

UTAH TRANSITION TODAY

A 2014 Report of Opportunities and Barriers



dlc DISABILITY
LAW CENTER



All Utah students deserve opportunities to obtain and maintain integrated, competitive, and meaningful employment. Utah State and Federal Laws require meaningful and gainful employment for all students to be the priority.

Educators must take a proactive approach to promoting and supporting the independence and productivity of all their students, especially those entitled to special education. The closer a student comes to leaving the school system, the more important it is to prepare him or her to be a gainfully employed member of the community.

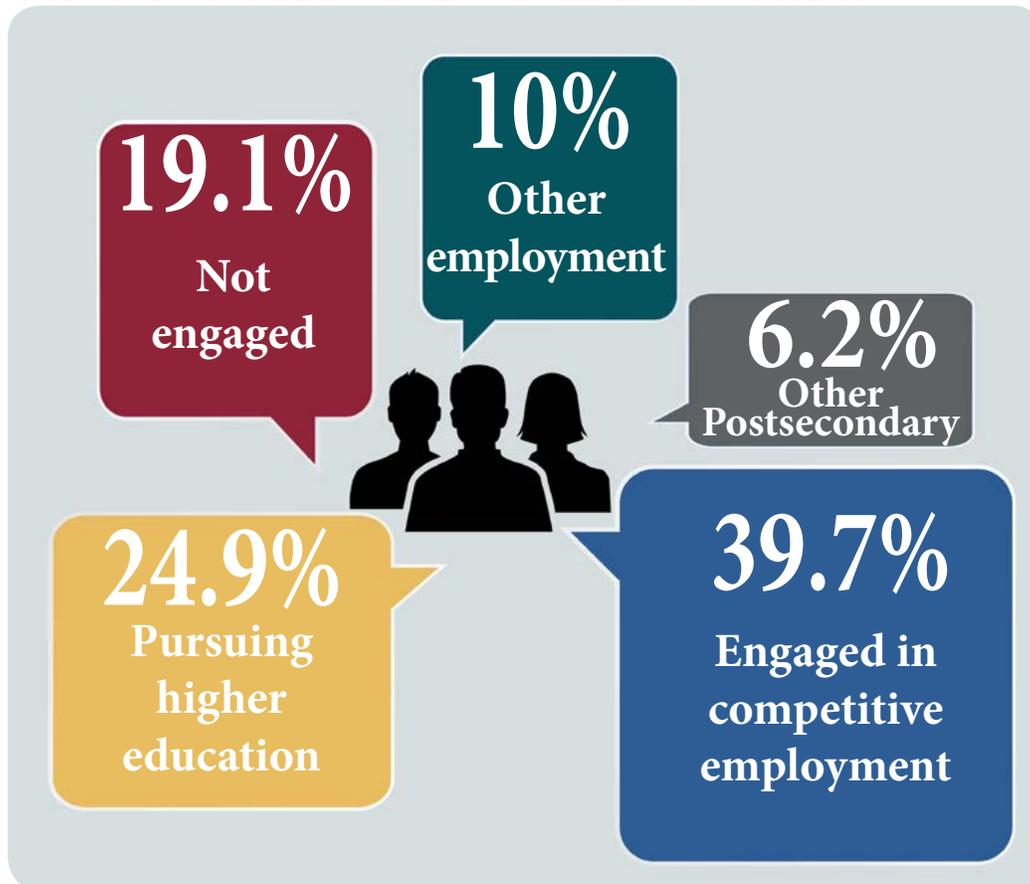
School transition services need to focus on the preferences, interests, strengths, and needs of each student before transition planning begins. The belief that students with certain types of disabilities cannot be successfully employed must be dispelled. In order to successfully implement gainful employment requirements, state agencies and schools must collaborate to prepare students and parents for competitive employment upon leaving school.

In this report, the Disability Law Center (DLC) explores opportunities and barriers to student success in competitive and integrated employment. The report provides insights from students, parents, rural communities, agencies, higher education, employers, and academics. Promising practices, challenges, and recommendations are provided in each area.

The DLC will continue monitoring efforts to improve transition. We expect to see the number of students with meaningful and gainful employment grow substantially, and programs that pay subminimum wage and/or segregate people with disabilities eliminated.

612,551 students are enrolled in Utah's 1,044 public schools. 75,703 Utah students qualify for special education services under the Individuals with Disabilities Education Improvement Act (IDEA)¹. In 2012, the Utah State Office of Education (USOE) surveyed students with Individualized Education Programs (IEPs) who had exited school in 2011. Thirty-five percent of the students responded.

2012 SURVEY OF STUDENTS WITH IEPs WHO EXITED SCHOOL IN 2011²



It is likely that many of the 10% of students in "other employment" and the 19.1% who are "not engaged" in any employment were never considered able to be employed or to seek further education.

