

Community Work Transition Program

Policies & Procedures Manual

A COLLABORATIVE PROGRAM BETWEEN:

LOCAL SCHOOL DISTRICTS

KENTUCKY OFFICE OF VOCATIONAL REHABILITATION

HUMAN DEVELOPMENT INSTITUTE - UNIVERSITY OF KENTUCKY

KENTUCKY DEPARTMENT OF EDUCATION

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Introduction

Since 1984 the Community Work Transition Program (CWTP), a fee-for-service program formerly known as the Community Based Work Transition Program, has provided individualized vocational services to students with significant disabilities statewide. The goal of the program is for students to gain the skills needed for employment in an integrated setting with competitive pay before graduation.

According to the [National Technical Assistance Center on Transition](#) (NTACT), one of the predictors associated with improved post-school outcomes in employment, education, and independent living is paid work experience while in high school. The CWTP includes paid work experience and additional predictors of post-school outcomes, e.g., community experiences, career awareness, self-advocacy, and interagency collaboration, to adequately prepare students with disabilities to be career ready and competitively employed in an integrated setting before graduation.

CWTP Partners and Program Funding

The CWTP is a cooperative effort between participating local school districts, the Kentucky Department of Education (KDE), the Office of Vocational Rehabilitation (OVR), and the Human Development Institute (HDI) at the University of Kentucky.

OVR and KDE jointly fund the program. Funds provided by OVR pay local school districts for actual program services authorized by a vocational rehabilitation (VR) counselor and provided to students by an employment specialist. OVR pays for two thirds of the technical assistance provided through HDI as well. The KDE provides funds for HDI personnel, all training opportunities and one third of the technical assistance provided through HDI.

Legislation

The CWTP links with two legislative acts. The CWTP objectives fall in line with the recent passage of the Every Student Succeeds Act of 2015 (ESSA) in which all students will be held to

challenging academic content standards that will prepare them to graduate from high school college and/or career ready. This is critical for the students in Kentucky. The program addresses the Workforce Innovation and Opportunity Act (WIOA) requirements of providing Pre-Employment Transition Services to students, promoting successful movement into competitive integrated employment prior to exiting high school. In addition, the law addresses Employment Transition Services. WIOA intends to increase employment opportunities, especially for individuals who face barriers to competitive integrated employment, and invests in the critical connection between education and career preparation.

CWTP Program Components

The CWTP has two components: Pre-employment Transition Services (Pre-ETS) for potentially eligible students with disabilities and Employment Transition Services for students with the most significant disabilities, as defined by OVR eligibility determination. Both types of services are designed to help students with disabilities gain skills and obtain resources to achieve meaningful employment prior to exiting high school. An employment specialist hired by the school district provides the services. The service descriptions are included in-depth in subsequent sections of this document.

While participating in Pre-ETS students from ages 14 to 21 experience opportunities to explore their community's job market and career clusters while in high school. Services focus on broad exposure to the local labor market opportunities, in a variety of community settings, and allow students to explore and experience possible careers. Services may be provided in a group or individually and for multiple years. Students may participate in more than one service at a time.

The Employment Transition Services are available should a student with a significant disability need support with a job leading to a career or job coaching assistance. The student must meet the eligibility requirements for vocational rehabilitation (VR) services. Students are determined to be eligible for VR services based on the same criteria as all other consumers of the OVR and within the Order of Selection policy. The individually provided services occur during the last year of

high school. The focus is on developing a plan to successfully exit high school and enter integrated, competitive employment.

Program Application Process

School districts interested in participating in the CWTP must annually submit an application for approval to OVR. Subsequently a signed *Memorandum of Understanding* (MOU) setting forth the roles and responsibilities of the LEA and VR staff. The application steps include:

1. District completes and submits application.
2. OVR approves application or requests revisions.
3. OVR sends district a MOU and directions for becoming a vendor for invoicing purposes.
4. District completes MOU and returns with superintendent signature.
5. OVR returns a copy of the MOU with OVR signature to the district.

The VR counselor cannot authorize any services until the MOU is completed and received by the OVR central office. Please note that programs cannot begin provision of billable services until OVR returns the MOU, complete with all required signatures.

A Sample School Participation Application is located in Appendix A of this manual.

Employment Specialist

In the CWTP, each school district employs an employment specialist to work with students and their families or guardian, teachers, VR counselors, adult service providers and other interested parties.

A qualified, well-trained employment specialist is crucial to the success of a CWTP. It is a challenging position requiring diverse skills. Employment specialists should be self-motivated, flexible, resourceful, and possess high expectations for the inclusion of students with disabilities within the community workforce. The job also requires strong verbal and written communication

skills, knowledge of the business community, the ability to provide and facilitate instruction, and willingness to adapt to various work environments.

When hiring an employment specialist consider their work schedule. Employment specialists may work regular school hours. However, jobs often occur after school, in the evening, and on weekends. It is imperative that students receive the needed level of support while still enrolled in school, necessitating that the employment specialist has the ability to work flexible hours.

A Sample Job Description is located in Appendix B of this manual. *Possible Interview Questions for CWTP Employment Specialist* is located in the Appendix C.

Employment Specialist Support

The employment specialist position requires the following support:

1. Pay equitable with scope of the job.
2. Computer access to monitor student activities on the job, write reports, research, and send/receive emails.
3. Work space and supplies (e.g., folders, pens, notepaper, calendars) to meet privately with students and to discuss confidential information (e.g., goals, work activity plans, hygiene).
4. Access to student records and Infinite Campus.
5. Access to professional development and information about working with students with disabilities, businesses, parents, and other agencies and topics related to helping students obtain competitive integrated employment prior to graduation.
6. Support from school administrators and personnel to provide vocationally relevant activities and services in the community to students eligible for the program.

Transportation

Per the contract between OVR and the school district, it is the school's responsibility to ensure students have available transportation to participate in the activities of the CWTP. Local officials in the district determine the transportation mode(s) provided for CWTP students.

An employment specialist transporting to provide CWTP activities cannot be in charge of more than four students at a time, if billing OVR.

Liability

Personnel participating in the CWTP need to be aware of two liability issues when students are working and receiving training in the community. The first is the possibility of the student getting hurt and the second is property or personal damage.

The employer's workers' compensation covers a student who is an employee of the business. (The school district workers' compensation policy covers the employment specialist.) If a student is at a job site and not being paid, it is essential that they have some form of health/accident insurance. This may be private family insurance, a medical card (Medicaid or Medicare), or school insurance. It is important to ensure a student has health/accident coverage in case of injury while participating in the CWTP.

If a student or an employment specialist is involved in some form of property damage or personal injury to someone else while in the community, the school district's general liability policy should cover this situation. It is important to check at the school district to determine policy coverage for these liability issues.

General Process for Student Participation

Anyone can identify a student with a disability as potentially needing CWTP services. Notifying the primary CWTP contact begins the participation process with OVR. The school district designates the primary CWTP contact, usually the Director of Special Education, a vocational coordinator or a teacher. The primary CWTP contact, with approval from students and their parents or guardians, collects and provides the appropriate student records to the VR counselor in order to facilitate eligibility determinations. **The employment specialist is not responsible for facilitating the process.** VR counselors determine student eligibility for the CWTP.

CWTP Pre-Employment Transition Services: Approval to Participate

For CWTP Pre-ETS consideration students must be age 14-21 and enrolled in a district secondary school, alternative high school, behavioral unit, or homebound services. Schools identify students as potentially eligible students (students with a disability not yet determined eligible for VR services). The primary CWTP contact ensures the student and their parent or guardian understand the goal of Pre-ETS, exploration of work, and experiences in the community and provides a *Permission to Participation/Release of Information* form for signature. Upon completion, the primary CWTP contact submits the form and supporting documentation to the VR counselor to begin the participation process. The supporting documentation may include a copy of the student's *Individualized Education Program (IEP)*, *504 Plan*, medical documentation, a review of school records, a statement from school staff, case notes documenting counselor observation, or a letter verifying the student receives Social Security benefits.

