

## Aiming Higher: Expanding Transition Services to Increase Employment for Young Adults with Intellectual and Developmental Disabilities

K-12 Education System

August 2015

### Background

California has been a national leader in policies and services for people with disabilities. However, as documented in CECY Policy Brief No. 1, we lag behind most other states in supporting people with intellectual and developmental disabilities (IDD) to work in integrated employment:

California is tied for 33rd among the 43 states with comparable data. Of the 16 states with more than 10,000 people with IDD, California is tied with Florida for 12th place.<sup>1</sup> Only 12.4% of working-age Californians with IDD received a paycheck in 2012.<sup>2</sup> Many of these individuals work only a few hours per week, work in segregated sites such as sheltered workshops, or make subminimum wage.<sup>3</sup>

For all students, the preparation they receive in school greatly influences what they do in the few years following school and their employment potential for the rest of their lives. However, for many reasons, including those outlined in this brief, many students with IDD<sup>4</sup> leave high school without the expectation, skills, or connections to services to prepare them for success in postsecondary education or competitive integrated employment.

Given evolving federal and state policies, sheltered work and subminimum wage settings are no longer acceptable employment outcomes for schools or the adult service

The Issue:  
Young adults with intellectual and developmental disabilities rarely attain competitive integrated employment.

The Workforce Innovation and Opportunity Act (WIOA) now defines **Competitive Integrated Employment (CIE)** as full or part-time work, where individuals are fully integrated with co-workers without disabilities, earning at or above minimum wage, with pay and benefits similar to people without disabilities performing the same or similar work. (See the full definition at 29USC705.)

systems. Whereas previously students were transitioning to adult services that predominantly provided segregated and subminimum wage settings, the federal Workforce Innovation and Opportunity Act (WIOA) and the state's Employment First Policy (WIC, Section 4869(a)(1)) are changing direction by making competitive integrated employment the priority for working-age adults with IDD.

### **Transition Services**

California's Education Code states:

*“The goal of transition services is planned movement from secondary education to adult life that provides opportunities which maximize economic and social independence in the least restrictive environment for individuals with exceptional needs.”<sup>5</sup>*

Schools are required to provide transition services to all students who have an Individualized Education Program (IEP) based on the Individuals with Disabilities Education Act, 2004 (IDEA) and subsequent regulations<sup>6</sup>. IDEA defines transition services as a coordinated set of activities for a student with a disability that is designed to be within a results-oriented process focused on improving academic and functional achievement to facilitate the student's movement from school to post-school activities. Since education does not collect data specifically for students with IDD, in this brief we use data provided by the California Department of Education (CDE) for students with intellectual disability (ID), autism and traumatic brain injury (TB) as the closest comparable data set.

In addition to school personnel, there are several key agencies that should be involved in the transition process and provide support after students with IDD leave high school. These include the California Department of Rehabilitation (DOR) and the California Department of Developmental Disability Services (DDS), among others. Changes in federal laws and regulations, such as WIOA and the Centers for Medicare and Medicaid Services Home and Community Based Services Waiver, will result in significant changes in cross-agency collaboration designed to improve school-to-work outcomes for youth with disabilities.

## **California Can Do Better: The Need for Policy Change**

For the 2012-2013 school year, the California Department of Education reports that 5,849 students with autism, intellectual disabilities (ID), or traumatic brain injury (TBI) exited K-12 education.<sup>7</sup> Many entry-level jobs require a high school diploma. Yet as displayed in Chart 1 below, only 32% of students with autism, ID, or TBI graduated,<sup>8</sup> while 24% received a certificate of completion. Furthermore, 44% of the students with these disabilities either dropped out or aged out, which is displayed as “School Leaver” in Charts 1 and 2.

