

MEMORANDUM TO CAROL H. RASCO

FROM: Stanley S. Herr

CC: Jeremy Ben-Ami

SUBJ: Followup to October 27th Meeting on "Transition"

DATE: November 22, 1994

Attached is the joint product of the group that met in your office on transitions to adulthood. In response to your invitation to submit their ideas on how to move forward on this key issue, they sent us a four-page memorandum with recommendations at pp. 2-4, with a 16-page appendix that proposes a joint technical assistance project to support students with disabilities, including those with severe disabilities, in a range of school-to-work and postsecondary educational settings.

This material is a very promising start. Although I would have some concerns about highlighting the disability unemployment statistics in the way they suggest (pp. 2-3), I believe that the core of their recommendations (disseminating best practices, technical assistance projects, National meeting on this topic) sounds great. Rather than a separate DPC Task Force on this subject, I would hope that it can find a home as a subgroup of the National Disability Policy Review. Our meeting on November 30th could clarify that possibility,

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Some possible ideas that could be raised at this meeting include:

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

MEMORANDUM

TO : Carol Rasco
Assistant to the President
for Domestic Policy

CONTRIBUTORS : Susan Daniels (SSA)
Trish McNeil (OVAE)
Howard Moses (OSERS)
Jack Rapport (DOL)

SUBJECT : Follow-up on Transition Meeting

This memo is intended as a follow-up to our recent discussion on the transition of youth with disabilities from school to work and represents input from the Office of Special Education and Rehabilitative Services (OSERS), the Office of Vocational and Adult Education (OVAE), the Social Security Administration (SSA) and the Department of Labor (DOL). We are extremely excited about your interest in this area, and while this memo barely scratches the surface regarding issues of employment for individuals with disabilities, we have focused initially on issues of transitioning youth. It is important to recognize that these issues must be looked at in terms of the broader issues of inclusion of people with disabilities in all aspects of society that will be addressed by the Disability Policy Group. This memo will: 1) briefly highlight some of the current authorities within OSERS, SSA, OVAE, relevant to transitioning youth and 2) recommend options across agencies to improve employment opportunities for youth with disabilities.

Current Authority:

The Social Security Administration has current authority to provide vocational rehabilitation (including vocational training, skills training, job placement etc.) to SSI and SSDI beneficiaries to assist them in obtaining and maintaining employment. Employment must be at a level of "substantial gainful activity" which would eventually cause termination of the beneficiary's cash benefit and result in a savings to the social security fund. SSA may purchase rehabilitation and employment services from state Vocational Rehabilitation Agencies or private rehabilitation providers. Payments to VRAs or private providers may be made in advance or by way of reimbursement.

The Office of Special Education and Rehabilitative Services has current authority to impact on the transition of individuals with disabilities from school-to-work through the Individuals with

Disabilities Education Act (IDEA) and the Rehabilitation Act of 1973. Under the IDEA, the following activities are authorized: research and demonstration, outreach, personnel, parent and professional development, technical assistance and other activities that support students in transition from school to employment. These activities are designed to ensure the successful transition of youth with disabilities from school to adult life, including employment.

Under the Rehabilitation Act, State vocational rehabilitation agencies provide direct and purchased services to youth transition from special and regular education who meet eligibility criteria. In States where all eligible individuals cannot be served, persons with the most severe disabilities are to be served first. A wide range of vocational, assessment, training, educational and medical services may be provided to assist each person served to achieve an individualized employment goal. Competitive employment in integrated settings are emphasized, including supported employment with extended services being provided by others.

The National Institute on Disability and Rehabilitation Research (NIDRR) supports a wide range of disability research, rehabilitation engineering and technology-related activities. Much of this research is conducted by large, university-based centers, and is on topic areas either directly or indirectly supporting increased employment and independent living opportunities for persons with disabilities, including youth with disabilities.