Pre-ETS Authorization

Upon determination of student approval to participate, the VR counselor issues an authorization to the school district, approving the school to provide specific Pre-ETS services for the student. The authorization document lists the student name, name of the district as the vendor or service provider, and the specific service(s) the district is permitted to provide for the student. The VR counselor authorizes services quarterly and follows the service provisions stated on the *OVR Service Fee Memorandum (SFM)*. The SFM provides the allowable services and fee amounts OVR pays as directed by the MOU

CWTP Employment Transition Services Referral

Students enrolled in Pre-ETS do not automatically advance to Employment Transition Services. CWTP Employment Transition Services are designed to serve students with significant disabilities. This population includes, but is not limited to, persons with severe emotional disorders, persons with severe long-term mental illness, and persons with severe multiple

disabilities. However, the need for this service, rather than a particular diagnosis, forms the basis for eligibility to participate in the CWTP.

The focus of Employment Transition Services is on developing a plan to successfully exit high school and enter integrated community employment. To participate students must require specialized training, support, and follow-up that only Employment Transition Services can provide, i.e., systematic, individualized community based vocational evaluation, job placement, on-the-job training, and follow-up services. The student may participate in CWTP Employment Transition Services if their post-secondary goal is to go straight into the labor market and individualized assistance is required in obtaining a job prior to exiting high school.

Admission and Release Committee Role

It is the responsibility of each student's Admissions and Release Committee (ARC) to determine the transition needs and appropriate transition services. The ARC may determine that CWTP Employment Transition Services are appropriate for a student and secure parent or guardian signed release of information to OVR. The ARC chair or teacher notifies the primary CWTP contact that the student is a potential candidate. Best practice, the primary CWTP contact provides referrals to the VR counselor the year prior to the student's final year of high school.

Consider the following factors prior to referral for the CWTP Employment Transition Services:

- The CWTP Transition is for special education students who are in their final year of high school.
- Students must be determined eligible for VR services and have an open case with OVR prior to implementing Employment Transition Services.
- Students must require a community-based vocational service in order to obtain and maintain employment.
- The student and family have expressed a desire for the student to get a job in the community, and be in the program.
- There is time in the student's schedule to allow for intense community training.

Eligibility Determination

The VR counselor determines eligibility based on the student's documented need for VR services and the functional limitations of their disability. The counselor must document the specific functional limitations that support the need for VR services and specifically the CWTP. The VR counselor bases eligibility on the same criteria as for all other consumers of OVR and must adhere to the Order of Selection policy of the agency.

The primary CWTP contact sends all psychological and medical information, as well as a copy of the student's IEP, with the referral. If the school records do not provide enough information for the VR counselor to make an eligibility determination, the counselor may order and purchase additional tests.

The VR counselor schedules an initial intake interview with the student and parent or guardian, if under 18 years of age, soon after receipt of records from the school. An ARC meeting is not necessary for this process. The VR counselor explains OVR eligibility policies and procedures and asks the student and/or parent or guardian to sign an application for VR services stating their willingness to participate. The VR counselor inputs the student information into the OVR database and determines if the student is eligible for vocational rehabilitation services and if Employment Transition Services are the most appropriate. The VR counselor makes the decision within 60 days of completing the intake interview.

Employment Transition Services Authorization

Once the student is determined eligible for the Employment Transition Services, the VR counselor issues an authorization to the school district, approving the school to provide specific services to the student. The authorization document lists the student name, name of the district as the vendor or service provider, and the specific service(s) permissible for the district to provide for the student. The VR counselor authorizes services quarterly and follows the services provisions stated on the OVR *Service Fee Memorandum* (SFM). The SFM provides the allowable services and fee amounts OVR pays as directed by the MOU.

Order of Selection

A student determined eligible for VR services but also deemed to be out of the Order of Selection is placed on OVR's wait list. The student may continue with CWTP Pre-Employment Transition Services if the services started prior to completing the eligibility process for VR services.

Service Discontinuation

In the event that CWTP services are determined not in the best interest of the student, for any reason, participation in the program should cease and alternate plans developed for the transition needs of the student. The VR counselor has the final decision on any disputes on whether or not a student continues in CWTP or what services are appropriate.

Provision of Pre-Employment Transition Services

The following services are available to students who are eligible or potentially eligible for VR services. The employment specialist may provide the services in a group or individually. Students, age 14-21, may participate in these services while in secondary school, for multiple years and in more than one service at a time. The focus is on exposure to careers and the labor market in the local community.

The student may participate in job exploration counseling, gain meaningful work skills and experiences, learn about their post-secondary options, partake in workplace readiness training for social and independent living skills, and improve self-advocacy skills. Students may participate in multiple Pre-ETS activities over the secondary education years based on their needs, interests, and available time in their academic schedule. Students may exit high school having only participated in the CWTP Pre-ETS program, if that is the only service they require of OVR to successfully move toward their post-secondary goals.

CWTP Pre-ETS services include:

1. Job Exploration Counseling includes conducting interest inventories, exploring career pathways, exploring in-demand occupations, and practicing interview skills.
2. Work Based Learning Experiences include job shadowing, touring companies, job training, internships, apprenticeships, short-term employment, and on the job training-learning about jobs.
3. Post-Secondary Counseling includes providing information or advising on course offerings, career options, types of trainings available, disability support services, academic curricula, application and admission processes, and completing the FAFSA.
4. Workplace Readiness Training in the areas of social skills and independent living skills necessary to prepare for eventual employment includes soft skills training, communication and interpersonal skills, financial literacy, job seeking skills, and understanding employer expectations.
5. Self-Advocacy Instruction includes discovering rights and responsibilities, learning how to request accommodations/services/supports, and how to communicate needs.

Billable Pre-ETS Services

The employment specialist submits billing invoices for services and required documentation to the designated VR counselor for payment. Services are authorized quarterly, up to four quarters per year, and for up to 20 hours each quarter. Should 20 hours not occur during the quarter, the amount will be prorated at \$35 per hour. Billing statements and activities documented on monthly reports must be submitted to OVR on or before the 5th of the month following the quarter. Districts should receive reimbursement from the OVR central office within 30 days of submitting invoices and documentation. **If unsure whether a service is billable, contact either the VR counselor or the program administrator of the CWTP.**

Billable Pre-Employment Transition Services include:

- **Job Exploration Counseling (JEC)**

Employment specialists provide student activities such as completing interest inventories, exploring career pathways, exploring in-demand occupations, and

practicing interview skills. Activities may be in groups of no more than 4 or individualized, in the community or within the schools, but may not be part of a classroom curriculum. JEC is a process of discovering basic information about the student employment interests and information gathered will assist in preparing for work based learning experiences. Expected practice is 20 hours total per quarter, prorated at \$35 per hour.

- *Rate: Up to \$700.00 per quarter, upon receipt of monthly report and supporting documentation (supporting documentation is any product created such as a copy of an interest inventory).*

- **Work Based Learning Experiences (WBLE)**

Employment specialists provide student activities such as job shadowing, touring companies, job training, internships, apprenticeships, short term employment, on the job training-learning about jobs. WBLE are in an integrated setting in the community and should be based on the student's interests and preferences. Activities may be in groups of no more than 4 or individualized. Expected practice is 20 hours total per quarter, prorated at \$35 per hour.

