

## School and VRS Collaboration: Policy Alignment and Conflicts

TERMS	511 IAC 7- ARTICLE 7-TRANSITION-AGE STUDENTS AND TRANSITION IEP POLICY	VOCATIONAL REHABILITATION POLICY
	<b>511 IAC 7-43-3 Review of transition-age students</b>	
<b>Review of students procedures</b>	Sec. 3. Upon obtaining written consent from parents or students of legal age to disclose confidential educational records in accordance with 511 IAC 7-38-1(q)(1), the public agency and the vocational rehabilitation counselor must confer at least one (1) time per year to review transition age students. If the public agency and the vocational rehabilitation counselor believe a student may be eligible for and benefit from vocational rehabilitation services, the public agency must do the following:	
Review of students procedures	(1) Obtain written consent, as defined in 511 IAC 7-32-17, from the parent or the student of legal age to invite the vocational rehabilitation counselor to the CCC meeting that will take place during the school year before the student's projected final year of school, or earlier, if appropriate.	
Review of students procedures	(2) Provide adequate notice to the vocational rehabilitation counselor regarding the CCC meeting described in subdivision (1). The notification to the vocational rehabilitation counselor must include the: (A) name; (B) address; (C) age; and (D) identified disability; of the student for whom the CCC meeting is being conducted.	
Review of students procedures	(3) At the CCC meeting, orally advise and provide written materials to the student and the parent that describe the: (A) array of vocational rehabilitation services that may be available; and (B) process to access those services.	

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<b>Definition</b>	<p><b>511 IAC 7-32-100 "Transition services" defined</b>            Sec. 100. (a) "Transition services" means a coordinated set of activities for a student with a disability that:</p> <ul style="list-style-type: none"> <li>(1) are designed to be within a results-oriented process that is focused on improving the academic and functional achievement of the student with a disability;</li> <li>(2) are incorporated into the student's transition IEP in accordance with 511 IAC 7-43-4; and</li> <li>(3) facilitate movement from school to postschool activities, including, but not limited to:               <ul style="list-style-type: none"> <li>(A) postsecondary education;</li> <li>(B) vocational education or training, or both;</li> <li>(C) integrated employment, including supported employment;</li> <li>(D) continuing and adult education;</li> <li>(E) adult services;</li> <li>(F) independent living; or</li> <li>(G) community participation.</li> </ul> </li> </ul> <p>(b) The coordinated set of activities described in subsection (a) must be based on the individual student's needs, taking into account the student's strengths, preferences, and interests, and include the following:</p> <ul style="list-style-type: none"> <li>(1) Instruction.</li> <li>(2) Related services.</li> <li>(3) Community experiences.</li> <li>(4) The development of employment and other postschool adult living objectives.</li> </ul>	<p><b>200.134 Transition services (Definition)</b>            means a coordinated set of activities for a student designed within an outcome-oriented process that promotes movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities must be based upon the individual student's needs, taking into account the student's preferences and interests, and must include instruction, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation. Transition services must promote or facilitate the achievement of the employment outcome identified in the student's individualized plan for employment.</p>
<b>Definition</b>	<ul style="list-style-type: none"> <li>(5) If appropriate:               <ul style="list-style-type: none"> <li>(A) acquisition of daily living skills; and</li> <li>(B) provision of a functional vocational evaluation.</li> </ul> </li> <li>(c) Transition services for students with disabilities may be:               <ul style="list-style-type: none"> <li>(1) special education, if provided as specially designed instruction; or</li> <li>(2) a related service, if required to assist a student with a disability to benefit from special education.</li> </ul> </li> </ul>	