In addition to the authorities described above, the Departments of Education and Labor are jointly administering the School-to-Work Opportunities Act of 1994. The Act is designed to establish a national framework for the development of School-to-Work Opportunities systems in all States. Students with disabilities must be included in the State systems that are developed. These systems will focus on the connections between education and employment and are designed to prepare students for high-skill, high wage jobs or further education and training.

WHAT ELSE COULD BE DONE?

General Considerations:

- * Carol Rasco and DPC should act as a focal point to lead the government-wide effort on transition issues.
- * The administration could direct the Bureau of Labor statistics to report the numbers of persons with disabilities that are unemployed in their regular monthly report. This would raise consciousness and bring general

visibility to employment issues for people with disabilities

- * Promote the Federal Government as a primary employer of people with disabilities and target transition age group for employment.
- * Increasing the abilities of existing job development, job training, and job placement programs etc., to meet their obligations to serve individuals with disabilities under Section 504 of the Rehabilitation Act.
- * Establish a task force on Transition to Employment to address immediate issues which may include:
 - Report on current status of transition age youth (BLS, dropout rates, income levels, under-employment, other teen/youth statistics)
 - Coordinate interagency initiatives for youth in transition age group
 - Develop a strategic plan for improvement of transition to employment outcomes with recommended actions, target dates, and outcomes
 - Oversee joint initiatives across agencies
- * Develop a large Federal project funded in a number of different States with a 5 year demonstration/discretionary period and joint funding (OSEP, RSA, Labor, Vocational Education, SSA). The project would provide direct employer connections through job placement professionals and real employment outcomes for young people who are not college bound and are transition age. (similar to projects with industry model with employer advisory committees, individualized job development and job placement strategies, trial work periods, employer subsidies, etc.) After 5 years and evidence of success the project becomes a permanent program and funded through current funding authorities. This effort would support the systems created under STW.
- * OSERS is completing work on a joint technical assistance initiative between OSERS three program components and the OVAE that is designed to support the School-to-Work initiative (see Attached). In addition to assisting grantees supported under the STW Act to include individuals with disabilities, this proposed project will assist transition grantees funded by OSERS to link with the systems created under the Act. This type of activity helps ensure

that generic programs serve all students and reduces the likelihood of parallel systems of services.

- * The Departments of Education and Labor, under the STW initiative, are considering running additional competitions in response to needs encountered by grantees in operating school-to-work systems. Supporting students with disabilities is one area under consideration.
- * Reauthorization issues - The IDEA, the Adult Education Act and the Carl Perkins Vocational Technical Education Act are up for reauthorization shortly. These reauthorizations will be developed within the context of the Departments efforts related to Goals 2000: Educate America Act and the School-to-Work Opportunities Act of 1994. Reauthorization of these programs may require corresponding amendments to the Rehabilitation Act of 1973 -- which itself is slated for reauthorization in 1997. These reauthorizations, like Goals 2000 and STW, should focus not just on the delivery of services, but on the outcomes they lead to for those that are served. These reauthorizations will also focus on the critical shortages of trained personnel necessary to accomplish substantial improvements in employment opportunities for individuals with disabilities.
- * Highlighting successful school-to-work practices - It is extremely important to rapidly disseminate information on model programs that have been successful in assisting students with disabilities to obtain job experiences while in school and employment as they transition from high school and other postsecondary settings. There are a number of conferences that currently focus on this area, including the OSERS Transition Project Directors meeting.

This week long meeting is held in the spring and includes individuals involved in model development and systems change activities. There are number of conferences held each year that focus on employment issues, school restructuring etc. It is extremely important that these conferences include information on employment of individuals with disabilities. Far too often, little information is provided on how to accommodate individuals with disabilities in employment setting although there are successful efforts across the country. In addition, we may want to consider a National Meeting that focuses on the STW initiative as well as OSERS activities that demonstrate the Administrations commitment to provide leadership and resources in this area.

