

## **FALL 2007 – MPA33 – Special Education Work-Based Learning Experiences**

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### **Definition –**

IDEA 300.43 defines transition services as a “coordinated set of activities for a child with a disability that –

- (1) Is designed to be within a results-oriented process that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child’s movement from school to post school activities ....
- (2) Is based upon the individual child’s needs taking into account the child’s strengths, preferences and interests and includes
  - (i) instruction
  - (ii) related services
  - (iii) community experiences
  - (iv) development of employment and other post-school adult living objectives
  - (v) if appropriate, acquisition of daily living skills and the provision of a functional vocational evaluation”

Transition services for children with disabilities may be special education if provided as specifically designed instruction or a related service, if required to assist a child with a disability to benefit from special education.

IDEA further mandates that the child’s IEP in effect when the child turns 16 includes appropriate measurable postsecondary goals based upon age appropriate transitional assessments related to training, education, employment and independent living skills and that the transition services (including courses of study) needed to assist the child in reaching these goals.

1. Transition activities as defined in IDEA can be –
  - Delivered through the regular education delivery system or the special education delivery system
  - Can generate pupil FTE or may not generate pupil FTE
2. Work-based learning programs are transition type programs that generate pupil FTE –
  - Coordinated by the school through a contract, called a training agreement
  - An educational experience provided by an employer related to school instruction as described in a training plan
  - Monitored by a certificated instructor employed by the district
  - Can be delivered the regular education delivery system or through the special education delivery system
3. Work-based learning programs delivered through the special education delivery system are –
  - Work Activity Center Services
  - Work Based Learning for Pupils with Disabilities
  - In-District Placement/Transitional Services

4. Work Activity Center Services -
  - a. Paid employment in a work activity center, under a wage deviation from the U.S. Department of Labor to provide career/vocational evaluation or therapeutic activities for pupils with disabilities
  - b. Requirements for pupil membership under Work Activity Center Services include:
    - Pupil must be enrolled and in attendance on the count day
    - Pupil must have work activity center services specifically identified on the IEP
    - Pupil must be assigned to an approved special education teacher employed by the district during the time receiving the services
    - The work activity center service must be incidental to the instructional program (i.e.; less than 50% of the school time)
    - Pupil must meet the 1,098 hour requirement between school and work activity center service time to generate a 1.0 FTE
    - Work activity center must have a wage deviation from the U.S. Department of Labor

***Work-Based Learning Experiences for Pupils with Disabilities -***

1. Is a program to provide pupils a combination of school based preparation and supervised work experiences designed to enable the pupil to acquire attitudes, skills and knowledge for career and other life roles in real work settings.
2. Can either be paid or unpaid (if the experience is unpaid it must meet the six federal requirements for unpaid trainee, including the 45 hour per specific training experience requirement)
3. Is delivered in accordance with Special Education Administrative Rule 340.1733(i)
4. Requirements for the pupil to be counted in membership include:
  - Pupil must be enrolled and assigned to a special education teacher as of the count day
  - A completed written training plan and written training agreement must be in place by the count day.
  - The employer must maintain verifiable attendance records
  - Federal and state regulations regarding the employment of minors shall be followed. A pupil is to work and go to school not more than 48 combined hours in one week.
  - The work site based learning experience shall not generate more than one half the pupil's FTE, not to exceed .5.
  - The number of worksite hours counted for membership must not exceed the maximum number of worksite hours allowed to be counted for membership as determined by the district.
  - A staff member must visit the pupil and the pupil's supervisor at the job site at least once every 30 calendar days.

***In-district Placement for Pupils with a Transitions Services Plan -***

1. Is a placement within the district directly related to the postsecondary career and employment goals and objectives in the pupil's transition services plan developed for a pupil receiving special education services
2. Is generally an unpaid placement which must meet the federal requirements of an unpaid trainee including the 45 hours per specific training experience

3. Requirements for the pupil to be counted in membership include:
- The pupil must be enrolled and assigned to a special education teacher as of the count day
  - A written training plan must be in place of the count day
  - In lieu of the training agreement, an in-district placement form must be signed and in place as of the count day
  - A copy of the student's transition plan must be attached to the in-district placement form and must directly relate to the placement.
  - The time spent in the placement cannot generate more than one-half of the pupils FTE, not to exceed .5 FTE
  - The time spent in the placement cannot exceed the maximum number of hours set by the district for any pupil to be employed

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