- *Rate: Up to \$700.00 per quarter, upon receipt of monthly report and supporting documentation*

- **Post-Secondary Opportunities**

Employment specialists provide student activities such as giving information or advising on college course offerings, career options, types of trainings available, disability support services, academic curricula, application and admission processes, and completing the FAFSA. Activities may be in groups of no more than 4 or individualized, in the community or within the schools, but may not be part of a classroom curriculum. Expected practice is 20 hours total per quarter, prorated at \$35 per hour.

- *Rate: Up to 700.00 per quarter, upon receipt of monthly report and supporting documentation*

- **Workplace Readiness Training**

Employment specialists provide student activities for the development of social skills and independent living skills, such as soft skills training, communication and

interpersonal skills, financial literacy, job seeking skills, and understanding employer expectations. Activities may be in groups of no more than 4 or individualized, in the community or within the schools, but may not be part of a classroom curriculum.

Expected practice is 20 hours total per quarter, prorated at \$35 per hour.

- *Rate: Up to \$700.00 per quarter, upon receipt of monthly report and supporting documentation*

- **Self-Advocacy Instruction**

Employment specialists provide student activities about disability awareness; personal rights and responsibilities; how to request accommodations, services or supports; and how to communicate needs. Activities may be in groups of no more than 4 or individualized, in the community or within the schools, but may not be part of a classroom curriculum. Expected practice is 20 hours total per quarter, prorated at \$35 per hour.

- *Rate: Up to \$700.00 per quarter, upon receipt of monthly report and supporting documentation*

Pre-ETS Forms

Employment specialists must use the following program approved CWTP forms.

1. ***CWTP Pre-ETS Monthly Report*** - Designed to capture an overview of relevant information about the activities conducted. Information includes time and date, name of activity and a summary of the activities. In Pre-ETS there is no expectation of documenting progress, assessing skills, or mandating skills improvement to proceed. Pre-ETS is for the sole purpose of providing exposure to and experiences in activities related to work post high school.
2. ***CWTP Pre-ETS Billing Statement*** - Designed to allow the school to invoice OVR for services provided.

Provision of Employment Transition Services

Employment Transition Services are available and provided individually to students with a significant disability who are eligible for VR services. The focus of Employment Transition

Services is on developing a plan to successfully exit high school and enter integrated, competitive employment. The services target the student's strengths, preferences, interests and needs; taking into consideration the jobs available in the local labor market. While participating in Employment Transition Services, the employment specialist uses a person-centered job selection approach. With this approach, the employment specialist spends time directly with the student to discover their work skills while also assisting with disability related work needs, such as providing job coaching and rehabilitation technology, in order to be successful in the work environment.

The employment specialist builds trust with the student and forms a professional, respectful relationship to address and support, as needed, the student's best interest, competencies, and concerns. The student is given opportunities to learn relevant skills through hands-on experiences in the natural settings with natural supports to encourage student engagement and generalization of skills learned. The employment specialist helps the student make connections between what they are learning and real-life situations.

The employment specialists provide students with the strategies that have the greatest potential to support the student to be successful. While in Employment Transition Services, instruction is tailored to meet their individual needs and to identify the natural supports available in the work setting. Services provided to the student from an employment specialist are in settings in the community, integrated with persons without disabilities. During CWTP training sessions employment specialists are taught to think "outside of the box" and recognize natural supports to help the student. HDI personnel train the employment specialists on evidenced based practices proven to help students prepare for competitive integrated work post high school.

Providing opportunities to explore communities and employment specialist assistance with negotiating job responsibilities and customizing employment to meet student interests and skills with employer needs can lead to successful student transition from high school into their communities. CWTP can help students with this process and achieve success as well as provide more meaningful instruction and experiences.

Employment Transition Services include the following:

1. Employment Transition Planning Meeting (TPM):

After determining the student is eligible for general VR services and needs CWTP Employment Transition Services, the VR counselor sends an authorization for an Employment Transition Planning Meeting. During this meeting, the VR counselor, the student, school personnel, family members, and employment specialist plan unique, vocationally relevant activities for the upcoming year based on the students initial expressed interests. This meeting provides guidance to the employment specialist on the goals of the upcoming year for the students program and the VR counselor expectations on how the employment specialist will assist the student in preparing for competitive work. The meeting clarifies the expectation of weekly-individualized career exploration and ongoing skills assessment and training.

2. Comprehensive Vocational Assessment (CVA):

Written to characterize the nature of an ideal job match, after gaining sufficient information during Job Development. The employment specialist conducts a CVA to determine a student's unique strengths, resources, priorities, concerns, abilities, capabilities, and interests as they relate to post school activities and employment in order to establish an appropriate vocational goal and future training needs. The VR counselor will use this assessment to determine the student vocational goal when developing or amending the *Individualized Plan for Employment (IPE)*.

In 2012, the [Office of Disability Employment Policy](#) produced research based data titled [Skills to Pay the Bills](#). The CVA is associated with this research and involves a thorough listing of necessary soft skills to reach employment goals for youth with disabilities with the premise that 'soft skills cannot be taught in a vacuum nor can they be acquired simply because the goal of a lesson plan indicates it shall be so. Rather, they must be introduced, developed, refined, practiced, and reinforced' (ODEP, 2012).

3. Job Development/Job Coaching:

Job Development is individualized, weekly hands on training provided by the employment specialist for the expressed purpose of the student attaining employment

prior to exiting high school. The specific job must be of interest to the student and in a competitive integrated work environment.

4. Employment Transition Exit Planning Meeting:

During this meeting, strategies and expectations for the remainder of the CWTP are discussed, defining the steps the employment specialist should take to ensure the student's successful transition to post school activities and future employment success. An amended *Individualized Plan for Employment (IPE)* may need to be written by the VR counselor and appropriately signed by the student and/or parent or guardian, to more clearly identify services required to attain a successful transition and employment outcome. This meeting may include a review of the CVA and the employment specialist is available for input. Adult service agency providers that address the future unique needs for the individual (for instance, independent living and/or benefits planning) should be considered for participation. This meeting should take place within the final quarter of the student's time in high school

5. Job Placement:

A student is working in a position that meets the guidelines and vocational goal of the IPE, the natural supports of the position allow the employment specialist to phase out of the job site, and the position satisfies the student. The job placement must occur prior to the student exiting high school, with the student employed competitively in an integrated environment, stable and in good standing on the job site.

6. Employment Follow-up:

Employment Follow-up services are based on individual student needs and include troubleshooting issues that may arise in the first 60 days after exiting school. This is to ensure the student maintains employment and may include visits to place of employment to determine natural supports are in place, or phone calls or conversations with the student related to job satisfaction. Information gathered includes the student's current post school status, i.e., job placement, job stability and status with their employer. Should the student not attain employment that meets the guidelines above prior to exiting high school the LEA is no **longer eligible for the Employment Follow-up payment**. An adult agency provider may continue services post high school. Since the requirements for payment are 60 days of successful employment after training services are completed, this

goal is not accomplished until after the student exits the school system and into the next fiscal year.

Billable Employment Transition Services

The employment specialist submits billing invoices for services and required documentation to the designated VR counselor for payment. Services are authorized quarterly, up to four quarters per year. Billing statements and activities documented on monthly notes/reports must be submitted to OVR on or before the 5th of the month following the quarter. Districts should receive reimbursement from the OVR central office within 30 days of submitting invoices and documentation. When unsure whether a service is billable, contact the VR counselor or the program administrator of the CWTP.

