VOCATIONAL EDUCATION FOR STUDENTS WITH DISABILITIES

This is the first of a three-course sequence designed to prepare students for careers and post-school adult living. The first course, Career Preparation, Course Number 7980110, focuses on the acquisition of the necessary knowledge and skills. The second course, Career Experiences, Course Number 7980120, provides opportunities for application of the knowledge and skills in school or community work experience situations with coaching and instructional assistance. The last course, Career Placement, Course Number 7980130, provides the opportunity for students to be placed in a community-based work setting. Students with the ability to perform paid employment must be paid in accordance with Federal Wage and Hour Standards.

Completion of the first course and mastery of all objectives should be followed before students are placed in the next sequential course. The first two courses are taught in the classroom with little to no placement in community based work setting. When placing students in these classes please ensure that the IEP is being followed. The IEP clearly states that the student will be placed in Non Paid Community-Based Vocational Education Programs and for what reason.

2012/13/ In light of current budget cuts the following will be put in place:

1. Off campus experience will be limited to 12th grade students 3x a week

When a student is taking the first course, Career Preparation, Course Number 7980110, they can have 5 hours per job experience for vocational exploration. When a student is taking the second course, Career Experiences, Course Number 7980120, they can have 90 hours per job experience for vocation assessment. (ex. 3 hrs x 3days a week) When a student is taking the last course, Career Placement, Course Number 7980130, they can have 120 hours per job experience for vocational training. (3 hrs x 3 days a week = 3mons 3 days)

Vocational exploration (9, 10th graders, in classroom experience) involves investigating a student’s interests, values, beliefs, strengths, and needs in relation to the demands and other characteristics of work environments. Students are exposed briefly to a variety of work settings to help them make decisions about future career directions or occupations. Exploration enables students to make choices regarding career and occupational areas they wish to pursue. Vocational exploration might also include “job shadowing.” In this phase, students are merely observing the job and talking with employees. Any actual work trial in this phase should be very brief and limited and under the direct supervision of school personnel.

Vocational assessment (10, 11th graders, classroom, on and off campus) helps determine individual training objectives for a student with a disability. In this component, the student performs work assignments in various businesses under the direct supervision of school personnel and employees of the business. Assessment data are systematically collected on the student’s interests, aptitudes, needs, learning styles, work habits, behaviors, personal and social skills, values and attitudes, and stamina. The student rotates through various work settings corresponding to the student’s employment preferences as situational assessments are completed by school personnel and on-site employees. As a result, students are assisted with their selection of work settings in which
they can more closely pursue career or occupational areas that match their interests and aptitudes. Vocational assessment for the purposes of CBVE is typically a form of situational assessment. Although on-site employees may perform supervision and data collection in this phase, it is strongly recommended that school personnel or its contracted providers remain on-site at all times during the assessment phase. It is also important to remember that there are many other forms of vocational assessment that might be conducted outside of the parameters of CBVE which would not impact the hour’s restrictions. Time spent on classroom assessments and interest inventories, such as Choices or Self-Directed Search, when used in the classroom, would not count towards the hours restrictions for vocational assessment. Only hours spent in a particular job description for the purposes of vocational assessment would be counted towards the hours restrictions.

**Vocational training (11th, 12th graders on and off campus)** places the student in various employment settings for work experience. The students, parents, and school personnel should develop a detailed, written training plan which includes the competencies to be acquired, the method(s) of instruction to be used and the procedures for the evaluation of the training experience. Training should be closely supervised by a representative of the school but may also be done by a designated employee or a supervisor. The purpose of this component is to enable students to develop the competencies and behaviors needed to secure and maintain paid employment.

Vocational training helps students to acquire the necessary skills to obtain and maintain paid employment eventually. During this phase, districts may allow the designated employees or supervisors within the workplace to assume some of the supervision duties.

A complex series of factors are considered for the legal determination as to whether or not the activities of the students at the CBVE placement site would result in an immediate advantage to the business that could trigger a violation of the FLSA.

**The Department of Labor will look at several factors.**

- There has been no displacement of employees; vacant positions have not been filled; employees have not been relieved of assigned duties; and the students are not performing services that, although not ordinarily performed by employees, clearly are of benefit to the business.

- The students are under continuous and direct supervision by either representative of the school or by employees of the business.

- Such placements are made according to the requirements of the student’s individual educational plan (IEP) and not to meet the labor needs of the business.

- The periods of time spent by the students at any one site or in any clearly distinguishable job classification are specifically limited by the IEP. (United States Department of Education, 1992)

Six criteria are used by DOL to determine whether or not the trainees or students are employees within the meaning of FLSA.
If all six of the following criteria apply, the trainees or students are not employees within the meaning of the FLSA:

• The training, even though it includes actual operation of the facilities of the employer, is similar to that which would be given in a vocational school.

• The training is for the benefit of the trainees or students.

• The trainees or students do not displace regular employees but work under their close observation.

• The employer that provides the training derives no immediate advantages from the activities of the trainees or students, and on occasion operations may actually be impeded.

• The trainees or students are not necessarily entitled to a job at the conclusion of the training period.

The employer and the trainees or students understand that the trainees or students are not entitled to wages for the time spent in training. (United States Department of Labor, 1993)

WHO CAN PARTICIPATE IN CBVE

Students who meet state guidelines for special education may participate in CBVE if it is determined appropriate for them.

Note: It is important that the types of activities students with disabilities engage in to prepare for employment are parallel to those of their non disabled peers.