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<b>Eligibility</b>	Sec. 4. (a) The CCC must develop a transition IEP that will be in effect when the student: (1) enters into grade 9; or (2) becomes fourteen (14) years of age; whichever occurs first, or earlier if determined appropriate by the CCC.	FEDERAL REGULATIONS 34 CFR 361.42(a)(1). The designated State unit's determination of an applicant's eligibility for vocational rehabilitation services must be based only on the following requirements: (i) A determination by qualified personnel that the applicant has a physical or mental impairment. (ii) A determination by qualified personnel that the applicant's physical or mental impairment constitutes or results in a substantial impediment to employment for the applicant. (iii) A determination by a qualified vocational rehabilitation counselor employed by the designated State unit that the applicant requires vocational rehabilitation services to prepare for, secure, retain, or regain employment consistent with the applicant's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. (iv) A presumption, in accordance with paragraph (a)(2) of this section, that the applicant can benefit in terms of an employment outcome from the provision of vocational rehabilitation services.
<b>Participants in Planning Process</b>	(e) The members of the CCC who must participate in the development or revision of a transition IEP are specified in 511 IAC 7-42-3(d)(2), which states that the public agency must invite:	510.02 Participants in Transition: <b>Family</b> . The parent, guardian, or other family members provide the most natural support for the student while in and after exiting school. The parent/guardian assists the student by providing needed information or legal permissions and by supporting the student's endeavors toward independence and employment.
Participants in Planning Process	(1) the student, and, if the student does not attend, the public agency must take other steps to ensure that the student's preferences and interests are considered; and	510.02 Participants in Transition: <b>Student</b> . The student should be actively involved at all stages of the transition process. The student must take responsibility for his or her goals. This involves keeping appointments and informing others of changes that may occur (i.e., address, phone, disability status, etc.).
Participants in Planning Process	(2) to the extent appropriate, and with the consent of the parent (or student of legal age as defined in 511 IAC 7-32-91), a representative of any participating agency (other than the public agency) likely to be responsible for providing or paying for transition services.	510.02 Participants in Transition: <b>Counselor</b> 5. Attending annual IEP conferences, when invited, for students who may be eligible for VR services (for each of the final two years before the student's projected exit from school). The invitation from the school to attend an IEP conference constitutes a referral to VR and requires follow-up from the Counselor. (See PPM 410 for information about processing referrals.) If the Counselor has been invited to a case conference but cannot attend, the Counselor must provide written information about the VR program and instructions for contacting the Counselor.
<b>Program Plan</b>	<b>(h) A transition IEP must contain the following:</b>	<b>Individualized Plan for Employment</b>

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Program Plan	(B) Information from age appropriate transition assessments of:	FEDERAL REGULATIONS 34 CFR 361.42 and 361.45(b). Provides that eligibility determinations, as well as IPE development must be based upon individualized assessments.
Program Plan	(i) strengths; (ii) preferences; and (iii) interests.	510.01 Transition: In all cases, transition must be appropriate for each student's needs, strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.
Program Plan	(2) Appropriate measurable postsecondary goals, based upon age appropriate transition assessments that are related to:	According to 34 CFR 361.46(a)(3), (5), and (6)(ii), an IPE for a VR consumer must contain as mandatory components certain provisions, including conditions and limitations of services, and the responsibilities of all parties. Where the outcome requires postsecondary, such items might include maintaining academic progress, good grades, etc.
Program Plan	(A) training; (B) education; (C) employment; and (D) where appropriate, independent living skills.	According to 34 CFR 361.46(a)(1) and (2), the employment outcome goal and the necessary services to be provided must be specified. As appropriate to the goal, that would, of course, include any training, placement assistance, and supports to be provided.
Program Plan	(4) The transition services, as defined at 511 IAC 7-32-100, needed to assist the student in reaching postsecondary goals, including the individuals and agencies identified for implementing the transition services.	510.02 Participants in Transition: School Personnel. School personnel may include the student's teacher, guidance counselor, transition specialist, principal or other administrator. School personnel are responsible for providing the following: 1. Referrals to VR of students who may need VR services or on-going adult services. 2. Access for Counselors to students' disability information, within school confidentiality rules and guidelines. 3. A meeting space for the Counselor, student, and family that fosters confidentiality. 4. Assistance to the student in selecting a career goal. 5. Academic instruction specified in the Individualized Education Program (IEP) that guides the student towards the development of skills needed to be successful in independent living and employment.
Program Plan	(5) If appropriate based upon the transition services identified in subdivision (4), documentation that the CCC reviewed information, and the public agency presented written information to the parent and student, regarding available adult services provided through state and local agencies and other organizations to facilitate student movement from the public agency to adult life. Adult services may include, but are not limited to, services provided by the following:	34 CFR 361.46(a)(4) requires that the IPE identify the service providers to be used.