Billable Employment Transition Services include:

- ***Employment Transition Planning Meeting***

A one-time billable meeting per student to discuss post-secondary employment plans and design the final year activities. Minimum attendance at this meeting includes the student, VR counselor, and employment specialist. **The meeting may be held at the beginning of the student's final year of services.**

- *Rate: \$200.00, one time billable service per student*

- ***Comprehensive Vocational Assessment***

A comprehensive summary of vocationally relevant information obtained through the provision of monthly job development services. **Must be completed within the quarter that it is authorized.**

- *Rate: \$900.00, one time billable service per student*

- ***Job Development***

Services provided by the employment specialist in order for the student to achieve the employment goal as documented on the IPE. The expectation is individualized, targeted weekly job coaching and task analysis in an integrated setting in the community. Consistent, continuous services are in the best interest of the student so they may

integrate into the employment setting and develop natural supports with their peers. Expected practice is 20 hours total per quarter, prorated at \$35 per hour.

- *Rate: Up to \$700.00 per quarter, upon receipt of monthly report and supporting documentation*

- **Employment Transition Exit Planning Meeting**

A meeting to review such data as contact information, the IPE goal, and to ensure initiation of referrals or contacts with adult service providers. Minimum attendance at this meeting includes the student, VR counselor, and employment specialist.

- *Rate: \$200.00, one time billable service per student*

- **Job Placement**

Post school paid employment in the vocational goal as described on the *Individualized Plan for Employment (IPE)*. The job must be attained prior to exiting high school (as documented through monthly job development notes), with natural supports in place, the student in good standing with the employer, and the student satisfied with the job. The student must be competitively employed in an integrated work setting. Payable upon invoicing and documentation of job placement through monthly job development notes as well as the submission of the *Job Placement Report*. Billable only after the student has exited school. At this point monthly Job Coaching/Job Development services cease and further progress notes cannot be submitted.

- *Rate: \$800.00, one time billable service per student*

- **Employment Follow-up**

The employment specialist will provide 60 days of follow-up activities such as face-to-face meetings or phone calls with either the student or employer. The employment specialist provides the activities to ensure the student is current and satisfied with the employment (hours, shift, and environment), management has no issues that would put the employment at risk, the student is able to advocate for self, etc. The planned vocational goal stated on the *Individual Plan for Employment (IPE)* must include the post school paid employment. 60 days of post school employment must occur **however, the authorization must be posted prior to June 30 of the exiting year.**

- *Rate: \$200.00, one time billable service per student*

Employment Transition Services Forms

The employment specialist must use the following program approved CWTP forms.

1. ***Employment Transition Planning Meeting Report*** - Designed to capture an overview of relevant information from the meeting such as persons in attendance, student identification, post school outcome goal, explanation of student plan for the year, and career clusters of interests.
2. ***Monthly Job Development Report*** - Designed to elicit a thoughtful, focused, and personalized approach to summarizing the month's activities as well as providing insight into how the information collected is vocationally relevant to the particular student. The report documents skills gained, progress made and next steps in securing employment post high school.
3. ***Comprehensive Vocational Assessment Report*** - Designed to capture student's unique strengths, resources, priorities, concerns, abilities, capabilities, and interests as they relate to post school activities and employment in order to establish an appropriate vocational goal and future training needs. The report includes information to describe the nature of ideal work tasks, co-workers, and work setting, as well as student preferences, and contributions.
4. ***Employment Transition Exit Planning Meeting Report*** - Designed to capture an overview of relevant information from the meeting, such as persons in attendance, employment goals discussed, IPE goal, number of hours expected to work per week, services discussed relevant to the IPE goal, necessary service providers, and next steps.
5. ***Job Placement Report*** - Designed to document and communicate relevant information regarding the student's employment outcome such as the name of the employer, job classification/title, job duties, date hired, wages and hours per week, health insurance, and student progress. Also includes documentation that the student is satisfied with the position, natural supports are in place, and the student is in good standing with their employer.
6. ***Employment Follow-Up Report*** - Designed to document and communicate relevant information regarding the student's employment outcome such as the name of the employer, job classification/title, job duties, date hired, wages and hours per week,

health insurance, and student progress. Also includes documentation of student satisfaction with the position, natural supports in place, and status with the employer.

7. ***CWTP Employment Transition Services Billing Statement*** - Designed to allow the school to invoice OVR for services provided and document progress of student program.

Long Term CWTP Program Planning

Students need individualized long-term program planning with the goal of employment post-secondary. This includes determination of length and type of needed services to achieve the employment goal. Ohio's Employment First [*Backwards Planning*](#) process is a suggested framework for this process. With *Backwards Planning*, the student's time in each CWTP service provided is estimated over the course of their time in high school. The student's disability and support needs are taken into consideration. Although Pre-ETS is not a progression, it is best practice to focus on the needs of the student to determine the intensity of the services and activities over the course of time.

Weekly Scheduling

Scheduling students represents an important and sometimes challenging aspect of the CWTP. Initially time is devoted to framing vocationally relevant questions regarding a student's life including interests, skills, and history. The next step is answering these questions and the exploration of particular areas of student interest or skill. Time is spent with the student in various settings implementing vocational activities. Time is structured with the student within their typical routine, talking with trusted others, and reviewing relevant records.

An employment specialist must balance their schedule, as well as the schedules of students and employers. There are two primary considerations for scheduling work. First, the students' schedules must be constructed to allow the right level of intensity and a suitable amount of time to access the CWTP. Second, the employment specialist must be able to coordinate the schedules of participating students within the confines of a school week and related course requirements.

Student Planning and Schedules

Some students who participate in the CWTP are earning a regular diploma and others Kentucky's Alternative High School Diploma. In either case, the students' ARC annually develops their multi-year course of study during the IEP post-secondary transition planning process. The multi-year course of study is the basis of student course enrollment.

There are numerous approaches to take when scheduling time with students. One recommended approach is to work with the guidance counselor during individual student course scheduling. Collaborating with the student's teacher of record is another method. With either approach, review each student's current course enrollment to schedule blocks of time for providing CWTP services. Students should not be pulled from core content classes. Consider electives, resource room, or a time at the beginning or end of the day.

The CWTP is a multi-year program. The scheduling for Pre-ETS services will be varied and sporadic in nature. The scheduling for Employment Transition Services during the student's final year is consistent and weekly. Consider how much time is available each year, for a student to participate in CWTP.

Employment Specialist Schedule

All employment specialists MUST have an updated weekly schedule in their school office. The schedule must include the name of the student(s), date, time, and location of the CWTP activities.

For example:

	Monday Aug 19	Tuesday Aug 20	Wednesday Aug 21	Thursday Aug 22	Friday Aug 23
1 st 8:05 9:00	Emily - Growing Together		Emily - Growing Together	Shawnta - Sports Unlimited	Jeremy, Mya, Tyson, & Jodi - WRT
2 nd 9:15 10:15	Gabrielle - Jillie Farms	Miyoko - Second Hand Rose	John, Levi, Dionna & Trina - JEC	Gabrielle - Jillie Farms	Miyoko -Second Hand Rose
3 rd 10:30 11:30	Dakoda - Max's Auto Service	Dakoda - Max's Auto Service	Steven - Pawns Gardens		Steven - Pawns Gardens
4 th 12:00 1:00			Freddie - McSee Law Offices		Freddie - McSee Law Offices
5 th 1:05 2:05	Katie - Uncle Bob's Famous Restaurant	TaRon, John, Mark - WBLE	Katie - Uncle Bob's Famous Restaurant	Diego, Stacy, Zane & Enzo - PS	
6 th 2:05 3:00		Bobby, Sara, Kim, Angie - SA			Enzo, John, WBLE Tour

US Department of Labor Guidelines

There may be occasions when students work in community businesses without pay. If students are not paid while performing tasks at a local business, then school districts and employers must comply with guidelines established by the United States Department of Labor (DOL) and the United States Department of Education Office of Special Education and Rehabilitative Services. This policy was developed to ensure that students are afforded the full protection of the Fair Labor Standards Act (FLSA) when receiving community based vocational services.

The DOL *Dear Colleague Letter* is located in Appendix D of this manual.

