

Implementing New Requirements of the Workforce Innovation and Opportunity Act

Three components of WIOA most impactful to school transition services are:

- 1) Youth with disabilities ages 14-24 must work with DVR prior to making the decision to be employed for sub-minimum wage.
 - 2) Schools and the Division of Vocational Rehabilitation (DVR) must collaborate to ensure the provision of a set of designated Pre-Employment Transition Services to all students with disabilities.
 - 3) Prohibition on contracts between LEA's and vendors that involve having students with disabilities engaged in work paid at sub-minimum wages.
- WDPI will support districts with the provision of Pre-employment Transition Services by providing options in the Postsecondary Transition Plan (PTP) system aligned with WIOA-required categories.
 - WDPI is working with the Division of Vocational Rehabilitation (DVR) to determine specific methods for strengthening collaboration to ensure shared requirements are met.

With regard to section 511 of WIOA and the prohibition of contracts between LEA's and vendors for the purpose of operating a program in which students with disabilities (ages 14-21) are engaged in subminimum-wage work:

- Contracts with vendors for transition services that include having one or more students with a disability being evaluated or trained on work that is typically paid at a sub-minimum wage rate are no longer allowed under WIOA (as of 7/22/16).
- Contracts with vendors for vocational evaluation, job development, and work experience ***are still allowed***, but must be for community-based services and involve only integrated, competitive employment assessment and experiences.
- School districts cannot utilize contracts with vendors for students with disabilities to participate in work that is typically paid a sub-minimum wage even if a student, a) earns wages equal to minimum wage or higher due to high productivity rate, b) is paid minimum wage by the vendor regardless of productivity rate, c) agrees to volunteer to learn/complete the work.

This means that educational funding can no longer be used to support student engagement in work that is paid under a 14 (c) subminimum wage certificate.

Please see additional information on the Transition Improvement Grant (TIG) website and contact your regional TIG Coordinator for support and assistance making transition program changes to comply with new WIOA regulations. <http://www.witig.org/wioa-have-you-heard-about-wioa.html>