D R A F T

4000-01

DEPARTMENT OF EDUCATION

**Secondary Education and Transitional Services for Youth with
Disabilities Program**

AGENCY: Department of Education

ACTION: Notice of proposed priority

SUMMARY: The Secretary of Education proposes to establish an absolute priority for an award to provide technical assistance to improve the transition from school to work and other postsecondary settings, including assistance to State and local partnerships that are responsible for developing and implementing School-to-Work Opportunities systems. This proposed priority is intended to provide technical assistance to support students with disabilities, including those with severe disabilities, in a wide range of school to work experiences and promote their successful transition to a variety of postsecondary settings. The Secretary also proposes selection criteria that will be applied in evaluating applications submitted for this competition.

ADDRESSES: All comments concerning this proposed priority should be addressed to Joseph Clair, U.S. Department of Education, 600 Independence Avenue, S.W., Room 4622, Switzer Building, Washington, D.C. Telephone: (202) 205- . Or _____.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at

1-800-877-8339 between 8:00 a.m. and 8:00 p.m., Eastern time,
Monday through Friday.

SUPPLEMENTARY INFORMATION:

Over the last decade, three pieces of Federal legislation have been enacted that impact on the transition of students with disabilities from school to adult life and gainful employment. These include the Individuals with Disabilities Education Act (IDEA), the Rehabilitation Act of 1973, and the School-to-Work Opportunities Act of 1994. Each piece of legislation is described below.

The Individuals with Disabilities Education Act requires that a statement of needed transition services be included in the individualized education program (IEP) of all eligible students beginning no later than age 16, and at a younger age if appropriate, and that the required services be updated on an annual basis. 20 U.S.C. 1401(a)(20) Transition services are defined as "a coordinated set of activities for a student, designed within an outcome-oriented process, which promotes movement from school to post-school activities... and shall include instruction, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation." 20 U.S.C. 1401(a)(19).

The Rehabilitation Act requires the State Vocational Rehabilitation programs to enter into formal interagency cooperative agreements with education officials responsible for the provision of a free appropriate public education to students

with disabilities in order to facilitate the development and accomplishment of goals and objectives to enable them to live independently before leaving the school setting consistent with the goals and objectives in the students' individualized education program. State vocational rehabilitation plans must also include plans, policies and procedures that address: (i) provisions for determining State lead agencies and qualified personnel responsible for transition services; (ii) procedures for outreach to and identification of youth in need of such services; and (iii) a timeframe for evaluation and follow-up of youth who have received such services. 29 U.S.C. 721(a)(24).

In May, President Clinton signed into law the School-to-Work Opportunities Act of 1994. This law, operated through a partnership of the Departments of Education and Labor, establishes a national framework within which all States can create statewide School-to-Work Opportunities systems. These systems will be designed to help youth acquire the knowledge, skills, abilities, and labor market information they need to make a smooth and effective transition from school to career-oriented work and to further education and training.

Under the School-to-Work Opportunities Act of 1994, 20 U.S.C. 6101 et seq., States and local partnerships are developing and implementing plans for school-to-work opportunities systems that will provide opportunities for all students, including those with disabilities, to prepare successfully for high-skill, high-wage jobs or further education and training. Any student who

completes a School-to-Work program of study will receive: 1) a high school diploma, 2) a certificate or diploma recognizing 1 or two years of postsecondary education, if appropriate, and 3) a portable, industry-recognized skill certificate. While each State and locality will have broad latitude to design its own system, every local system will have common core components:

- Work-based learning - Providing students with a planned program of job training and work experiences in a broad range of tasks in an occupational area, as well as workplace mentoring.

- School-based learning -- Including a coherent multi-year sequence of instruction -- typically including at least 2 years of secondary education and at least 1 or 2 years of postsecondary education -- tied to occupational skills standards and challenging academic standards such as those established by States under Goals 2000.

- Connecting activities -- To ensure coordination of the work and school based learning components, such as providing technical assistance in designing work-based learning, matching students with employers' work based learning opportunities, and collecting information on what happens to students after they complete the program.