If conditions are such that a student may legally work in a business without being paid, the student and parent or guardian must be fully informed and voluntarily agree to participate in non-paid work. The employment specialist should establish a worksite MOU form for each job site in which a student is not paid. This will ensure that all parties are knowledgeable of the DOL guidelines and agree to follow them. Note: Completing a “non-paid work exploration form” in itself does not render the arrangement either proper or legal.

A Sample Non-paid Work Explanation/Evaluation and Training Agreement is included in Appendix E of this manual.

Students *may be paid* during any stage of the CWTP. If students are paid, employers must comply with all aspects of the FLSA, including minimum wage.

Students *must be paid* unless their work complies with *all* DOL guidelines that legally provide for unpaid work experiences when:

- “Participants will be youth with physical and/or mental disabilities for whom competitive employment at or above the minimum wage level is not immediately obtainable...”
- “The activities of the students at the community-based placement site do not result in an immediate advantage to the business.”
- “...employees have not been relieved of assigned duties, and the students are not performing services that... are of benefit to the business.”

Beyond issues of legality, pay for work performed has the following advantages:

- Pay honors typical business practices (pay for work performed).
- Pay is a primary motivator for students. (Natural motivators should always be used before artificial ones are considered).
- Pay heightens employer expectations (“You get what you pay for.”).
- Pay lessens liability concerns (automatic student coverage by the employer’s workers’ compensation and general liability).
- Pay is respectful of student contribution.

Work Criteria

When ALL of the following criteria are met, the US Department of Labor will NOT assert an employment relationship for purposes of the Fair Labor Standards Act.

- Participants will be youth with physical and/or mental disabilities for whom competitive employment at or above the minimum wage level is not immediately obtainable and who, because of their disability, will need intensive on-going support to perform in a work setting.
- Participation will be for vocational exploration, assessment, or training in a community-based placement work site under the general supervision of public school personnel.
- Community-based placements will be clearly defined components of individual education programs developed and designed for the benefit of each student. The statement of needed transition services established for the exploration, assessment, training, or cooperative vocational education components will be included in the student's *Individualized Education Program (IEP)*.
- Information contained in a student's IEP will not have to be made available; however, documentation as to the student's enrollment in the community-based placement program will be made available to the Departments of Labor and Education. The student and the parent or guardian of each student must be fully informed of the IEP and the community-based placement component and have indicated voluntary participation with the understanding that participation in such a component does not entitle the student participant to wages.
- **The activities of the students at the community-based placement site do not result in an immediate advantage to the business. The Department of Labor will look at several factors.**
 - 1) There has been no displacement of employees, vacant positions have not been filled, employees have not been relieved of assigned duties, and the students are not performing services that, although not ordinarily performed by employees clearly are of benefit to the business.
 - 2) The students are under continued and direct supervision by either a representative of the school or by employees of the business.

- 3) Such placements are made according to the requirements of the student's IEP and not to meet the labor needs of the business.
 - 4) The periods of time spent by the students at any one site or in any clearly distinguishable job classification are specifically limited by the IEP.
 - 5) While the existence of an employment relationship will not be determined exclusively on the basis of the number of hours, as a general rule, each component will not exceed the following limitation during any one school year:

<input type="checkbox"/>	Vocational exploration	5 hours per job experienced
<input type="checkbox"/>	Vocational assessment	90 hours per job experienced
<input type="checkbox"/>	Vocational training	120 hours per job experienced
- Students are not entitled to employment at the business at the conclusion of their IEP. However, once a student has become an employee, the student cannot be considered a trainee at that particular community-based placement unless in a clearly distinguishable occupation.

It is important to understand that an employment relationship will exist unless all of the criteria described in this policy guidance are met. Should an employment relationship be determined to exist, participating businesses can be held responsible for full compliance with FLSA, including the child labor provisions.

Businesses and school systems may at any time consider participants to be employees and may structure the program so that the participants are compensated in accordance with the requirements of the Fair Labor Standards Act. Whenever an employment relationship is established, the business may make use of the special minimum wage provisions provided pursuant to section 14(c) of the Act.

A DOL Checklist Regarding Non-Paid Work Exploration/Training, and Training.is included in Appendix F of this manual.

VR Case Closure

CWTP cases are subject to the same criteria for closure as all other cases served by OVR. A VR counselor cannot consider a student case for successful closure until the student has met their vocational objectives as outlined in the *Individualized Plan for Employment* (IPE) and worked for a minimum of 90 days beyond the date they exited high school. These criteria help to ensure that the student is able to work independently of the school setting and structure and has made an adequate adjustment to the employment setting.

Training and Technical Assistance

Each year HDI personnel provide a mandatory one-day training for new and returning school personnel and VR staff. Statewide trainings are designed to increase the competencies of participating school and vocational rehabilitation personnel. Training content, requirements, and locations vary from year to year depending on program needs.

New employment specialists must participate in a two-day training that is provided for any school personnel working with students intending to bill OVR for CWTP services.

Technical assistance is provided to new and experienced personnel regarding components of the program, instruction, coworker supports, job accommodations, documentation, and any other issues related to the CWTP.

Supplemental trainings can be developed around specific school district needs.

CWTP Program Expectations

Community Work Transition Programs must meet the federal expectations of WIOA and the state OVR implementation plan in providing Pre-employment Transition Services activities for potentially eligible and eligible students, as well as providing Employment Transition Services activities for eligible students. Additionally, the staff performing any component of CWTP must adhere to the MOU as signed by the superintendent of the school district and the executive

director of OVR for that contract year. For Employment Transition Services, it is the expectation of this program that students maintain stable and satisfactory competitive employment in the chosen vocational goal (as documented on the *Individual Plan for Employment*) for 60 days after exiting school.

End of Year Data

HDI personnel distribute surveys by May 1. The employment specialist must submit the annual data to HDI personnel on or before June 30. Failure to report data will delay the initiation of services going forward.

CWTP Program Review

HDI personnel perform program review visits annually on 20% of the participating school districts. Schools will make records available and demonstrate adherence to program guidelines outlined in this policies and procedures manual, expectations of the OVR contract, and content from the required CWTP training. Failure to correct problems or issues that surface during a monitoring visit may be cause for suspension of the program until such a time the school shows the corrections of the non-compliances.

Individual programs are expected to provide at least half of the Pre-ETS authorization hours submitted from OVR to be in good standing. Additionally, at least half of the students participating in Employment Transition Services must exit high school with paid employment in an integrated setting. Performance expectation information is measured by paid invoices.

Individual programs that fail to meet their yearly performance expectation target number are required to complete and implement a *Support Plan* prior to continued participation in the CWTP. *Support Plans* are designed to assist individual programs in identifying areas of need, methods for improvement, and timetables to address their needs. HDI personnel will actively partner with programs required to develop and implement a *Support Plan* to assist them with their needs.

Individual programs under a *Support Plan* who fail to demonstrate improvement within the timetables identified on their plan will be required to meet with OVR in order to discuss program participation in the CWTP.

Social Security Administration (SSA) Information

Concern about losing one's Supplemental Security Income (SSI) benefits, whether real or only perceived, frequently presents employment barriers for students. Therefore, those involved in helping students plan for work need to be able to provide clear information about the impact of wages on SSI benefits.

It's important to know the differences between Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI). Most students receiving SSA benefits receive SSI, rather than SSDI. However, prior to talking with students and their families about work incentives, it is critical to determine whether they are receiving SSI, SSDI, or both since benefits are impacted by employment in very different ways.

Please consult the following resources to receive the most current SSA Information.

[The Red Book - A Guide to Work Incentives](#)

The guide serves as a general reference source about the employment-related provisions of Social Security Disability Insurance and the Supplemental Security Income Programs for educators, advocates, rehabilitation professionals, and counselors who serve people with disabilities.

