

# Workforce Innovation and Opportunity Act (WIOA) Frequently Asked Questions for Families



## **What is the Workforce Innovation and Opportunity Act (WIOA)?**

WIOA is a federal law passed in July 2014 that included new responsibilities for schools and the Division of Vocational Rehabilitation (DVR) to support students and youth with disabilities to transition from school to college and/or *competitive integrated employment*. WIOA has specific requirements to make sure students with disabilities receive transition services to help them reach their goals after they graduate from high school. WIOA requirements for schools went into effect in July of 2016. Some of the DVR requirements were effective immediately when the law was passed and others were implemented in July 2016.

## **What is DVR and what services can they provide?**

The Division of Vocational Rehabilitation (DVR) is a state agency that helps people with disabilities find, keep, and get better jobs. To be eligible for DVR services, a person must:

- Have a barrier to employment, and
- Require VR services to prepare for, secure, retain or regain employment.

DVR services are individualized for each person and listed in their Individualized Plan for Employment (IPE). The IPE is created by the individual, involved family members, and their DVR Counselor. More information about DVR services can be found at: <https://dwd.wisconsin.gov/dvr/>

## **What is Competitive Integrated Employment?**

The WIOA definition states that competitive integrated employment is full or part time work in the community where the person receives the same pay at or above minimum wage that a person without a disability would receive for doing similar work. This person is eligible for benefits provided to all employees and the job has the opportunity for advancement. The person will be working in the community alongside other employees without disabilities.

## **What is *NOT* Competitive Integrated Employment?**

There are employment options for people with disabilities that pay less than minimum wage. These are sometimes called sheltered workshops. The majority of people who work at sheltered workshops have disabilities. Pay at sheltered workshops is typically piece rate (pay based on number of items completed). This is also called sub-minimum wage.

## **How is WIOA Related to Transition Planning?**

WIOA placed additional responsibilities on schools and DVR to provide pre-employment transition services to students and youth with disabilities. The Wisconsin Department of Public Instruction (WDPI) aligned the transition services in the Postsecondary Transition Plan (PTP) with the requirements of WIOA to help students and families in making these choices. Youth ages 14-24 can no longer go directly from school to employment paying sub-minimum wage until they have worked with DVR. This is important for students and families to know.

## **Will There Be Changes in My Child's Transition Services in the PTP?**

Providing transition services to students with disabilities has been a requirement of schools for many years. WIOA specifies several categories of services call pre-employment transition services or Pre-ETS. WIOA also requires that DVR staff work in collaboration with schools to provide Pre-ETS to students with disabilities. Under WIOA, students and their families will work with the school and DVR to identify service needs in the following Pre-ETS areas:

- 1) Job Exploration Counseling Services
- 2) Work-Based Learning Experiences
- 3) Postsecondary and Higher Education Related Services
- 4) Work Readiness Social & Independent Living Skills (2 categories in the PTP: home & community)
- 5) Instruction in Self-Advocacy

An important change under WIOA is that schools can no longer pay for transition services that involve work experiences or employment that are segregated and pay less than minimum wage.

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### Why is WIOA a good thing?

WIOA strengthens transition planning by emphasizing career planning and work experiences. Transition planning conversations should be focused on setting goals for obtaining community based jobs that pay at least minimum wage. WIOA helps to ensure that youth with disabilities have the opportunity to receive services from the Division of Vocational Rehabilitation (DVR). Pre-ETS provided by schools and DVR will help youth achieve educational and competitive integrated employment goals with the supports and services needed to be successful.

### Who funds WIOA transition services and in what order (Schools, DVR, Family Care/IRIS)?

Schools are the primary provider and funder of transition services. DVR becomes involved when students and youth are ready to seek competitive integrated employment. This is generally about two years before students graduate from high school. Adult services, or long-term support programs are the funder of last resort for transition services when an individual is still in school. All partners should work together as some of the responsibility is shared. Please see the Transition Action Guide for more information on funding transition services. <https://www.dwd.wi.gov/dvr/policy-guidance/toolkits-guides-manuals/tag.pdf>

### What is the student and family role in transition planning?

The most effective transition planning is student-centered. It is critical that a student get involved in planning for her/his future by sharing strengths, interests, needs and preferences. Families can encourage their student to develop a vision for their own future. Families can also help their son/daughter direct the Postsecondary Transition Plan (PTP) to set education, employment, and independent living goals. Using the Wisconsin transition planning app is one way students can do this. [www.WiTransition.com](http://www.WiTransition.com) They can also work with the school staff to include appropriate transition services and accommodations in the IEP to help the student reach those goals.

### What else can I do to support my son or daughter with transition?

Families can also help their daughter or son discover strengths and interests by fostering independence and introducing new experiences. Family expectations help youth with disabilities develop a vision that includes work and community. Opportunities for youth assist them to succeed and learn from their failures. Talk about your own career and job and encourage your son or daughter to ask other people about their jobs too. If you need additional information and assistance, please contact your parent and advocacy organizations.

<http://dpi.wi.gov/excforall/family-and-community-engagement/family-engagement>

### Additional resources about WIOA:

Division of Vocational Rehabilitation (DVR)

<https://dwd.wisconsin.gov/dvr/job-seekers/subminimum-wage/>

<https://dwd.wisconsin.gov/dvr/job-seekers/transition/school-liaisons.pdf>

Department of Public Instruction (DPI)

<https://dpi.wi.gov/sites/default/files/imce/sped/pdf/tran-wioa-faq.pdf>

The Wisconsin Transition Improvement Grant (TIG)

<https://witig.org/transition-planning/wioa/>

Department of Education/Department of Labor (DOL)

<http://www2.ed.gov/about/offices/list/osers/rsa/wioa-final-rules.html>

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