This award will be jointly funded in fiscal year 1995 by three statutory authorities: (1) the Secondary Education and Transitional Services for Youth with Disabilities Program

authorized by section 626 of the Individuals with Disabilities Education Act, (2) sections 202(b)(4) and (6) of the Rehabilitation Act of 1973, and (3) the Cooperative Demonstration Program authorized by section 420A of the Carl D. Perkins Vocational and Applied Technology Education Act (the Perkins Act). In fiscal year 1996, the award will also be funded by section 311(d) of the Rehabilitation Act of 1973. The Secretary has determined that this joint award is necessary because of the need to provide technical assistance to support students with disabilities in a wide range of school to work experiences and promote their successful transition to a variety of postsecondary settings.

The funds provided under the Cooperative Demonstration Program must meet the cost-sharing requirement of section 420A(b)(2) of the Perkins Act implemented by 34 CFR 426.30. In the first year of the project, we anticipate \$25,000 from this funding source. The funds provided under section 311(d) of the Rehabilitation Act of 1973 must be used only for youth who are individuals with severe disabilities. In the application notice, we will inform potential applicants how much funding we estimate will come from each program. As noted above, we anticipate that the source and amount of funding will change in future years and will notify the grantee.

ELIGIBLE APPLICANTS: Institutions of Higher Education (IHEs), State educational agencies (SEAs), Local educational agencies

(LEAs), and other public or private non-profit institutions or agencies.

APPLICABLE PROGRAM REGULATIONS: 34 CFR Part 326 and 34 CFR Part 426.

PROGRAM AUTHORITY: 20 U.S.C. 1425, 20 U.S.C. 2420a, 29 U.S.C. 761a(b)(4) and (6), 29 U.S.C. 777a(d), section 430 of the General Education Provisions Act (GEPA) as amended by sections 212(b)(1) and 241 of the Improving America's Schools Act of 1994, Pub. L. 103-382, October 20, 1994.

Proposed Priority: Accessing School-to-Work and Postsecondary Environments -- A Technical Assistance Effort

Purpose: The purpose of this technical assistance project is to improve the skills and knowledge-base of (1) staff delivering transitional services and (2) School-to-Work grantees to assist individuals with disabilities, including those with severe disabilities, to become integrated into appropriate transition programs and School-to-Work Opportunities systems established at State and local levels. The proposed project must provide technical assistance to all OSERS transition and postsecondary education projects as well as to States funded under the School-to-Work Opportunities Act to ensure that they provide personnel with the necessary training to accommodate and support students with disabilities, including those with severe disabilities, in the transition to a variety of postsecondary settings. The project will also disseminate information to local partnerships and other interested parties.

Project activities must include the development of effective

practice information on: (1) promoting compliance with transition requirements mandated by Part B of the Individuals with Disabilities Education Act, the Rehabilitation Act, and the School-to-Work Opportunities Act; (2) effective strategies for helping students with disabilities, including those with severe disabilities, access transition programs including those supported by the School-to-Work Opportunities Act; (3) overcoming administrative, attitudinal, and programmatic barriers that limit the planning and implementation of effective practices for students with disabilities in transitional programs, such as those that school personnel can use to encourage and facilitate extensive student/parent involvement; (4) working with statewide School-to-Work Opportunities systems, in collaboration with activities initiated by the State Systems for Transition Services projects, to help students with disabilities, including those with severe disabilities, acquire the academic and occupational skills, abilities, and labor market information they need to make a smooth and effective transition from school to career-oriented work or to further education or training; (5) building on and enriching current promising programs such as tech-prep education, career academies, school-to-apprenticeship, youth apprenticeship, cooperative education, adult education, adult service providers, and business-education compacts so they meet the requirements of the School-to-Work Opportunities Act; (6) facilitating the representation of disability interests in the formation of partnerships among secondary and postsecondary educational

institutions, private and public employers, labor organizations, government, community groups, parents, and other key groups; and (7) ensuring that students with disabilities, including those with severe disabilities, are provided an integrated array of learning experiences in the classroom and at the worksite, including appropriate modification of curriculum, instructional techniques, equipment, and the work environment.