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Program Plan	(A) A vocational rehabilitation services program.	510.01 Transition The purpose of transition is to ensure that <b>services and supports</b> needed by students with disabilities to engage in post-school employment, training, independent living, and community integration are <b>planned for and in place</b> before the student exits high school. 1. Working with involved parties to provide information, guidance and individual advocacy for students with disabilities and their families. 2. Determining eligibility and needs for students who apply for VR services. 3. Providing services that are necessary for each eligible student to prepare for, achieve, engage in or maintain an employment outcome.
Program Plan	(A) A vocational rehabilitation services program.	510.02 Participants in Transition Providing transition services is a collaborative effort that extends beyond VR to a number of parties. This section describes the roles and responsibilities of the various involved parties.
<b>Participants in Planning Process</b>	(A) A vocational rehabilitation services program.	<b>510.02 Participants in Transition : Central Support Services.</b> Central Support Services will provide program literature and contact information for high school guidance counselors to share with students.
	(B) The department of workforce development.	34 CFR 361.46(a)(4) requires that the IPE identify the service providers to be used.
	(C) The Social Security Administration.	34 CFR 361.46(a)(4) requires that the IPE identify the service providers to be used.
	(D) The bureau of developmental disabilities services.	34 CFR 361.46(a)(4) requires that the IPE identify the service providers to be used.
	(E) A community mental health center.	34 CFR 361.46(a)(4) requires that the IPE identify the service providers to be used.
	(F) A community rehabilitation program.	34 CFR 361.46(a)(4) requires that the IPE identify the service providers to be used.
	(G) An area agency on aging.	34 CFR 361.46(a)(4) requires that the IPE identify the service providers to be used.

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Program Plan	(A) A statement of measurable annual goals, including academic and functional goals designed to support and align with the student's postsecondary goals, that meet:	According to 34 CFR 361.46(a)(1) and (2), the employment outcome goal and the necessary services to be provided must be specified. As appropriate to the goal, that would, of course, include any training, placement assistance, and supports to be provided.
Program Plan	(i) the student's needs that result from the student's disability to enable the student to be involved in and make progress in the general education curriculum; and (ii) each of the student's other educational needs that result from the student's disability.	Services needed to achieve the employment outcome goal are specified in the IPE. (34 CFR 361.46(a)(2))
Program Plan	(A) Advance appropriately toward attaining the postsecondary and annual goals.	34 CFR 361.46(a)(2) requires that the services identified must be required to achieve the employment outcome goal.
Program Plan	(C) Be educated and participate with other students with disabilities and nondisabled students in the activities described in this article.	34 CFR 361.46(a)(2)(ii) requires that the services provided under an IPE must be provided in the most integrated settings available; 34 CFR 361.47(a)(8) requires that the case record for the individual must also contain a justification for providing any service in a non-integrated setting.
Program Plan	(14) Identification of the placement in the least restrictive environment as described in 511 IAC 7-42-10.	Federal regulations and VR policy require service provision in the integrated labor market; 34 CFR 361.46(a)(1) and 361.5(b)(16) additionally requires that the job placement be in integrated, competitive employment.
Procedure	(l) If a participating agency, other than the public agency, fails to provide the transition services described in a transition IEP, the public agency must reconvene the CCC to identify alternative strategies to meet the transition objectives for the student set out in the transition IEP.	No comparable VR requirement.
Procedure	(m) Nothing in this article relieves any participating agency, including a state vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to students who meet the eligibility criteria of that agency.	No comparable VR requirement, and it probably needs to be written into VR policy.
	<b>511 IAC 7-43-5 Transfer of rights to student</b>	
Procedure	Sec. 5. (a) Except as provided in subsection (b), when a student becomes a student of legal age, as defined in 511 IAC 7-32-91, all of the rights that were formerly provided to the student's parents under this article transfer to the student of legal age.	No specific VR provisions cover but follows state law