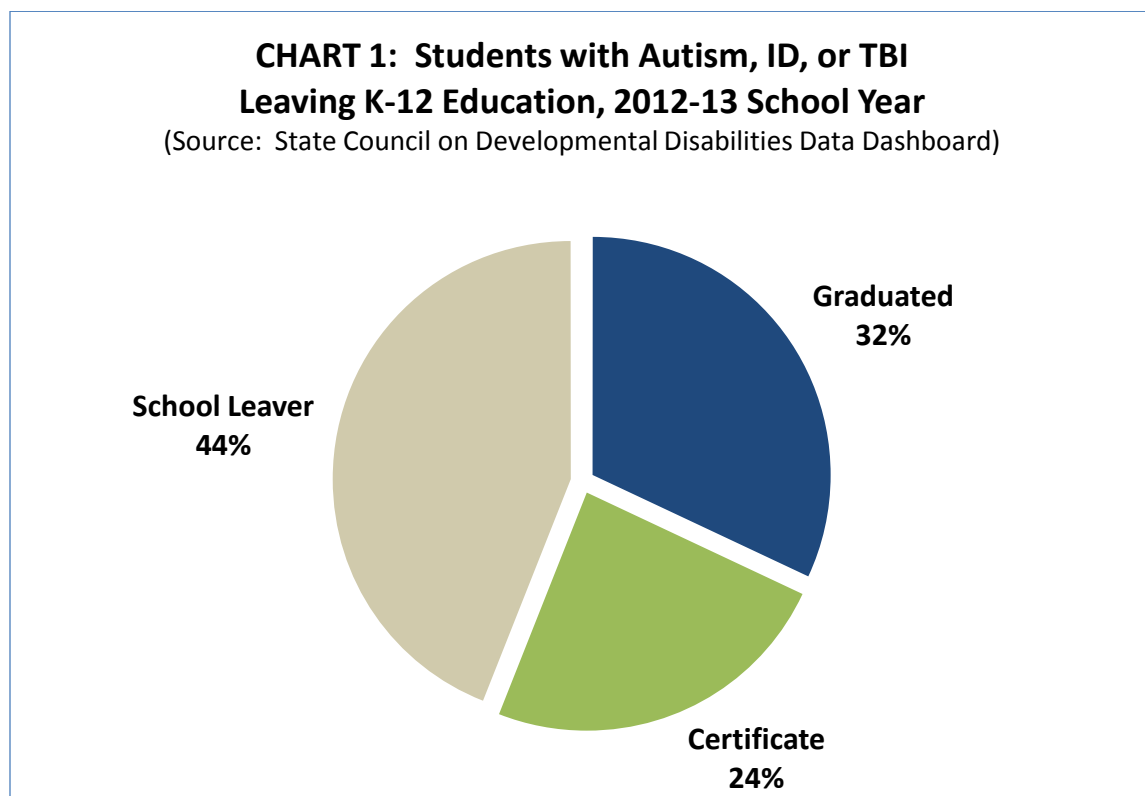
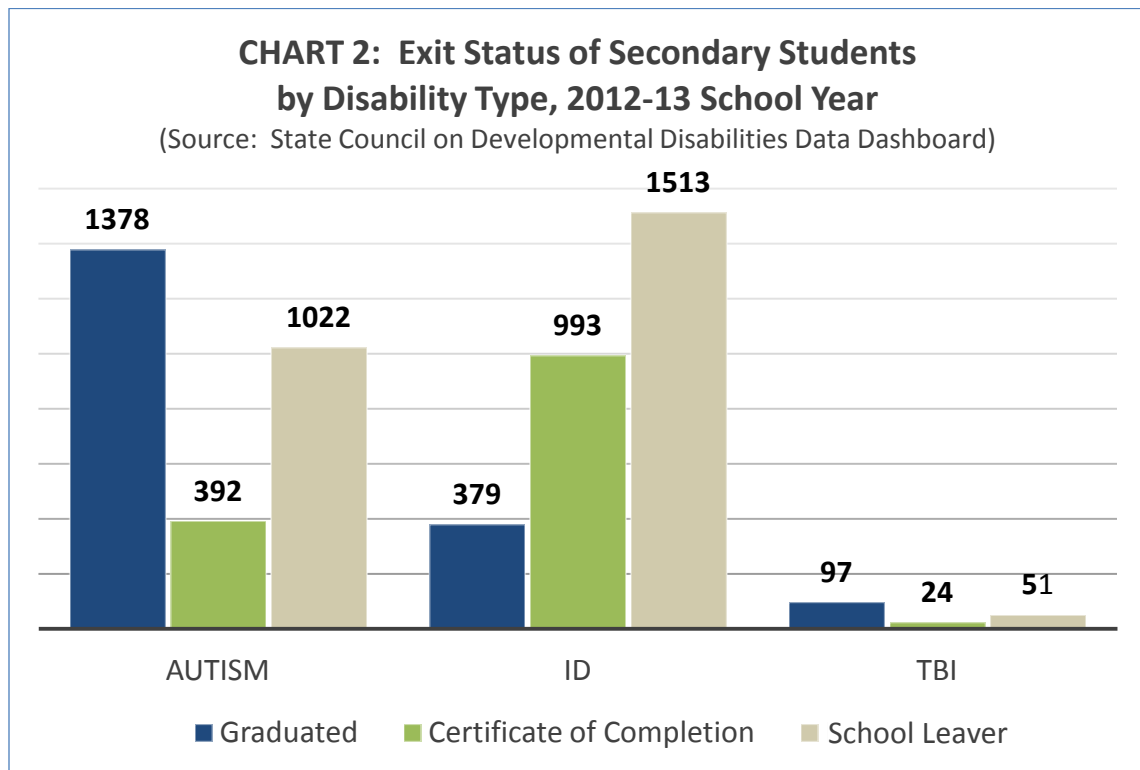