In 2013, the DLC distributed a transition survey to the forty-one districts and ninety-six charter schools. Thirty-five percent of those surveyed responded. Barriers identified (most to least often mentioned)

1. scarcity of jobs in rural areas;
2. required job skills;
3. students lack of desire and willingness;
4. parent cooperation;
5. employers willing to employ;
6. lack of opportunity and availability;

7. flexibility;
8. employers willing to act as a training site, but unwilling to employ;
9. finding placement to develop skills
10. employer perception that disability brings liability;
11. need for further education;
12. getting an appointment with Vocational Rehabilitation;
13. coordination with adult services;
14. community unemployment means greater unemployment for those with disabilities;
15. economic downturn;
16. uncertain who to contact for help;
17. communication and resume making skills;
18. transportation;
19. unrealistic pay expectations; and
20. student is focused on graduating and declines employment.

As a follow up to the survey, the DLC planned to increase understanding of transition services. We selected 16 district and 3 charter school programs to tour. We met with administration, talked with staff, and interviewed students. Six of the locations are in rural areas of the state. Although there are many elements of transition worthy of attention, we chose to focus on (1) student interests and strengths; (2) parent involvement; (3) employment experiences; (4) use of outside agencies and programs; (5) challenges in rural communities; and (6) academics. This report outlines laws related to transition service, our findings as we toured districts and schools, and recommendations for improved transition services.





I CAN'T HEAR YOU



BRONCOS

HONESTLY

The IDEA defines transition services as:

...a coordinated set of activities for a student with a disability that:

1. Is designed to be within a **results-oriented process**, is focused on improving the academic and functional achievement of the student with a disability to facilitate the student's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
2. Is based on the individual student's needs, taking into account the student's strengths, preferences, and interests; and includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives and, if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.
3. May be special education, if provided as specially-designed instruction, or a related service, if required to assist a student with a disability to benefit from special education.³

State and Federal Law impact the way transition services are provided in school. From the beginning, the focus of transition should be on opportunities for competitive and integrated employment in the community. To support this goal, President Barak Obama signed the Workforce Innovation and Opportunity Act (WIOA) into law on July 22, 2014. For the first time, this historic legislation places limitations on the use of subminimum wage for individuals with disabilities.⁴ Specifically, a public school student who is eligible for an IEP cannot be paid subminimum wage without proof they:

1. received transition services under the IDEA;
2. have applied for Vocational Rehabilitation (VR) services; and
3. have been approved for or denied VR services.⁵

The United States Department of Labor, through the Office of Disability Employment Policy has started national efforts to promote IDEA transition services through an "Employment First" approach. "Employment First facilitates the full inclusion of people with the most significant disabilities in the workplace and community. Under the Employment First approach, community-based, integrated employment is the first option for employment services for youth and adults with significant disabilities."⁶

Utah Employment First legislation, enacted in 2011 and 2012, supports WIOA by requiring the Division of Services for People with Disabilities (DSPD), Division of Substance Abuse and Mental Health (DSAMH), Vocational Rehabilitation (VR) and Department of Workforce Services (DWS) to "...give priority to providing services that assist an eligible recipient in obtaining and retaining meaningful and gainful employment that enables the recipient to earn sufficient income to purchase goods and services, establish self-sufficiency; and exercise economic control of the recipients life."⁷ It also requires that these agencies, to the extent possible, "arrange sub-minimum wage work or volunteer work *only* when employment at market rates cannot be obtained."⁸

The DLC understands that funding, in part, drives the presumption that those with the most significant disabilities cannot work in an integrated community setting. Under the WIOA public education and Vocational Rehabilitation services will need to show efforts to help students prepare for and seek employment.⁹

► *Student Interests and Strengths*

IDEA defines transition services, in part, as “based on the individual student’s needs, taking into account the student’s strengths, preferences, and interests...”¹⁰

- Alpine School District is working under an Employment First grant to develop customized employment opportunities for students with the most significant disabilities. The teacher implementing the program says the goal is to look at the student’s strengths, interests, and preferences and then find work experience to match. A student’s interest is considered first and then followed by training, rather than training in an area that may be of no interest to the student.
- Sadly, looking at interests, strengths, and preferences for students with more significant disabilities was rare in our experience. The majority of the programs rotate students through 4-8 predetermined job sites. This method gives students the opportunity to explore areas they may not have considered initially, but often it is not based on a student’s expressed interests.
- For a student with the most significant disabilities, unfortunately, the presumption seems to be that he or she will be served through the public school transition program, followed by a sheltered workshop, day treatment program, or family.
- Successful efforts observed included Nebo School District’s post-high school program, where students have a point person to go to with their job experience interest. Many students told us they knew who to talk to if they were not interested in the job experience they were currently having or just to discuss possible job experiences. The point person would discuss their interests and abilities, and if there was a job placement readily available, a time would be scheduled for them to work there. If a job placement matching the student’s interest does not exist, the instructor tries to find something in the community. A bulletin board in the hallway lists current job experience locations, and is updated throughout the year as new opportunities are identified.
- Weber School District students experienced something similar to the Nebo students. The only variation was the involvement of VR. Students knew who the VR counselor was and understood that VR and the school would work together to find job training sites in the student’s area of interest.