Social Security Toll Free Number is 1-800-772-1213. This is an automated telephone services to get recorded information and conduct some business 24 hours a day. A Social Security representative is available between 7 a.m. and 7 p.m. Monday through Friday. For deaf or hard of hearing, call the toll-free TTY number, 1-800-325-0778, between 7 a.m. and 7 p.m. Monday through Friday.

Resources for Understanding the Truth about Working and SSI/SSDI

Work Incentives Planning and Assistance (WIPA)

The Work Incentives Planning and Assistance (WIPA) program provides individualized benefits counseling support to people who receive Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI).

The counseling support is provided by Community Work Incentives Coordinators (CWIC) who received approved training from the Social Security Administration and a certification through Virginia Commonwealth University. WIPA participants are paired with a CWIC who will help them understand how work will affect their income and healthcare benefits. They will also teach participants how to use work incentives to return to work to increase their financial self-sufficiency.

Services provided include:

- Individualized short- and long-term benefits planning and management services so beneficiaries know what they need to report to the Social Security Administration when they work, including how to report wage and other information to the Social Security Administration, and how to access and use the Social Security Administration and other federal, state, and local work incentives programs.
- Referral to employment support services and trouble-shooting benefits issues related to working and the return-to-work process.
- Presentations to beneficiaries, their supports, and providers about the Supplemental Security Income and Social Security Disability Insurance programs and work incentives.
- Outreach to beneficiaries and their supports about WIPA services and how to access.

CONTACT INFORMATION

Goodwill's toll-free WIPA line: 866-336-3316

Ticket to Work helpline: 866-968-7842

TTY (hearing impaired): 866-833-2967

Email: workincentives@goodwillky.org

Kentucky counties served:

Bath, Bell, Boone, Bourbon, Boyd, Bracken, Breathitt, Campbell, Carter, Clark, Clay, Elliott, Estill, Fayette, Fleming, Floyd, Garrard, Grant, Greenup, Harlan, Harrison, Jackson, Johnson, Kenton, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, Madison, Magoffin, Mason, Martin, McCreary, Menifee, Montgomery, Morgan, Nicholas, Owsley, Pendleton, Perry, Pike, Powell, Pulaski, Robertson, Rockcastle, Rowan, Scott, Whitley, Wolfe.

Center for Accessible Living

501 South 2nd Street Suite s00,

Louisville, KY 40202

502-589-6620 / 844-689-8497

Video Phone: 502-413-2689

1051 N. 16th Street, Suite C

Murray, KY 42071

270-753-7676 / 888-261-6194

TDD: 270-767-0549

Email: <http://www.calky.org/services/working-while-on-benefits/>

Kentucky counties served:

Allen, Adair, Anderson, Ballard, Barren, Boyle, Breckinridge, Bullitt, Butler, Caldwell, Calloway, Carlisle, Carroll, Casey, Christian, Clinton, Crittenden, Cumberland, Daviess, Edmonson, Franklin, Fulton, Gallatin, Graves, Grayson, Green, Hancock, Hardin, Hart, Henderson, Henry, Hickman, Hopkins, Jefferson, Jessamine, Larue, Livingston, Logan, Lyon, Marion, Marshall, McCracken, McLean, Meade, Mercer, Metcalfe, Monroe, Muhlenberg, Nelson, Ohio, Oldham, Owen, Russell, Shelby, Simpson, Spencer, Taylor, Todd, Trigg, Trimble, Union, Warren, Washington, Wayne, Webster, and Woodford.

Supported Employment Services

The intent of the CWTP is for the student to be employed, with any necessary supports in place, before the student exits high school. However, not all students will be employed by this time.

The VR counselor is encouraged to refer the student for additional assistance to Community Rehabilitation Providers (CRPs) or other services available locally such as Preparing Adults for Competitive Employment (PACE). Still other students may require long-term support services through a Supported Employment provider. Any of these services, if necessary, are encouraged and acceptable. Ideally, the service provider is identified early in the process, made aware of the pending referral and invited to participate in the individual student transition planning meetings.

During the course of participation in the CWTP, Supported Employment services may be recommended for some students. It is the VR counselor's responsibility to assess such recommendations and determine if Supported Employment services are required. This concluded on an individual basis, taking into account the unique needs of each student. In the event that the VR counselor determines that a CWTP student will require Supported Employment services, it is the VR counselor's responsibility to determine the best service path. This may include continued participation in the CWTP, ending participation in the CWTP, or referring the student to Supported Employment per OVR guidelines with continued participation in CWTP until high school exit.

Best practice, Supported Employment services begin no later than January of the student's final year of high school for CWTP students determined to need Supported Employment. The Supported Employment provider will act as a consultant to the CWTP employment specialist while the student is still in school. The CWTP continues to be the provider responsible for the student achieving the Job Placement and Employment Follow-up services per CWTP guidelines. The CWTP will receive full reimbursement for those outcomes and credit toward their target number, if obtained by the student prior to exiting high school. The Supported Employment provider will be responsible for long-term follow-up after the CWTP obligation for 60-day follow-up of the student in employment has been completed.

In the event that a student does not achieve job placement at the time of exiting school, the Supported Employment provider takes over the responsibility for Job Placement and Employment Follow-up service provision. In this situation, there is no payment to the CWTP for the Job Placement or Employment Follow-up services, nor does the program receive credit toward their target number.

When determining individual eligibility and concurrent need for Supported Employment services counselors should always adhere to agency-established guidelines. For agency specific guidance regarding Supported Employment services, please consult the Supported Employment Section of the Counselor's Manual.

Contact Information for Supported Employment Questions:

Kentucky Office of Vocational Rehabilitation

229 West Main Street, Suite 302

Frankfort, Kentucky 40601

Phone: 502-564-4440

Website: [Community Rehabilitation Services & Supported Employment](#)

[Kentucky Disability Benefits 101](#)

The website provides tools and information on health coverage, benefits and employment. The site also provides tools to plan and learn how work and benefits go together.

[“The Truth about SSI \(Supplemental Security Income\) and Working”](#)

A video that provides all the basics that youth with disabilities and their parents need to know about applying for Supplemental Security Income when they turn 18 years old. The video also covers how youth with disabilities can work and keep their benefits.

KentuckyWorks

KentuckyWorks is a collaborative project that aims to enhance employment opportunities for youth and young adults with intellectual and developmental disabilities throughout the Commonwealth of Kentucky. The website provides Kentucky and national employment resources.

Appendices

Appendix A: School Participation Application Sample

**Office of Vocational Rehabilitation
Community Work Transition Program
School Participation Application
*Valid from 7/1/19-6/30/20***

Date:

Please check one: New School: Returning:
If returning, please submit OVR Vendor number:

School District Name:
of High Schools in your District Participating in CWTP:
School District Address:

Name of Individual Completing this Form:
Email Address: Phone Number:

Director of Special Education:
Email Address: Phone Number:

School District Finance Officer:
Email Address: Phone Number:

Student Participant Information: Students identified as eligible or potentially eligible for Vocational Rehabilitation Community Work Transition Program services may participate. Potentially eligible students may participate in five identified pre-employment transition services without going through the entire process of becoming a VR consumer once they have been identified and their information processed by your VR counselor of record. Students who have been determined eligible for VR services may participate in both CWTP pre-ets activities and CWTP employment transition services depending on the individual needs of the student.

Please list the number of NEW students you estimate serving: _____

Please list the number of RETURNING students you estimate serving: _____

Please list the number of students participating who are anticipated to exit school at the conclusion of the school year. _____

Participating High Schools and CWTP Contacts: Please list the names of all High Schools in your district implementing CWTP. Please include an e-mail address for the Primary CWTP Contact at each High School. This Contact person will be a certified staff member with knowledge and training in the CWT Program other than the Employment Specialist and will be in charge of assisting the Employment Specialist and OVR counselor with the implementation of the program and disseminating information regarding the program to other staff.