The Secretary anticipates funding one cooperative agreement with a project period of up to 60 months subject to the requirements of 34 CFR 75.253(a) for continuation awards. In making the initial award, the Secretary will consider the extent to which applicants provide evidence that States receiving School-to-Work grants are likely to participate in the training and other technical assistance activities provided by the Technical Assistance Project.

The Technical Assistance Project must demonstrate on-going collaborative relationships among other established and relevant school-to-work and transitional efforts, including entities that will be involved with the broader technical assistance efforts of the School-to-Work Initiative and entities which have assisted in the development of Statewide systems. Procedures to promote the involvement of students, parents, relevant employment training agencies and other providers of adult services, and members of under-represented populations in the proposed project must be clearly delineated.

In determining whether to continue this technical assistance

project for the third, fourth, and fifth years, the Secretary, in addition to applying the requirements of 34 CFR 75.253(a), will consider the recommendation of a review team consisting of three experts selected by the Secretary. The review, including a two-day visit to the project, is to be performed during the third quarter of the second year and must be included in the year's evaluation required under 34 CFR 75.590. Funds to cover costs associated with the services to be performed by the review team are estimated to be approximately \$4,000.

Priority:

The Technical Assistance Project considered for funding under this priority must:

(1) Identify proven models, components of models, or exemplary practices and approaches that can successfully support and accommodate students with disabilities, including those with severe disabilities, in transition from school to employment and other postsecondary environments, including information from model demonstration transition projects supported by all programs in the Office of Special Education and Rehabilitative Services (OSERS) and those created under the School-to-Work Opportunities Act;

(2) Document proven and exemplary transition practices and approaches by collecting, analyzing, and reporting a variety of descriptive and outcome data, including (a) specific information on the educational settings, the students targeted by the practices and approaches (e.g., age, disability, level of

functioning and membership in a special population, if appropriate), (b) outcome data for the students who are the focus of these practices and approaches; and (c) outcome data for the teachers, administrators, and other service providers involved in the effort;

(3) Prepare, field-test, revise, and publicize user-friendly documentation of model practices;

(4) Disseminate information on effective practices to all relevant audiences, including project directors, policy makers, administrators, personnel from educational agencies, community leaders, parents, service providers, grantees under the School-to-Work Opportunities Act, and other interested parties;

(5) Coordinate a network among relevant OSERS transitional efforts, specifically research and model demonstration projects, technical assistance entities, and clearinghouses. Coordination activities must include (a) the analysis of research and model demonstration project designs through progress and final reports describing the interventions and the synthesis of findings across competitions to identify effective practices, (b) the provision of logistical support for an annual project directors' meeting for all OSERS sponsored transition and postsecondary projects, and (c) the development of an annual directory of these projects;

(6) Establish and maintain a comprehensive library of information related to transition/school-to-work best practices. Access to this information must be made available through an on-line electronic bulletin board/data base. Users must be able to

locally access this bulletin board/data base and download selected information. No charge may be made for access to this information;

(7) Enter into agreements with States receiving School-to-Work Implementation Grants to develop technical assistance plans based on their identified needs for the purposes of establishing School-to-Work Opportunities systems in collaboration with activities initiated by the State Systems for Transition Services projects, that address the needs of all students, including those with disabilities. This assistance will include, but not be limited to, providing information on successful practices in training, teacher instruction, adaptation of materials, curriculum development, recruitment, and evaluation;

(8) Provide technical assistance, training, and on-going consultation based on agreements developed in paragraph (7) to personnel involved with the technical assistance efforts of the Federal School-to-Work Initiative and other technical assistance efforts. These efforts may take on many different forms, such as the participation in national meetings, one-on-one State visits, regional sessions, and visits to successful School-to-Work projects. The training and consultation must include the use of materials and strategies for accessing, recruiting, accommodating, and supporting students with disabilities, including those with severe disabilities, in the State School-to-Work systems developed under the Act;