- Salt Lake School District plans to supply a transition coach at each high school and change its post-high school experience to focus on self-determination now, rather than a program where you determine what to do after transition is complete.
- Jordan School District uses a student-driven IEP. The student plans the IEP meeting and invites attendees. The student, with help from the team, determines goals and continually refers to their IEP through the year to make sure they are on track and pursuing areas of interest.
- Davis School District has a continuum of transition service options. Some are more restrictive than others. Student ability leads to change on the continuum, and IEPs are continually monitored and adjusted. Several other districts and schools had similar programs.
- City Academy emphasizes a lot of exploration of interests with their students. It has an open door policy between students and the transition teacher. She provides resources and extracurricular activities in areas of interest and is also developing a summer camp for students to visit colleges.



► *Parent Involvement*

The DLC believes parents are the greatest advocates for their children. We appreciate parents' desire to protect their children. We also recognize decisions concerning employment are up to them, if they retain guardianship, once the student becomes an adult. At the same time, a lack of parental interest, or fear of having their child in the community is a common obstacle for many of the schools. Schools we visited had a variety of ways to address parent fears and concerns:

- In Jordan and Davis School Districts, parents are connected with role model students. A role model student is one who has participated in transition services, provided by the district, and been successful in the community as a result. These students may live independently, hold competitive employment, be familiar with public transportation, and often have disabilities similar to the parent's child. Role model students provide an example for parents, easing their fears and helping them to see that, if the role model student is successful, their child could be too.
- Jordan School District also asked parents to use trial periods to see how the student does in applying transition services. Their model supports the idea that a student's IEP is individualized and needs to be reevaluated when concerns are raised by team members.



- Murray School District uses parent panels to dispel parent fears. They invite parents of prior and current students receiving transition services to an evening get-together with parents of students who are new to transition services. This offers the new parents the opportunity to hear about the experience of other parents and get answers to questions. The new parents can also spend the day with their child to get a better understanding of the services, if needed. These programs help parents in Murray become comfortable sending their children into the community.
- Provo School District provides parents with excellent and clearly written information about its transition services and programs offered.
- Salt Lake School District has a parent advisory panel which helps develop transition materials. The district's Pathways program includes four alternatives for every transition team to consider: (1) Academic/ Post-Secondary; (2) Career/Technical Education and Training; (3) Employment; or (4) Community and Life Skills Independence. Once a student selects a pathway, he or she is not required to stay on it. In fact, they are likely to change as they explore a pathway and self-determine a need for change.
- The Utah Parent Center offers excellent trainings on transition for parents. It is also a great resource for schools looking to connect parents with others who have had similar experiences and are familiar with transition services.

► **Employment Experiences**

Transition services are a coordinated set of activities for a student with a disability that are “designed to be within a results-oriented process, is focused on academic and functional achievement ... to facilitate the student’s movement from school to post-school activities, including ...integrated employment (including supported employment),... or community participation.”¹¹

Exploring and participating in job experiences related to strengths, interests, and preferences is crucial to student success. Individuals with or without disabilities are more likely to be productive working in areas they have an interest in and feel they are good at. Community job sites, tribal employment, county community training, sheltered workshops, supported employment, and job coaching are all options the DLC observed as work experience venues. The DLC was pleased to see the majority of transition services providing job exploration and experiences. However, some schools still remain directly connected to sheltered workshops, where students are expected to move to after transition services are complete. Also, some schools do not offer any work experiences in the post-high school transition program. Our visits revealed that the more severe the disability, the more narrow the options for employment became.

- Davis School District provides opportunities for students receiving transition services to explore employment of interest through Pioneer Adult Rehabilitation Center (PARC) programs, such as community employment or Pathway to Careers.¹² PARC offers both sheltered and competitive work experiences. The school district has increased enrollment of its students with disabilities in PARC’s programs aimed at achieving integrated, competitive employment, such as Pathways to Careers.



- Uintah River Charter School has the unique opportunity to offer work experiences for students through tribal services. Summer job options are available in all tribal services, including the grocery store, bowling alley, tribal government services, etc. Students can apply in areas of interest and are paid for the work they do.
- Ogden School District is dedicated to finding community-based employment experiences for students whenever possible, regardless of the severity of the disability. Different transition coordinators work with students based on the severity of their disability. Some of the transition coordinators are based at the Ogden-Weber Applied Technical College. They provide access and support to students interested in becoming certified in areas such as technology, health, construction, and manufacturing.

► *Use of Outside Agencies and Programs*

The roles of three outside agencies in transition services was discussed during each DLC visit: (1) Vocational Rehabilitation (VR); (2) the Division of Services for People with Disabilities (DSPD); and (3) universities, colleges, and technical schools. Some promising practices as well as continuing challenges related to each of the agencies and programs are outlined below.

VOCATIONAL REHABILITATION (VR)

VR under the direction the Utah State Office of Rehabilitation (USOR), is expected to implement “Employment First” provisions of Utah Code §53A-24-106.5, enacted in 2011, it states:

“ *When providing services to a person with a disability under this chapter, the office shall, within funds appropriated by the Legislature and in accordance with the requirements of federal and state law, **give priority to providing services that assist the person in obtaining and retaining meaningful and gainful employment....***”¹³

VR strategies supporting Employment First include:

Strategy 1.2 (B): Improve and expand partnerships with agencies that serve individuals that are transition aged youth and/or have developmental disabilities.