Contact Name:
CWTP Contact E-mail Address:
High School:

Contact Name:
CWTP Contact E-mail Address:
High School:

Contact Name:
CWTP Contact E-mail Address:
High School:

Employment Specialists: Please list the names and e-mail addresses of all Employment Specialists in your district.

Employment Specialists are required to register and attend mandatory CWTP training programs and meetings as defined in the CWTP Agreement for Services between OVR and LEAs. Failure to attend required training programs and meetings will result in a delay of program implementation until missed events are rescheduled and attended.

Teachers may assist the Employment Specialist with performing the activities of the program only if the services are outside the realm of a classroom curriculum and not already an existing activity as required by their contract with the school. Supplanting IDEA required services and duplication of services for payment to VR is prohibited. The teachers must also participate in the mandatory CWTP training programs and meetings in order for their services to be billable to VR. Include the names of the teachers under Employment Specialist information below.

If more than one high school is participating, please include the school that the Employment Specialist is assigned, if applicable:

Employment Specialist:
E-mail Address:
High School Assigned to:

Employment Specialist:
E-mail Address:

High School Assigned to:

Employment Specialist:

E-mail Address:

High School Assigned to:

Please return the CWTP APPLICATION by June 1, 2019, to:

Mrs. Kari Skaggs, Kari.Skaggs@ky.gov

Vocational Rehabilitation, 275 E. Main Street, Mail Drop 2-EK, Frankfort, KY 40621

Appendix B: Sample Employment Specialist Job Description and Interview Questions

The Employment Specialist is an employee of the _____ County School System and works under the direct supervision of _____ (may be a teacher, Special Education Director, other certified school personnel). Candidates should be self-motivated, flexible and resourceful people, and possess high expectations for the inclusion of students with disabilities within the community workforce. The job also requires strong verbal and written communication skills, experience working with individuals with disabilities, knowledge of the business community, and the ability to adapt to various work environments. Experiences and knowledge in the areas of high school special education, working with businesses, and training individuals with disabilities are preferred.

JOB FUNCTIONS:

Supervises the district-wide implementation of the CWTP in coordination with the Director of Special Education or Designee, UK Human Development Institute and the Office of Vocational Rehabilitation; coordinates and supervises community sites used for CWTP at the district high school; and serves as a strong and cooperative team member in managing the program. For CWTP Pre-Employment Transition Services, introduces students to various jobs and industry sectors, provides work based learning experiences, offers post-secondary counseling, implements workplace readiness training for social and independent living skills, and provides self-advocacy instruction. For CWTP Employment Transition Services, provides comprehensive vocational assessment, job development/job coaching, job placement and follow-up assistance with job attainment. The Employment Specialist will assist in securing employment for the students, when possible, in the community or surrounding communities prior to exiting high school.

JOB DUTIES AND RESPONSIBILITIES:

1. Attends all required meetings and trainings.
2. Understands that the goal of the program is for students to gain the skills needed for employment in an integrated setting with competitive pay before graduation.
3. Is required to work with students with mild to moderate and severe disabilities.

4. Works with students, family members, classroom teachers, businesses, and others to identify potential career interests, preferences and various individualized job possibilities available in the community.
5. Exhibits a working knowledge of and experience with technical and computer applications including word processing, data processing, desktop publishing and electronic mail.
6. Prepares site related documents including site file folders, site file updates, and insurance information.
7. Coordinates student Vocational Assessment to identify student competencies, interests, relevant vocations (including kinds of work previously unconsidered) and learning about the impact of students' disabilities and related support needs in the community.
8. Completes written Vocational Assessment, and assists with development of students' Individualized Plan for Employment (IPE) through OVR.
9. Assists Admission and Release Committees (ARCs) or teachers with the development of students' Individual Education Program (IEP).
10. Works with employers and students to develop personalized jobs.
11. Provides consultations for business personnel related to specific instruction and support needs of individual students, promoting instruction by those who typically provide training, and supplementing employer training as needed.
12. Provides follow-up services to promote job stability and advancements and continuing success of students.
13. Maintains necessary records for the local school system and the Office of Vocational Rehabilitation. Keeps current and complete information regarding each student participating in the program.
14. Submits all meeting notes, monthly reports and Billing Statements timely for appropriate services and reimbursements.
15. Completes year-end program data report and submits to HDI.
16. Coordinates and/or provides transportation according to district policies and procedures.
17. Works collaboratively with HDI, OVR and KDE to create a unique program to address each student's expressed vocational strengths and interests.
18. Uses public relations principles and a broad base of educational expertise to maintain a positive, effective, and efficient district-wide CWTP image with the community, the school board, the high school, and district administration.
19. Markets the CWTP to the community, parents and students, schools, and professional organizations. Responds to Community and school personnel inquiries about CWTP goals and functions.

Appendix C: Possible Interview Questions for CWTP Employment Specialists

These sample questions are in no particular sequence, and some may be applicable while others are not. Questions correlate either to desired job related qualities (personal connections, flexibility, organizational skills, high expectations, imagination, etc.) or attitudes about people with disabilities. The list is not an all-inclusive. There may be many other desired questions, some district specific.

- Did you attend school with students who had disabilities? If so, then what did you notice about their education? What kinds of contact did you have with students with disabilities, or what did you see the students doing? Based on your observations, what do you think was good, and what could have been better? Or if you did not go to school with students with disabilities, then why do you think this was so?
- This job promotes work experiences and jobs for students with disabilities. Why do you think work would be important for someone who has a disability? What about work for students who (due to their disabilities) don't talk, or walk, or use their arms? Or what about students who have severe cognitive impairments or unusual behaviors — is work important for these students too?
- What kinds of jobs do you think students with disabilities could do?
- Have you had any experiences with vocational programs for students with disabilities?
- What are some ways you are connected within the community (organizations, church, committees, boards, etc.)?
- What experience do you have with professional writing (e.g., keeping documentation, writing business letters, writing report)?
- Can you think of any job experiences you've had that would be helpful in preparing you to do this job?
- How flexible is your time (e.g., working weekends, after school hours, evenings, summer)?
- Why do you think you would be good at this kind of work?
- What aspect of this job do you think would be most difficult?
- What questions do you have about the job?

Appendix D: US Department of Labor Dear Colleague Letter

UNITED STATES DEPARTMENT OF EDUCATION OFFICE OF SPECIAL EDUCATION AND REHABILITATION SERVICES

Dear Colleague:

The Departments of Education and Labor have collaborated to promote opportunities for educational placements in the community for students with disabilities while assuring that applicable labor standards protections are strictly observed.

Pursuant to the Individuals with Disabilities Education Act (IDEA), individualized education programs are developed to provide students with disabilities an opportunity to learn about work in realistic settings and thereby help such students in the transition from school to life in the community. Since the affirmation of students' rights to an appropriate free public education in 1975, many students with disabilities have benefited from participation in vocational education programs in their public schools. Students with more severe disabilities, however, have experienced fewer benefits from participation in such programs. Alternative, community based, and individualized education and training programs have emerged to meet their needs.

Our Departments share an interest in promoting educational experiences that can enhance success in school-to-work transition and the prospects that these students become effective, productive workforce participants and contributors to their community. At the same time, these students must be afforded the full protection of the nation's labor laws and not be subject to potential abuse as they start this transition through community-based educational experiences.

Existing Department of Labor guidelines, which define “employees” for purposes of applying the requirements of the Fair Labor Standards Act (FLSA), do not specifically address community-based education programs for students with disabilities. To assist program administrators in developing programs or making placements that do not create questions about the establishment of an employment relationship between the students and participating businesses in the community, the Employment Standards Administration (Department of Labor),

and the Offices of Vocational and Adult Education, and Special Education and Rehabilitative Services (Department of Education) have developed the following guidance.

