

**Individuals with Disabilities Education Act (IDEA)
December 3, 2004**

1. To ensure that all children with disabilities have available to them a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living.
2. To ensure that transition planning includes a coordinated set of transition activities: courses of study, services and activities, and measurable annual goals, all linked to post-secondary goals.
3. To ensure that the rights of children with disabilities and parents of such children are protected and to assist States, localities, educational service agencies, and Federal agencies to provide for the education of all children with disabilities.
4. To ensure that transition planning is a results-oriented process focused on improving academic and functional achievement based on individual needs, considering strengths, preferences, and interests.
5. To ensure student and agency invitation to the Individualized Education Program (IEP) meeting, as well as active participation in the meeting.

**Chapter 339 Entitled Guidance Amended PA School Code under Vocational Education
– May 30, 2008**

1. Sets Pennsylvania's requirement for a comprehensive K-12 counseling plan to prepare every student for college and/or career readiness.
2. Sets Career Education and Work Standards (CEW) including Career Awareness and Preparation, Career Acquisition, Career Retention and Advancement, and Entrepreneurship.
3. Sets requirements for services and accommodations for diverse learners, as well as adequate supports under Chapter 4 and through the Individualized Education Program (IEP).
4. Sets a standard of equal access to Career and Technical Education Centers (CTCs) and provides for the ability of counseling help to students with informed decisions regarding CTCs.
5. Sets requirement for a Career and Technical Education Centers (CTCs) representative to be on Individualized Education Program (IEP) teams and outlines guidance for work-based learning experiences.

Centers for Medicare & Medicaid Services (CMS) Home and Community Based Settings (HCBS) Rule – March 17, 2014

1. Provides requirements that amend Medicaid regulations regarding person-centered plans of care, characteristics of settings that are home and community-based, as well as settings that may not be home and community-based. Establishes a more outcome-oriented definition of home and community-based settings.
2. Provides guidance to "ensure that individuals receiving services through Home and Community Based Services (HCBS) programs have full access to the benefits of community living."
3. Provides provisions that allow states to develop transition plans to ensure Home and Community Based Services (HCBS) Settings will meet the final rule's requirements by March 17, 2019. This transition plan includes working with individuals receiving services, providers, and families to identify how we ensure compliance.
4. Provides additional opportunities in the following PA programs: Adult Autism Waiver; Aging Waiver; AIDS Waiver; Attendant Care Waiver; CommCare Waiver; Consolidated Waiver; Independence Waiver; Infant, Toddlers and Families Waiver; OBRA Waiver; and Person/Family Directed Supports Waiver.
5. Provides guidance so that HCBS Settings provide to seek employment and work in competitive integrated settings, engage in community life, and control personal resources.

**Workforce Innovation and Opportunity Act (WIOA)
July 22, 2014**

1. Emphasizes services to students with disabilities requiring the Vocational Rehabilitation (VR) program to make "pre-employment transition services" (PETS) available to all students with disabilities.
2. Emphasizes business engagement increasing opportunities under the Vocational Rehabilitation (VR) program to assist employers in providing work-based learning experiences for individuals with disabilities, including participation in apprenticeships and internships.
3. Emphasizes competitive integrated employment, including setting limitations on subminimum wage in Section 511.
4. Emphasizes the use of using Assistive Technology assessments, devices, and training as a method to help individuals with the most significant disabilities achieve competitive integrated employment.
5. Emphasizes interagency collaboration by establishing several new requirements to ensure greater efficiency and to ensure collaboration among all relevant stakeholders at both the Federal and State levels.

Section 511 of WIOA
July 22, 2014

1. States that no entity which holds a 14(c) special wage certificate under the Fair Labor Standards Act of 1938 (FLSA) may compensate an individual with a disability under the age of 24 at a wage which is less than the federal minimum wage (commonly referred to as "subminimum" wage).
2. States that the Office of Vocational Rehabilitation (OVR) and local Educational Facilities must collaborate to complete a multi-step process that includes a Community Based Work Assessment (CBWA) for individuals aged 24 and younger who would like to work for subminimum wage in a sheltered setting.
3. States that Office of Vocational Rehabilitation (OVR) must provide documentation indicating that Pre-Employment Transition Services (PETS) have been completed.
4. States that neither schools nor the Vocational Rehabilitation (VR) program can contract with 14(c) programs for students, youth, or young adults to participate in any services that pay less than minimum wage.
5. States that Medicaid (MA) Waiver programs cannot fund individuals under the age of 25 in "subminimum wage" activities unless the individual has been determined "eligible/ineligible/closed" with the Office of Vocational Rehabilitation (OVR).

Act 26: Work Experience for High School Students with Disabilities Act
May 17, 2016

1. Indicates that the Office of Vocational Rehabilitation (OVR) must collaborate with Local Education Agencies (LEAs) to provide information in the following areas: job training, work-based learning experiences, job coaching, and counseling on Higher Education programs.
2. Indicates that the Office of Vocational Rehabilitation (OVR) shall attend individualized education program (IEP) meetings in person or by alternative means, when invited and publish information about the number of IEP meetings attended on its publicly accessible website.
3. Indicates that if the Individualized Education Program (IEP) includes a transition plan, additional data elements must be captured, including: paid work-based learning experiences, job supports/coaching, and/or job exploration services.
4. Indicates that Individualized Education Program (IEP) teams must address the answer to the question "Does the student have a transition plan as part of their IEP?"
5. Indicates that Office of Vocational Rehabilitation (OVR) shall publish outcomes about the number of job referrals made while still in high school, students working in part-time and summer jobs as a result of OVR referrals and services, and students who enter competitive integrated employment within three months of graduation on its publicly accessible website.