Activity B.3: Continue partnership with DSPD called the Supported Work Incentive (SWI) designed to provide long-term supports for individuals with developmental disabilities who are on the DSPD wait list who would not otherwise receive Supported Employment Service and assist DSPD with record keeping and legislative efforts to possibly increase funding.¹⁴

An interagency cooperative agreement was developed and implemented in January 2013 between the Utah State Office of Education (USOE) and USOR (VR's parent agency). It will directly impact student access to transition related VR services. Under the agreement, USOR will:

- advise VR counselors to attend any and all transition meetings, as appropriate, when the need for VR services has been identified;
- encourage relationship building across all levels of school personnel;
- provide orientations, presentations, information, and guidance, as necessary for schools and districts.
- encourage transition students to apply for VR services as appropriate, and as early as 16 years of age; and
- provide a designated liaison counselor, with readily available information and documentation needed to promote VR services, to each school and district.

USOE agreed to:

- advise schools and districts to invite, only with written parental consent, the VR counselor assigned to the school to the IEP meeting when the need for VR services is anticipated; this invitation will be extended at least one year prior to anticipated high school completion; and
- provide schools and districts with a list of VR counselors assigned to identified schools and districts to facilitate contact with the assigned VR counselor.¹⁵

Salt Lake City School District has taken the interagency agreement to the local level. VR has agreed to be available by phone, during IEP meetings, scheduled appointments, and/or email to:

- provide consultation and information about VR services;
- provide technical assistance to students, parents, and school personnel;
- individualize services for a student transitioning from school to employment; and
- provide counseling and guidance to students eligible for VR services.¹⁶

In turn, Salt Lake City School District has agreed to invite VR counselors to IEP meetings when they have the written consent of the parent. Additionally, they have agreed to provide opportunities for VR counselors to interact with students and offer an orientation for families. This would facilitate:

- support and referrals to VR; and
- technical assistances and collaboration with the VR transition counselor assigned to the district.¹⁷

The DLC specifically asked administrators, faculty, staff, and students about VR during each visit. Responses varied from a VR counselor who joined in the entire DLC visit to a school that had never heard of VR. Many students did not know VR by name, but were familiar with the agency or a counselor as we began to discuss it:

- Ogden School District has an exceptional relationship with the VR transition counselor. She accompanied the DLC on our tour of the district. Teachers and staff working with mild, moderate, and severe students knew the VR counselor, invited her to their classes, and to IEP meetings with the parent or guardian's consent. She knew students by name and was available to the school. By working together, VR was able to provide services prior to graduation, which led to smoother transition to competitive community employment.
- Davis and Weber School Districts offer a stipend for students (who qualify for VR) in the post-high school program. The stipend facilitates paid job training. This is a great way to provide students an incentive. The DLC hopes the job training activities are related to the student's interests, strengths, and preferences. Informed choice increases the likelihood of staying with the type of employment a student is being trained to do.
- Deanna Taylor, Special Education Director at City Academy, has conducted some of her own research on working with VR. She is applying these concepts in her own practice. Her research can be found at the following link: <http://digitalcommons.usu.edu/cgi/viewcontent.cgi?article=1294&context=gradreports>.
- Some rural parts of the state, like Duchesne School District, were very familiar with VR and started the eligibility application at age 16. Other rural areas knew of VR, but were not clear who the assigned counselor was or believed services could not be started until after graduation.
- One charter school was familiar with the VR counselor and provided students information about VR services. A second knew what VR was but did not know the counselor assigned to the school. The third had never heard of VR. The DLC discussed this with the Division. VR is committed to making sure charter schools are more fully informed about its existence and the services it offers.

Of the students we interviewed, about half were familiar with VR and 5 of 53 knew the name of their counselor.

DIVISION OF SERVICES FOR PEOPLE WITH DISABILITIES (DSPD)