STATEMENT OF PRINCIPLE

The US Departments of Labor and Education are committed to the continued development and implementation of individual education programs, in accordance with the Individuals with Disabilities Education Act (IDEA), that will facilitate the transition of students with disabilities from school to employment within their communities. This transition must take place under conditions that will not jeopardize the protections awarded by the Fair Labor Standards Act to program participants, employees, employers, or programs providing rehabilitation services to individuals with disabilities.

DEPARTMENT OF LABOR GUIDELINES

Where ALL of the following criteria are met, the US. Department of Labor will NOT assert an employment relationship for purposes of the Fair Labor Standards Act.

- Participants will be youth with physical and/or mental disabilities for whom competitive employment at or above the minimum wage level is not immediately obtainable and who, because of their disability, will need intensive on-going support to perform in a work setting.
- Participation will be for vocational exploration, assessment, or training in a community-based placement work site under the general supervision of public school personnel.
- Community-based placements will be clearly defined components of individual education programs developed and designed for the benefit of each student. The statement of needed transition services established for the exploration, assessment, training, or cooperative vocational education components will be included in the student's Individualized Education Program (IEP).

- Information contained in a student's IEP will not have to be made available; however, documentation as to the student's enrollment in the community-based placement program will be made available to the Departments of Labor and Education. The student and the parent or guardian of each student must be fully informed of the IEP and the community-based placement component and have indicated voluntary participation with the understanding that participation in such a component does not entitle the student participant to wages.

- The activities of the students at the community-based placement site do not result in an immediate advantage to the business. The Department of Labor will look at several factors.
 - 1) There has been no displacement of employees, vacant positions have not been filled, employees have not been relieved of assigned duties, and the students are not performing services that, although not ordinarily performed by employees clearly are of benefit to the business.

 - 2) The students are under continued and direct supervision by either representative of the school or by employees of the business.

 - 3) Such placements are made according to the requirements of the student's IEP and not to meet the labor needs of the business.

 - 4) The periods of time spent by the students at any one site or in any clearly distinguishable job classification are specifically limited by the IEP.

 - 5) While the existence of an employment relationship will not be determined exclusively on the basis of the number of hours, as a general rule, each component will not exceed the following limitation during any one school year:

<input type="checkbox"/> Vocational exploration	5 hours per job experienced
<input type="checkbox"/> Vocational assessment	90 hours per job experienced

- Vocational training 120 hours per job experienced
- Students are not entitled to employment at the business at the conclusion of their IEP. However, once a student has become an employee, the student cannot be considered a trainee at that particular community-based placement unless in a clearly distinguishable occupation.

It is important to understand that an employment relationship will exist unless all of the criteria described in this policy guidance are met. Should an employment relationship be determined to exist, participating businesses can be held responsible for full compliance with FLSA, including the child labor provisions.

Businesses and school systems may at any time consider participants to be employees and may structure the program so that the participants are compensated in accordance with the requirements of the Fair Labor Standards Act. Whenever an employment relationship is established, the business may make use of the special minimum wage provisions provided pursuant to section 14(c) of the Act.

We hope that this guidance will help you achieve success in the development of individualized education programs.

Robert R. Davila
 Assistant Secretary
 Office of Special Education & Rehabilitative Services
 Administration
 U.S. Department of Education

Cari M. Dominguez
 Assistant Secretary
 Employment Standards
 U.S. Department of Labor

Betsy Brand
 Assistant Secretary
 Office of Vocational and Adult Education
 U.S. Department of Education

Appendix E: Sample Student Non-Paid Work Exploration/Evaluation and Training Agreement

Name of School _____ Date _____

Student Name _____ Teacher _____

Exploration/evaluation/Training Site _____

Site Address _____

Site Phone Number _____

- 1) The purpose of the Community Work Transition Program is to provide students with exploration/evaluation and training opportunities to acquire job skills in real job environments.
- 2) The students will be supervised by school employee or by employees of the participating business.
- 3) The activities of the student at the community-based placement site do not result in an immediate advantage to the business. There has been no displacement of employees, vacant positions have not been filled, and employees have not been relieved of assigned duties.
- 4) *The student will not be financially compensated for work training, unless otherwise specified and agreed upon by the employer.*
- 5) *Liability and insurance for the student and school employees during training is the responsibility of the school district, not the employer.*

- 6) *The employer will provide the necessary materials to complete the job requirements. School employees might adapt materials or develop new materials to facilitate a student's involvement. The employer must approve adaptations to employers' materials.*

The following have agreed to the conditions stated in this contract, as well as agreeing to comply with all aspects of the Fair Labors Standards Act. (Refer to DOL guidelines or DOL checklist.)

<hr/>		<hr/>	
Employer	Date	Parent	Date
<hr/>		<hr/>	
Student	Date	Teacher/Coordinator.	Date
<hr/>			
School Administrator	Date		

Appendix F: DOL Non-Paid Work Checklist

DOL Checklist Regarding Non-Paid Work Exploration, Exploration/Evaluation, and Training

Where ALL of the following criteria are met, the US. Department of Labor will NOT assert an employment relationship for purposes of the Fair Labor Standards Act.

- Participants will be youth with physical and/or mental disabilities for whom competitive employment at or above the minimum wage level is not immediately obtainable and who, because of their disability, will need intensive on-going support to perform in a work setting.
- Participation will be for vocational exploration, assessment, or training in a community-based placement work site under the general supervision of public school personnel.
- Community-based placements will be clearly defined components of individual education programs developed and designed for the benefit of each student. The statement of needed transition services established for the exploration, assessment, training, or cooperative vocational education components will be included in the student's Individualized Education Program (IEP).
- Information contained in a student's IEP will not have to be made available; however, documentation as to the student's enrollment in the community-based placement program will be made available to the Departments of Labor and Education. The student and the parent or guardian of each student must be fully informed of the IEP and the community-based placement component and have indicated voluntary participation with the understanding that participation in such a component does not entitle the student participant to wages.

The activities of the students at the community-based placement site do not result in an immediate advantage to the business. The Department of Labor will look at several factors.

- There has been no displacement of employees, vacant positions have not been filled, employees have not been relieved of assigned duties, and the students are not performing services that, although not ordinarily performed by employees clearly are of benefit to the business.

- The students are under continued and direct supervision by either a representative of the school or by employees of the business.

- Such placements are made according to the requirements of the student's IEP and not to meet the labor needs of the business.

- The periods of time spent by the students at any one site or in any clearly distinguishable job classification are specifically limited by the IEP.

- While the existence of an employment relationship will not be determined exclusively on the basis of the number of hours, as a general rule, each component will not exceed the following limitation during any one school year:
 - Vocational exploration 5 hours per job experienced
 - Vocational assessment 90 hours per job experienced
 - Vocational training 120 hours per job experienced

- Students are not entitled to employment at the business at the conclusion of their IEP. However, once a student has become an employee, the student cannot be considered a trainee at that particular community-based placement unless in a clearly distinguishable occupation.

It is important to understand that an employment relationship will exist unless all of the criteria described in this policy guidance are met. Should an employment relationship be determined to exist, participating businesses can be held responsible for full compliance with FLSA, including the child labor provisions.

Businesses and school systems may at any time consider participants to be employees and may structure the program so that the participants are compensated in accordance with the requirements of the Fair Labor Standards Act. Whenever an employment relationship is established, the business may make use of the special minimum wage provisions provided pursuant to section 14(c) of the Act.

**For more information on the
Community Work Transition Program,
please visit our web site at**

www.hdi.uky.edu/CWTP

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