(9) Assist the Departments of Education and Labor in

evaluating the extent to which students with disabilities have access to, participate in, and benefit from the range of School-to-Work Systems through the analysis of data from State and local implementation. This effort must be coordinated with the evaluation activities carried out under the Act;

(10) In years 2 & 4, conduct a National forum in Washington, DC that identifies persistent problems, proposes solutions, and responds to emerging issues and trends in providing students with disabilities access to the School-to-Work systems. Invited participants must include, but make limited to, Development and Implementation grantees under the School-to-Work Opportunities Act; and

(11) Provide support for at least 10 graduate students annually to assist with the provision of technical assistance with an emphasis on recruiting students from traditionally underrepresented populations.

Selection Criteria for Evaluating Applications

Under the Accessing School-to-Work and Postsecondary Environments -- A Technical Assistance Effort competition, the Secretary will use the following selection criteria.

(a) **Plan of Operation.** (points) The Secretary reviews each application to determine the quality of the plan of operation for the project, including-

(1) The extent to which the plan of management is effective and ensures proper and efficient administration of the project; and

(2) How the applicant will ensure that project participants who

are otherwise eligible to participate are selected without regard to race, color, national origin, gender, age, or handicapping condition.

(b) **Quality of key personnel.** (points) (1) The Secretary reviews each application to determine the quality of key personnel the applicant plans to use on the project, including-

(i) The qualifications of the project director (if one is to be used);

(ii) The qualifications of each of the other key personnel to be used in the project;

(iii) The time that each person referred to in paragraph (b)(1) (i) and (ii) of this section will commit to the project; and

(iv) How the applicant, as part of its nondiscriminatory employment practices, will ensure that its personnel are selected for employment without regard to race, color, national origin, gender, age, or handicapping condition.

(2) To determine personnel qualifications under paragraph (b)(1) (i) and (ii) of this section, the Secretary considers-

(i) Experience and training in fields related to the objectives of the project; and

(ii) Any other qualifications that pertain to the quality of the project.

(c) **Budget and cost-effectiveness.** (points) The Secretary reviews each application to determine the extent to which-

(1) the budget is adequate to support the project; and

(2) Costs are reasonable in relation to the objectives of the

project.

(d) **Evaluation plan.** (points) The Secretary reviews each application to determine the quality of the evaluation plan for the project, including the extent to which the applicant's methods of evaluation-

(1) Are appropriate to the project; and

(2) To the extent possible, are objective and produce data that are quantifiable.

(e) **Adequacy of resources.** (points) The Secretary reviews each application to determine the adequacy of the resources that the applicant plans to devote to the project, including facilities, equipment, and supplies.

(f) **Evidence of need.** (points) (1) The Secretary reviews each application to assess whether the need for the proposed technical assistance has been adequately justified.

(2) The Secretary determines the extent to which the application-

(1) Describes the technical assistance needs to be addressed by the project;

(ii) Describes how the applicant identified those needs;

(iii) Describes how those needs will be met by the project; and

(iv) Describes the benefits to be gained by meeting those needs.

(g) **Project design.** (points) (1) The Secretary reviews each application to evaluate the quality of the proposed technical assistance project design.

(2) The Secretary determines the extent to which-

(i) The technical assistance objectives are designed to meet the identified needs and are clearly defined, measurable, and achievable;

(ii) The content of the proposed technical assistance and instructional approach are appropriate for the project participants.

(3) The Secretary determines the extent to which each application provides for-

(i) A method for gaining the participation of prospective target populations in need of technical assistance;

(ii) Innovative procedures for disseminating information and imparting skills to project participants; and

(iii) Use of current research finding and information on model practices in providing the technical assistance.

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- consider whether the DPC in conjunction with DoE, SSA, DoL, or with a non-profit or foundation should convene a 1 or 2-day meeting on "Transitions at a Crossroads: Promising Practices and Programs that Work" (or something to that effect). Some of the invitees to such a meeting are identified in the attached one-page memo from Judy Heumann via Prudence Lezy.

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