Chart 2, below, examines the high school exit status by disability category. Whereas half of the students with autism and TBI graduated with a diploma, very few students with ID did. California Education Code<sup>9</sup> stipulates the minimal requirements for earning a high school diploma in California, with additional local requirements being determined by individual school districts. Many students with IDD do not meet these academic standards, even with appropriate supports, and leave high school without a diploma, which is a minimum requirement for many jobs. Since earning a high school diploma formally ends participation in the

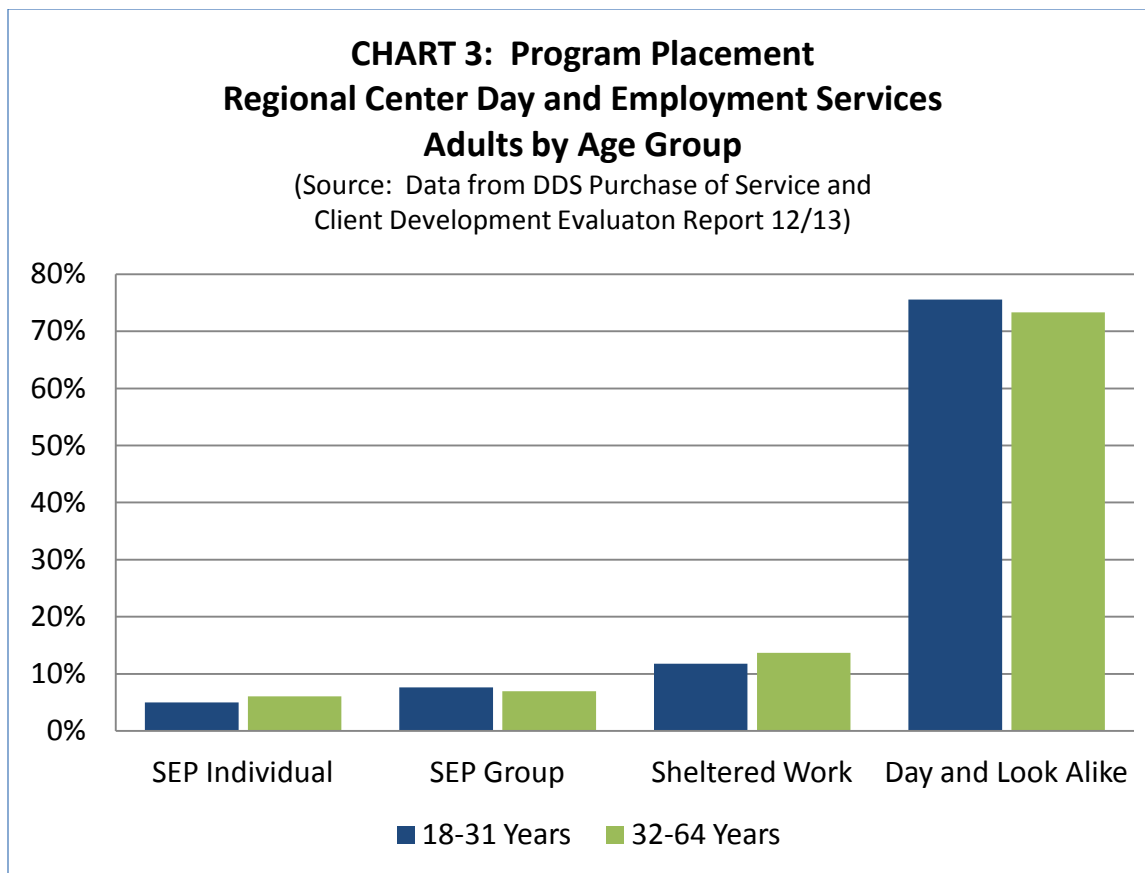
K-12 system, parents and students may decline to earn a diploma in order to stay in school until age 22.