DETERMINE WHICH STUDENTS MIGHT NEED CBVE

The determination should be based on the individual student’s needs, taking into account the student’s preferences and interests. CBVE would be considered a major change in placement for students and would require a change in the Transition IEP. The local education agency (LEA) must invite the student to any meetings considering transition services or participation in CBVE.

The not immediately obtainable language was placed in the guidelines to ensure that students would not be placed in exploration, assessment, or training components of CBVE if they were capable of obtaining employment at or above the minimum wage level. CBVE programs are organized educational activities intended to prepare students while they are in school for paid employment.

• CBVE is intended for but not limited to students with severe disabilities. The level of severity must be based on skills and behaviors necessary to function in a work setting. Examples of ongoing support services include job redesign, job coaching to retain employment, environmental adaptations, personal assistance services, transportation, and social skills training (Rehabilitation Act Amendments of 1992, Senate Report 102-357, p.24).
These decisions are made at the students IEP meeting

The individual educational plan (IEP) for each student with a disability is written to document the educational needs that result from the disability and the special education and related services that must be provided. The descriptions of the present levels of educational performance and accompanying statements of measurable annual goals including short-term objectives and/or benchmarks provide the basis for determining the specific services, accommodations, and program modifications for the student.

In addition to the other requirements, beginning at age 14 the IEP team must address the student’s transition needs. The IEP for students ages 14-21 is referred to as a transition IEP. The purpose of the transition IEP is to support the student in achieving his or her desired post-school outcomes. For a student who is age 14 (or younger as appropriate), the IEP team should identify transition service needs that focus on the courses of the student. For students ages 16 and older (or younger as appropriate), the IEP team will address the student’s transition service needs.

Please note there should be one Vocational Trainer for each 8 students, as written in the staffing plan.
The Transition IEP Samples of goals:

*Exploration – (9, 10th graders classroom instruction)*

Sample Present Level of Educational Performance

Priority Educational Need for Exploration

- John’s *priority educational* need is to identify a preference for post-school employment that matches his interests and abilities.

Sample Goals and Benchmarks for Exploration

- John will describe at least one career preference with an explanation of how the career or job matches his interests and abilities at his annual Transition IEP meeting.
- John will describe his own interests and abilities related to career preferences after completing a self-assessment with supports by October 15, 2006.
- Given observations, interviews, and experiences in at least four different job descriptions/positions (up to five hours each position), John will express his preferences and concerns about each job within a week after each exploration activity (or by January).

*Assessment (9, 10, 11th graders classroom instruction on campus experience)*

John’s Transition IEP team determined that he could benefit from functional vocational assessment since there is a need to determine his strengths and limitations in relation to work environments.

Sample Present Level of Educational Performance

Priority Educational Need for Assessment

- John’s *priority educational need* is to identify his strengths and limits in various work environments.

Sample Goals and Benchmarks for Assessment

- John will describe at least one personal strength and limitation after performing work-tasks in more than one food service environment.
- John will describe his strengths and limits after participating in assessment activities for up to 90 hours per job description/occupation by December 15, 2006.
- Given opportunities to participate in work-related tasks in a variety of food service environments through assessment activities, John will prepare a summary of his strengths and limits in relation to his experiences to be shared at his annual Transition IEP meeting by March 15, 2006.

*Training (11, 12th graders on and off campus work experience)*

Sample Present Level of Educational Performance

Priority Educational Need for Training

- John’s *priority educational need* is to improve on-task behaviors in work environments.

Sample Goals and Benchmarks for Training
ex. John **will remain** on task in work-related activities for one hour intervals with no breaks for five consecutive activities.

- **Given** pictorial checklists and a watch with a pre-set timer to indicate when he may take breaks, John will increase his on-task behavior in at least two job descriptions/occupations by 30 minutes by December 15, 2006.

- John **will** set goals for staying on task and will monitor his progress daily, weekly, and monthly and will adjust accordingly if he is not making progress by December 15, 2006.

**Note:** This is not intended to be an exhaustive list of the ways in which a district might document exploration, assessment, or training in the student’s IEP.
Glossary

**Community-Based Instruction (CBI)** is an instructional method that teaches functional skills, those skills that a student needs to increase independence and to enhance quality of life, in the student’s natural environments.

**Community-Based Vocational Education (CBVE)** is the term used to define vocational education and training provided to students with disabilities in community work settings for the purposes of non-paid vocational exploration, assessment, and training experiences to identify career interests, assess employment skills and training needs, and develop the skills and attitudes necessary for paid employment.

**Fair Labor Standards Act (FLSA)** is the federal legislation that governs minimum wage, overtime pay, record keeping requirements, and child labor. It entitles employees to a regular wage of at least $6.15 (current minimum wage) per hour and overtime pay of at least one and one-half times the regular wage for all hours over forty in a work week.

**Free Appropriate Public Education (FAPE)** means special education and related services that are provided at public expense, under public supervision and direction, and without charge that meet the standards of the state educational agency including pre-school, elementary school, or secondary school education in the state and are provided in conformity with an IEP.

**Individuals with Disabilities Education Improvement Act (IDEA 2004)** is the name given to the federal law that addresses the provision of education for students with disabilities and guarantees a free appropriate public education.

**Local Education Agency (LEA)** means a public board of education or other public authority legally constituted within a state for either administrative control or direction of or to perform a service function for public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a state or for a combination of school districts or counties as are recognized in a state as an administrative agency for its public elementary or secondary schools.

**Transition Individual Educational Plan (Transition IEP)** is a Florida term used to denote a changing emphasis of IEPs for students with disabilities beginning on or before the student’s 14th birthday. Transition IEPs must address all IEP components as well as certain transition services requirements.