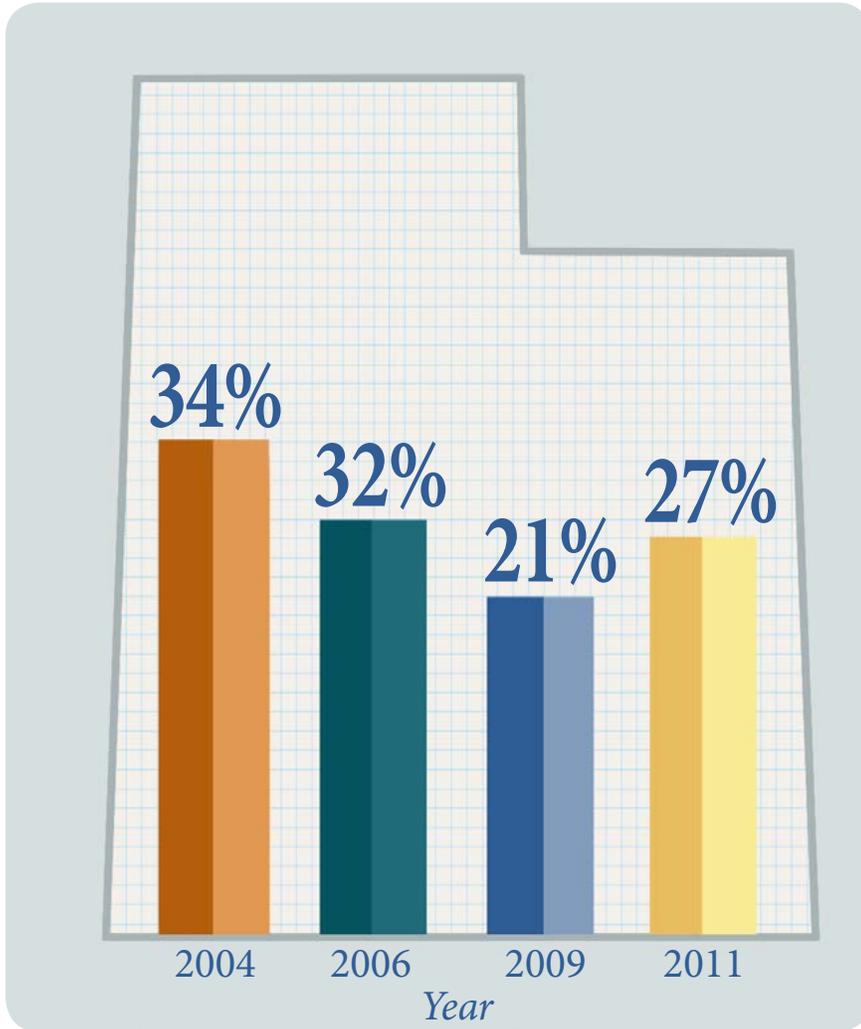
Utah Code §62A-5-103.3, enacted in 2011, outlines the expectations of DSPD, in relation to "Employment First":

1. When providing services to a person with a disability under this chapter, the division shall, within funds appropriated by the Legislature and in accordance with the requirements of federal and state law, **give priority to providing services that assist the person in obtaining and retaining meaningful and gainful employment** that enables the person to:



- a. purchase goods and services;
 - b. establish self-sufficiency; and
 - c. exercise economic control of the person's life.
2. The division shall develop a written plan to implement the policy described in Subsection (1) that includes:
- a. assessing the strengths and needs of a person with a disability;
 - b. customizing strength-based approaches to obtaining employment;**
 - c. expecting, encouraging, providing, and rewarding:**
 - i. integrated employment in the workplace at competitive wages and benefits; and**
 - ii. self-employment;**
 - d. developing partnerships with potential employers;
 - e. maximizing appropriate employment training opportunities;
 - f. coordinating services with other government agencies and community resources;
 - g. to the extent possible, eliminating practices and policies that interfere with the policy described in Subsection (1); and
 - h. arranging sub-minimum wage work or volunteer work when employment at market rates cannot be obtained.¹⁸

UTAH DSPD CLIENTS IN SUPPORTED OR COMPETITIVE EMPLOYMENT



The consistent message from school administration and staff was that a DSPD-eligible student is not expected to move into competitive integrated employment following transition services. This is not surprising when considering the number of DSPD clients in supported or competitive employment declined from 34-27% between 2004-2011.¹⁹ This despite the fact that half of DSPD clients surveyed want or may want a job in the community, and a quarter would like help with employment.²⁰

DSPD's funding and service delivery structure provides little to no incentive for integrated and competitive employment, which leaves recipients with limited alternatives beyond acceptance of day or sheltered work programs. This is inconsistent with legal requirements that give priority to gainful employment.²¹ A change in the DSPD's

philosophy would significantly enhance the ability of school transition services to promote employment to students and parents.

DSPD has begun efforts to implement an "Employment First" strategic plan in conjunction with DWS, VR, DSAMH, and others under Utah Code §62A-5-103.3, § 62A-15-105.2, § 35A.3-103-5, and §53A-24-106.5.²² While this effort is a good start, the group is looking at the legal requirements as a guideline, not a requirement. The DLC applauds their work, but DSPD administrators need to implement Utah Law as it is stated.

UNIVERSITIES, COLLEGES, AND TECHNICAL SCHOOLS

There is a national movement to prepare high school students for higher education. Think College is a national organization dedicated to developing, expanding, and improving inclusive higher education options for people with intellectual disabilities.²³ Given this shift, it is no surprise that many Utah schools seek more inclusive higher education experiences:

- Ogden School District, Davis School District, and Uintah River Charter School are using technical colleges as a transition services. Students become certified in a variety of areas including cosmetology, auto mechanics, technology, and as certified nursing assistants.