Chart 2 also shows that only 993 (34%) of the students with ID received a certificate of completion, while more than half either dropped out or aged out, which is displayed as “school leaver.”



There are a variety of reasons, spanning multiple systems, which contribute to the current poor employment outcomes for working-age individuals with IDD. Since data from Indicator 14 for post-school outcomes are not adequate, information from the regional centers is used as a way to understand how well transition has worked for a subset of students with the most significant disabilities. Chart 3, below, displays outcomes for working-age regional center clients, ages 18-31 and 32-64. For the fiscal year 2012-2013, these data<sup>10</sup> show that nearly all individuals receiving regional center services attend day programs; look-alike day programs; or segregated Work Activity Programs, also known as sheltered workshops. A small percentage of regional center clients are supported through Supported Employment Program (SEP) Group to work in integrated settings in small groups,

but often not at competitive wages. Only a small fraction are supported to succeed in competitive jobs at regular work sites through Individual SEP services.



Comparing the two columns of Chart 3 above, we see little difference in employment/program placements between the 18-31 and 32-64 age groups. Thus, the outcomes for transition-age young adults are little changed from the outcomes for individuals who transitioned more than a decade before. In addition, data<sup>11</sup> show that once a young person exits school into a day program or sheltered work, he or she is unlikely to ever transition to competitive integrated employment.

Consistent with the data discussed above, the Education Code indicates that despite improvements in special education over several decades, we have not witnessed a corresponding increase in paid employment or maximum community integration for young adults who received special education services.<sup>12</sup> In 1987, the Legislature specifically cited the lack of a formalized process that bridges the gap between school and post-school services as a barrier to positive post-school outcomes.<sup>13</sup>

We know that a formalized process for seamless transition and collaboration at the state and local levels that includes policy development and implementation, support of effective practices, training, and evaluation is critical to the success of youth and young adults with IDD. The need for such interagency linkages will be addressed in CECY's policy brief on interagency collaboration.

In addition to collaboration within and across systems, the following barriers contribute to the low employment rate for youth and young adults with IDD.

## **Key Barriers**

### **Low Expectations for Employment**

Historically, we have underestimated the abilities and interests of people with disabilities, especially those with IDD, to succeed in educational and employment settings. Within special education, transition goals determine the preparation and planning needed for post-school life. Transition IEPs are required by IDEA for every student receiving special education services, starting at age 16. The transition IEP is required to list the student's postsecondary goals in the areas of employment, education and training, and independent living. Preparing for independent living is the most frequently reported transition goal for students with ID (50%), followed by competitive employment (46%), supported employment (45%), postsecondary vocational training (25%), and 2 or 4 years of college (11%).<sup>14</sup> As California implements its Employment First Policy, it will be important for competitive employment, vocational training, and postsecondary education to be increasingly listed as primary transition goals for students with IDD.

### **Lack of Meaningful Certificate for Students Not Receiving a Diploma**

Taking the California High School Exit Exam (CAHSEE) as a graduation requirement can be waived for students with an IEP.<sup>15</sup> The state criteria for a course of study to earn a certificate are to complete a prescribed alternative course of study, meet IEP goals and objectives, and satisfactorily attend school and participate in instruction.<sup>16</sup> While the individualization of the conditions for attaining a certificate may be positive, it does not ensure all students attain a minimum level

of skills and knowledge. Thus, schools can award certificates that communicate little meaningful information to employers and others in the postsecondary world on the preparation students have received.

### **Segregated Work and Subminimum Wage**

The education system acknowledges that students need educational and work experiences that prepare them for competitive and integrated work. Currently, most of the transition-age students with IEPs who participate in paid work experience through school districts participate in WorkAbility I, a program funded as a grant to districts through CDE. Past policy allowed the use of subminimum wage certificates for school work experience programs that were consistent with most post-school adult service employment placements at the time. In response to changing public policy, effective June, 2014, the Department of Education has set guidelines that forbid the use of WorkAbility I funds to pay subminimum wages.<sup>17</sup>

Given the change in direction, there is a need to review fiscal and pay issues and the use of student learner wages to enable schools to provide a spectrum of work-based learning opportunities.

