services. The Client Assistance Program (CAP) is responsible for helping to resolve disputes. This may include legal advocacy if the dispute

has merit and alternative resolutions have proved unsuccessful. Contact CAP by calling 919-855-3600, 1-800-215-7227 (toll free), or send an email to [NCCAP@dhhs.nc.gov](mailto:NCCAP@dhhs.nc.gov). A student also may call Disability Rights NC if CAP is not helpful in resolving the dispute.

For more information about your rights in college, visit [www.disabilityrightsncc.org/highered](http://www.disabilityrightsncc.org/highered). For information on your rights in the vocational rehabilitation program, visit [www.disabilityrightsncc.org/employment](http://www.disabilityrightsncc.org/employment).

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Disability Rights North Carolina is a 501(c)(3) nonprofit organization headquartered in Raleigh. It is a federally mandated protection and advocacy system with funding from the U.S. Department of Health and Human Services, the U.S. Department of Education, and the Social Security Administration.

Its team of attorneys, advocates, paralegals and support staff provide advocacy and legal services at no charge for people with disabilities across North Carolina to protect them from discrimination on the basis of their disability. All people with disabilities living in North Carolina are eligible to receive assistance from Disability Rights NC.

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# **Suggested Transition Planning Checklist for Students Whose Transition Goal Includes Higher Education**

## **Age 14**

- Students with an IEP: the IEP must include a statement about their goals for education, employment, and living arrangements after high school. If the student wants to go to college or pursue vocational training, identify the goal in the IEP.
- All students:
  - Request pre-employment transition services.
  - If a student's transition needs are more extensive than what is offered through pre-employment transition services, refer the student to the local VR office for an individualized plan for employment.

## **Age 16**

- Students with an IEP: the IEP must include "transition services" that are meant to help a student reach the goals set for after high school.
- All students:
  - If a student is not already receiving pre-employment transition services, services should begin to prepare the student for college or employment after high school.
  - Students who need more individualized transition services should apply for VR services and invite VR to attend their IEP meetings.

## **During College Visits and Tours**

- Ask the tour guide about accessibility of the campus or for a referral to a staff member who knows about accessibility.
- Visit the disability services office. Request information about accommodation and academic adjustment policies.
- Some colleges have student organizations of students with disabilities. Meet with one of the students to get the scoop on what it is really like to be a student with a disability at this school.

## **Last Year of High School**

- Contact VR if you are facing barriers to attending college or obtaining employment, if you have not already done so. VR can develop an individualized plan for employment and help pay for college or vocational training, assistive technology, transportation, etc.
- Request a copy of your most recent IEP or Section 504 plan and any evaluations.

## **After College Enrollment**

- Begin the reasonable accommodation process.
- Immediately follow up with disability services if you are having any problems with accommodations or academic adjustments. Meet with disability services at least once a semester to check in.