- Cache and Logan School District have access to the Utah State Postsecondary, Education, Employment, and Research (PEER) program at Utah State University (USU). The program is for young adults with developmental disabilities, age 18-21, participating in special education services in Cache or Logan School Districts. PEER emphasizes the development of employment, functional and social skills, and job training opportunities by fostering interaction with peers in the campus community. The goal is post-high school education and employment based on a student's IEP. The Center for Persons with Disabilities hosts the program on campus to facilitate the students' participation in social, recreational and employment opportunities.
- USU recently began accepting students for a new program called "Aggies Elevated." The program is available to students with certificates of completion from across the state, but will likely primarily serve students from Cache and Logan Districts due to geographical location. Many districts were already aware of the program. In fact, City Academy had a student who was hoping to attend. The school team was helping her prepare.
- Salt Lake School District offers a scholarship to Salt Lake Community College (SLCC) through their transition services at Horizonte School. However, a diploma is required. Unfortunately, once a diploma is received, a student no longer qualifies for IEP services.²⁴ Murray and Jordan districts told us they had worked with SLCC in the past to provide a college experience for students. Sadly, SLCC is apparently no longer willing to support these efforts without a diploma. The DLC will continue to look into this issue.



- Alpine and Provo School District students are able to take classes on the Utah Valley University (UVU) campus. Uintah River Charter School Students have participated in the Upward Bound program at UVU. Upward Bound is a federally funded program, sponsored by UVU, which assists high school students who will be the first generation in their family to graduate with a post-secondary degree.²⁵

RURAL COMMUNITIES

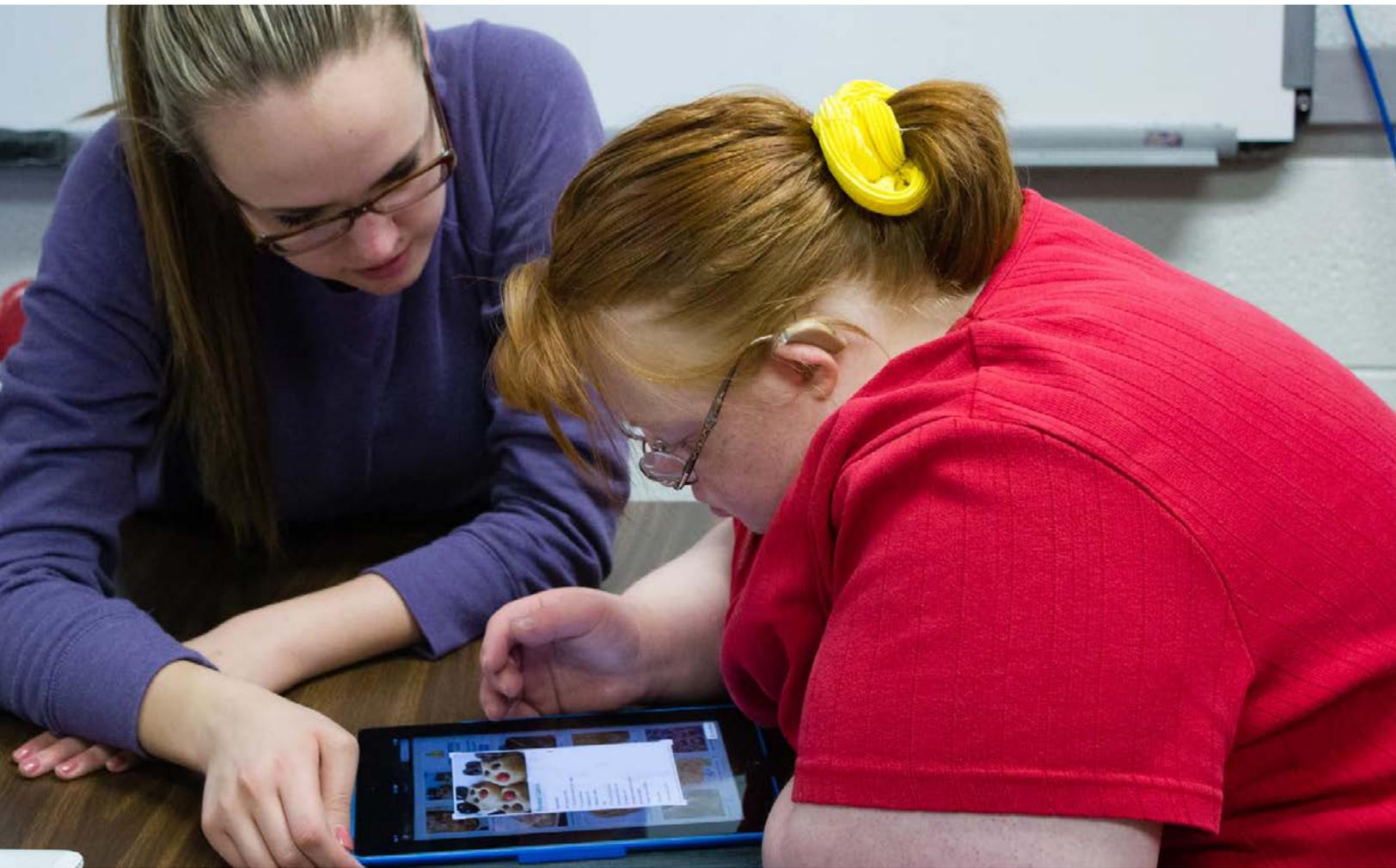
The DLC visited six districts and charter schools in rural areas of the state. Challenges included limited employment opportunities, lack of public transportation, and misunderstandings of state resources:

- Employment opportunities are naturally limited in areas of lower population. North Sanpete School District uses the resources they have. One student had an interest in sheep farming and there was an opportunity through community networking for the student to work on a sheep farm. Teachers providing transition services also encourage students to consider all options, including employment and education outside of Sanpete County.
- Uintah River Charter School works closely with the Ute Tribe, in Duchesne County, to provide work experiences and actual employment opportunities for students. Options include tribal government services, a bowling alley, and a grocery store.
- Public transportation in rural communities is often non-existent. Duchesne County is an exception. It has a county public transit system which students in Duchesne School District and Uintah River Charter School learn to use. However, most of the other rural areas we visited do not have this option. IEP teams need to consider transportation options when developing goals.
- In some rural locations, a few teachers believed parents are required to travel into more urban areas in order to receive services from agencies like DSPD or VR. Some areas were not familiar with DSPD or VR. Following our visits, the DLC has made an effort to connect rural schools with provider agencies in their area.

ACADEMICS

Academics were often a piece of post-high transition services. IEPs are individualized and a student's post-high services should be based on his or her long-term transition goals. For some students, such as those pursuing a diploma or postsecondary education, academic instruction may be a critical piece of their plan. For others, jobs skills and community-based instruction may take precedence. It is important for schools and districts to have flexibility with their programs in order to meet the unique needs of each student:

- Some schools and districts focus on academics throughout the entire transition experience. They determine that, if a student qualifies for post-high school services, academic services should be provided until the age of 22. Other schools and districts have a stronger emphasis on academics



at the beginning of post-high school services and decrease them as the student comes closer to completing the program. Some schools and districts monitor students throughout the post-high school experience and exit them when they are ready, regardless of age. The approach taken is up to the IEP team and the philosophy of the school or district.

- Packets were the only form of academics provided by a few schools and districts. Packets provide all the assignments required for a student to get credit in a particular academic area such as history or biology. The student works on the packet and asks for help from teachers and para-educators when needed. Packets are an educational tool, but they depend on a self-motivated student and do not provide any specialized instruction the student may require, or be entitled to, in order to receive an appropriate education. Therefore, transition services should not use packets as the sole method for educating students. This is not consistent with the IDEA.²⁶
- Some locations were providing only academic instruction for students in post-high school programs. Post-high school transition services are *to facilitate the student's movement from school to post-school activities....*²⁷ If academics are the only focus of the program, it is difficult to evaluate how well a student is prepared for employment, daily living, and life in the community.

Recommendations

- **AGENCIES RESPONSIBLE FOR SUPPORTING INDIVIDUALS WITH THE MOST SIGNIFICANT DISABILITIES** beyond public school need to rethink student abilities and provide them the opportunity to contribute to the community. Educators need to provide work experience for students in transition which is related to interests, preferences, strengths, and needs, and could potentially lead to employment.
- **EXPLORING JOB EXPERIENCES** related to strengths, interests, preferences, and needs is crucial to student success. Pre-set job sites that students rotate through are important during exploration of interests and strengths, but, in order to move in the direction of actual employment, student strengths, interests, preferences, and needs must become the focus of the work experience.



- **CUSTOMIZING WORK EXPERIENCE** based on a student's interests, preferences, strengths and needs is more difficult than placing him or her in a pre-set job placement experience. However, it will lead to a more results-oriented outcome and give the student access to a network of people working in his or her field of interest.
- **SCHOOLS AND DISTRICTS NEED TO BE CREATIVE** and reach out to other districts, schools, and resources to find out what works to secure parent buy-in to more integrated and community based transition services.
- **EARLY AND CONSISTENT** school, VR, DSPD, DSAMH, and DWS collaboration to help students find competitive employment in an integrated setting, with consideration for student interests, preferences, strengths, and needs, is more consistent with IDEA.
- **DSPD, DWS, VR, DSAMH AND SCHOOLS** need to promote integrated and competitive employment for all students as the first option. Agencies need to rethink the presumption that integrative and competitive employment will not work for students with significant disabilities.

- ▶ **DSPD SERVICES NEED TO BE CONSISTENT WITH LEGAL REQUIREMENTS** to give priority to meaningful gainful employment. Schools, parents, students, DSPD staff, private support coordinators, and other agencies need to work closely in developing school transition plans. Plans should promote, facilitate, and fund the supports to help students with the most significant disabilities get and keep integrated and competitive employment.
- ▶ **WHEN HIGHER EDUCATION INSTITUTIONS WORK WITH PUBLIC SCHOOLS**, it leads to greater experience, opportunity, and success for students with disabilities. Not all schools and districts have institutions of higher education available to them. We hope that those who do will consider the benefits of working with these institutions as part of transition services.
- ▶ **THERE ARE LIMITED JOB SITES IN RURAL AREAS.** Efforts to find community partners and think outside the box can lead to great success. Strengthening connections between rural schools and community services will improve success for students with disabilities statewide.
- ▶ **ACADEMICS ARE IMPORTANT AND EDUCATION SHOULD BE INDIVIDUALIZED.** Packets should be used as a tool and not the sole method of education. At a minimum, trips to the grocery store and bank, learning basic cooking skills, and gaining work experience in a community job should be priorities of the IEP team.