### **Monitoring Protocols**

The monitoring system at CDE is mandated to focus heavily on procedural compliance. Federal law requires the department to monitor to ensure that schools produce transition IEPs that contain measureable goals for postsecondary outcomes in employment, education, and independent living.

While the federal and state focus on compliance is important, it is not adequate for driving change to achieve needed postsecondary outcomes.<sup>18</sup>

### **Lack of Data**

There is a significant lack of available, meaningful, and uniform data, disaggregated by disability, on students with disabilities in school, as well as postsecondary student outcome data. Therefore, it is hard to gather specific data

on students with IDD. Even when such data are available, there are gaps in their specificity, which make them difficult to interpret. In addition, data elements (e.g., disability categories, services, work experience) vary across service systems such as education, rehabilitation, and the developmental disabilities service system, and they are not coordinated, making it difficult to examine outcomes for youth and young adults with IDD.

There are insufficient data from CDE on postsecondary student outcomes to meaningfully assess the effectiveness of secondary curriculum, planning, and practice.

## **Recommendations for Policy/Systems Change**

### **1. Raising Expectations**

The first step to achieving increased employment outcomes for young adults with IDD is for educators, other professionals, families, and students to have positive expectations about their abilities to succeed in school and at work. These expectations should be reflected in students' transition plans and preparation.

Staff from the various systems that interact with students in transition must understand California's Employment First Policy and the resources and services necessary for students to succeed in competitive integrated employment. Staff from different systems should be giving students the same message. Therefore, there should be statewide uniform training across departments for staff at CDE, the Department of Rehabilitation (DOR), the Department of Developmental Services (DDS), and California's regional centers regarding the state's Employment First Policy, career exploration strategies, the principles and practice of person-centered planning, and available resources. In the education sector, this means ongoing pre-service and in-service training.

In addition, the core of successfully preparing students for adult life and responsibilities is ensuring that they take responsibility and advocate for themselves. Therefore, California must require self-advocacy training for



special education students that establishes the expectation for Employment First. The training should follow a model curriculum that includes strategies for students to understand their own strengths and needs, identify personal goals, plan for their future, know their rights and responsibilities, advocate for their educational goals, and network with adult role models with disabilities. Students and their families also need training in the management of SSI benefits and the use of Social Security Administration (SSA) Work Incentives.

## **2. Establishing Criteria for Transition**

Similar to the minimum requirements for a high school diploma, California should define in the Education Code the requirements for a certificate of completion. The definition would be developed through a collaborative statewide process and contribute to consistency across school districts. It would also ensure that youth with IDD are given experiences to prepare them for successful employment and/or postsecondary education, including participation in integrated community work-based learning opportunities, paid employment, and community safety and travel training. The definition of the certificate needs to take into consideration the individualized needs, accommodations, services, and supports outlined in the transition IEP.

## **3. Eliminating Segregated Work and Subminimum Wage**

To assist in the transition to offering students integrated work experience, the state should statutorily require education-based work experiences to be in integrated settings and prohibit the payment of subminimum wages. Further, schools should offer a spectrum of work-based learning opportunities to appropriately respond to the diversity of student needs. Therefore, the state should define all options for engagement in work based learning, such as paid and unpaid work experiences, volunteering, internships, learner wages, and project-based learning.

## **4. Broadening the Focus from Procedural Compliance**

CDE should continue its efforts to broaden its focus from procedural compliance in special education to suggesting improvements in local programs

based on effective practices and resources. It should support continued and expanded training and share effective models and practices for assisting students with significant disabilities, including IDD, to enter into competitive, integrated, employment. It also should support development of policies, practices, and strategies cited in this brief, including the development of standards for certificates of completion/attendance and development of model curricula for student self-advocacy training.

Effective practices that highlight positive outcomes through collaboration at the local level could serve as models to low-performing school districts and guide the way to improvement rather than simply cite lack of compliance. CECY and the CA Community of Practice (COP) can contribute to this effort by sharing the data and information from identified local best practices. These include strategies for person-centered planning, job development, and interagency coordination that lead to positive employment outcomes.<sup>19</sup>

## **5. Strengthening Data-Driven Policy and Practice**

In order for schools to improve their practice by monitoring postsecondary student outcomes, there must be better outcome data. CDE should allocate additional resources and establish protocols to assist schools in gathering more complete postsecondary outcome data. There should be improved coordination between general education and special education in an effort to track student achievement after leaving high school.

