



CONNECTICUT STATE DEPARTMENT OF EDUCATION

Federal Legislative Updates Impacting Secondary Transition 2016

Workforce Innovation & Opportunity Act (WIOA)

WIOA Regulations

- ❖ Published in Federal Register - August 19, 2016
- ❖ Went into effect on September 19, 2016
 - Pre-Employment Transition Services – **DORS Level Up Services**
 - **Section 511 – Subminimum Wages**
 - ✓ Documentation of transition services
 - ✓ Contracting with organizations holding 14(C) Certificates from DOL permitting the payment of subminimum wages



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WIOA – Section 511

34 CFR-Part 397 - Limitations on Use of Subminimum Wage

Purpose:

To ensure that individuals with disabilities, especially youth with disabilities, have a meaningful opportunity to prepare for, obtain, maintain, advance in, or regain competitive integrated employment, including supported or customized employment.



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Section 511 – Subminimum Wage

- ❖ Intent is to limit the use of subminimum wage
- ❖ Focus on organizations with a 14(c) Certificate from the Department of Labor
- ❖ Emphasis on students with disabilities who are known to be seeking subminimum wage employment
 - ✓ In CT this applies only to DDS consumers who will be seeking subminimum wage employment post high school
 - ✓ Applies to ALL DDS consumers
 - ✓ Work with DDS to identify Section 511 consumers
- ❖ Documentation will occur during the students final years in high school through Level Up Services



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Section 511 – Subminimum Wage

❖ Responsibilities of LEAs regarding youth with disabilities who are known to be seeking subminimum wage employment:

- Documentation of Transition Services under IDEA provided in a manner consistent with FERPA and IDEA (§397.30)
- Coordinate with DORS/BRS regarding documentation:
 - Submit IDEA documentation to DORS
 - Collaborate with DORS to complete VR documentation
- Referral to DORS Level Up Services (§397.20)
 - Participate in pre-employment transition services
 - Determine eligibility for BRS adult services
 - Complete evaluation for competitive employment
 - Receive career counseling, information & referral services



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Section 511 – Subminimum Wage

- ❖ Guidance on procedures will be forthcoming from interagency Employment-First Vision Quest Team
- ❖ Interagency Workgroup including LEA representatives will provide input into final procedures, forms, and practices



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Section 511 – Subminimum Wage Contracting Limitations

LEAs may not enter into a contract or other arrangement with an entity that holds a 14(c) Certificate for the purpose of operating a program for a youth under which work is compensated at a subminimum wage (§397.31)



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