Conclusion

The DLC thanks the schools and districts that responded to our survey and allowed tours by our staff. We strongly support and advocate making integrated and competitive employment the priority for all students with disabilities preparing to transition to college and career. Student needs, strengths, preferences, and interests should drive the IEP development. There are obstacles and challenges to integrated and competitive employment for students with disabilities, but it is the correct path to achieving a more inclusive and just society. The highlighted promising practices and recommendations serve as an inspiration for families, providers, schools, and agencies looking to rethink what is possible and improve transition outcomes.

- ¹Utah State Office of Education 2013-14 Fingertip Facts, http://www.schools.utah.gov/data/Fingertip-Facts/2014_FingertipFacts.aspx. Utah State Office of Education Child Count of Students with Disabilities, December 1, 2013, <http://www.schools.utah.gov/sars/DOCS/data/1314ccount-alpha.aspx>.
- ²Utah State Office of Education Part B FFY 2012/ARP Response Table, <http://www.schools.utah.gov/sars/DOCS/apr/ffy12utrtrt.aspx>. Email data request response from Susan Loving, Transition Specialist, Utah State Office of Education, to LauraLee Gillespie, Staff Attorney, Disability Law Center (Oct. 17, 2013) (On file at the Disability Law Center).
- ³34 C.F.R. §300.43.
- ⁴Workforce Innovation and Opportunity Act, Pub. L. No. 113-128, 128 Stat. 1425, (2014).
- ⁵Workforce Innovation and Opportunity Act, Pub. L. No. 113-128, 128 Stat. 1425, (2014).
- ⁶United States Department of Labor, Office of Disability Employment Policy, Employment First, <http://www.dol.gov/odep/topics/EmploymentFirst.htm>.
- ⁷Utah Code § 35A-3-103.5 (2012), § 53A-24-106.5 (2011), §62A-5-103.3 (2011) §62A-15-105.2 (2012).
- ⁸Utah Code § 35A-3-103.5 (2012), § 53A-24-106.5 (2011), §62A-5-103.3 (2011) §62A-15-105.2 (2012).
- ⁹Workforce Innovation and Opportunity Act, Pub. L. No. 113-128, 128 Stat. 1425, (2014).
- ¹⁰34 C.F.R. §300.43.
- ¹¹34 C.F.R. §300.43.
- ¹²Pioneer Adult Rehabilitation Center (PARC), <http://www.parc-ut.org/>.
- ¹³Utah Code § 53A-24-106.5 (2011).
- ¹⁴State Plan for the State Vocational Rehabilitation Services Program and State Plan Supplement for the State Supported Employment Services Program Utah State Office of Rehabilitation State Plan for Fiscal Year 2014 (submitted FY2013), <https://rsa.ed.gov/view.cfm?rsaform=VR-State-Plan&state=UT&grant=H126A130066>.
- ¹⁵Interagency Cooperative Agreement Utah State Office of Rehabilitation and Utah State Office of Education, <http://www.schools.utah.gov/sars/DOCS/transition/2013usorusoe.aspx>.
- ¹⁶Email data request response from Rachel Anderson, Transition Specialist, Utah State Office of Rehabilitation, to Lindsay Boerens, Advocate, Disability Law Center (June 10, 2014) (On file at the Disability Law Center).
- ¹⁷Id.
- ¹⁸Utah Code § §62A-5-103.3 (2011).
- ¹⁹The Case for Inclusion, 2014, <http://cfi2014.ucp.org/data/>. StateData: The National Report on Employment Services and Outcomes, 2011, http://www.statedata.info/statedatabook/img/statedata2011_Fweb.pdf. Utah Division of Services for People with Disabilities, 2013, <http://dspd.utah.gov/pdf/FY2013%20DSPD%20Annual%20Report.pdf>.
- ²⁰Utah Division of Services for People with Disabilities, 2013, pg. 24. <http://dspd.utah.gov/pdf/FY2013%20DSPD%20Annual%20Report.pdf>.
- ²¹Utah Code §62A-5-103.3 (2011).
- ²²Utah Code § 35A-3-103.5 (2012), § 53A-24-106.5 (2011), §62A-5-103.3 (2011) §62A-15-105.2 (2012).
- ²³Think College, College Options for People with Intellectual Disabilities, <http://www.thinkcollege.net/>.
- ²⁴34 C.F.R. §300.102.
- ²⁵Utah Valley University, Upward Bound, <http://www.uvu.edu/trio/ub/>.
- ²⁶34 C.F.R. §300.1 and §300.39.
- ²⁷34 C.F.R. §300.43.

THE DISABILITY LAW CENTER

is Utah's designated Protection and Advocacy agency.

THE DLC'S MISSION:

...to enforce and strengthen laws that protect the opportunities, choices, and legal rights of Utahns with disabilities."

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