As discussed further in the forthcoming interagency policy brief, the relevant departments, including CDE, DDS, DOR, and the Employment Development Department, should be required by statute to share outcome data on transition-age students. To assist in sharing of data, there should be uniform definitions of disability and other data elements across agencies. Aggregate information about students with disabilities and their post-school outcomes, statewide and locally, must be transparent and available.

### **Brief's Authoring Agency**

The **California Employment Consortium for Youth and Young Adults with Intellectual and Developmental Disabilities (CECY)** is a collaboration of 24 state agencies, centers, and organizations; families; and self-advocates with responsibilities for the education, rehabilitation, employment, and support of youth with disabilities. Our mission is to strengthen state policies and practices to increase the number of youth and young adults with IDD in competitive integrated employment. CECY is a 5-year (2011-2016) Project of National Significance under a Partnerships in Employment Systems Change grant (#90DN0284) by the Administration on Intellectual and Developmental Disabilities. ■ The Tarjan Center at UCLA, a University Center for Excellence in Developmental Disabilities (UCEDD), provides the administrative leadership for CECY. For more information, contact Tarjan Center and CECY Director Olivia Raynor at [oraynor@mednet.ucla.edu](mailto:oraynor@mednet.ucla.edu) or 310-794-1141. ■ [tarjancenter.org/cecy](http://tarjancenter.org/cecy)

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<sup>1</sup> StateData.info.(n.d.) [State IDD Agencies](http://www.statedata.info/download/download_1.php) [2012 raw data]. Retrieved from [http://www.statedata.info/download/download\\_1.php](http://www.statedata.info/download/download_1.php); *see also* <http://www.statedata.info/download/IDD%20Survey.pdf>.

<sup>2</sup> State of California Developmental Disabilities System Employment Data Dashboard [www.sccd.ca.gov](http://www.sccd.ca.gov). Data on working-age adults with IDD who are regional center clients.

<sup>3</sup> 2013 Employment First Report, State Council on Developmental Disabilities, July 2013.

<sup>4</sup> The term Intellectual and Developmental Disabilities (IDD) encompasses individuals with intellectual disabilities, autism, cerebral palsy, epilepsy, and conditions that require services similar to those with intellectual disability.

<sup>5</sup> Cal. Ed. Code 56460(e). 1987

<sup>6</sup> IDEA Regulations 34 CFR 300.43(a) 120 USC 1401

<sup>7</sup> Categories of disability as defined under IDEA. See Sec. 300.8 Child with a disability. Retrieved January 28, 2015 from <http://idea.ed.gov/explore/view/p/,root,regs,300,A,300%252E8>.

<sup>8</sup> Graduation includes a diploma, diploma with exemption or waiver, or a GED.

<sup>9</sup> CDE Graduation / Diploma Requirements Ed Code 51220-51-229

<sup>10</sup> Data from DDS Purchase of Service and Client Development Evaluation Report 12/13.

<sup>11</sup> 2010-2011 Annual Employment and Day Program Report, California Department of Developmental Services, pp. 22-31.

<sup>12</sup> Cal. Ed. Code Sec. 56460. 1987

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<sup>13</sup> Cal.Ed. Code Sec 56460(b) 1987

<sup>14</sup> Grigal, M., Hart, D., & Migliore, A. (2011). Comparing the Transition Planning, Postsecondary Education, and Employment Outcomes of Students with Intellectual and Other Disabilities. *Career Development for Exceptional Individuals*, 34(1), 4-17. (Note that a transition plan will typically have more than one goal, so the percentages add up to more than 100%).

<sup>15</sup> California High School Exit Exam Waiver EC Section 60852.3

<sup>16</sup> CA ED Code Recognition of Educational Achievement or Completion of Program ED Code Sec 56390-56392

<sup>17</sup> E-mail from Alison Greenwood, Education Administrator, California Department of Education, May 2014.

<sup>18</sup> Yudin, M, (undated) Higher Expectations to Better Outcomes for Students with Disabilities.

HOMEROOM, the Official Blog of the US Dept of Education <http://www.ed.gov/blog/2014/06/higher-expectations-to-better-outcomes-for-children-with-disabilities/>

<sup>19</sup> Irvine Unified, Whittier Union High School, and Sweetwater School Districts, and the Glenn County Office of Education were selected as local collaborators of CECY because of their demonstrated best practices and student outcome data.