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Procedure	(b) If a student who has attained eighteen (18) years of age has: (1) a guardian appointed under IC 29-3, the rights under this article must transfer to the guardian unless specifically provided otherwise in the guardianship order; or (2) an educational representative appointed according to the procedures in section 6 of this rule, the rights under this article must transfer to the student's educational representative.	No specific VR provisions cover but follows state law
Procedure	(c) When a student who is incarcerated in an adult or juvenile, state or local correctional institution attains eighteen (18) years of age, the student must have all of the rights that were formerly provided to the student's parents under this article.	No specific VR provisions cover but follows state law
Procedure	d) At a CCC meeting not later than one (1) year before the student becomes eighteen (18) years of age, the public agency must inform the student and the parent that the parent's rights under this article will transfer to the student at eighteen (18) years of age unless a guardianship or an educational representative has been established for the student. The student's IEP must include a statement that the student and the parent were informed of the transfer of parental rights in accordance with 511 IAC 7-42-6(f)(10).	No specific VR provisions cover but follows state law
Procedure	(e) At the time the student attains eighteen (18) years of age, and unless a guardianship or an educational representative has been established for the student, the public agency must provide written notice to the parent and the student that the rights under this article have transferred to the student.	No specific VR provisions cover but follows state law
Procedure	(f) After rights transfer to the student in accordance with this section, the public agency must provide any notice required under this article to both the parent and the student.	No specific VR provisions cover but follows state law
	<b>511 IAC 7-43-7 Summary of performance</b>	
<b>Supporting Hand-Off Document</b>	Sec. 7. (a) A public agency must provide a student with a summary of the student's academic achievement and functional performance, which must include recommendations on how to assist the student in meeting the student's postsecondary goals, when a student:	VR would be required to obtain the SOP and the Transition IEP as "existing data" upon which to conduct the assessment of eligibility and the comprehensive assessment of vocational rehabilitation needs (34 CFR 361.5(b)(6); 361.42(d)(1)(i)).

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Supporting Hand-Off Document	(1) graduates with a high school diploma as defined in 511 IAC 6-7.1-1(e); (2) leaves high school with a certificate of completion; or (3) exceeds the age eligibility for special education and related services under this article.	
Supporting Hand-Off Document	(b) A public agency may provide a student with a summary of performance when the student withdraws from high school after: (1) an exit interview is conducted; and (2) the student's parent and principal consent to the withdrawal as specified in IC 20-33-2-28.5(b).	
Supporting Hand-Off Document	(c) Leaving high school with a certificate of completion or withdrawal from high school as described in IC 20-33-2-28.5 does not extinguish a student's eligibility for special education and related services.	
Supporting Hand-Off Document	(d) A summary of performance should include, but not be limited to, the following items:	
Supporting Hand-Off Document	(1) Basic demographic information about the student. (2) Postsecondary goals that	
Supporting Hand-Off Document	A) take into account the student's educational program; and (B) reflect	
Supporting Hand-Off Document	(i) interests; (ii) preferences; and (iii) strengths; of the student.	See SOP (line 45) and language throughout the VR regulations requiring services, outcomes, etc. "consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice" (e.g., 34 CFR 361.48).
Supporting Hand-Off Document	(3) A summary of the student's academic achievement and functional performance. Information that can be used to prepare the summary includes, but is not limited to, the following:	

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Supporting Hand-Off Document	(A) An academic transcript. (B) Acadmeci assessment results; C). Assessments of functional skills or adaptive behavior that explain a students ability to: (i) live, (ii) work; (iii) access the community	
Supporting Hand-Off Document	(D) Work force readiness assessments, career exploration internships, cooperative education experiences, or workforce credentials under IC 20-32-4-4(6)(A).	
Supporting Hand-Off Document	(4) Recommendations to assist the student in meeting postsecondary goals, including accommodations, modifications, or assistive technology utilized by the student and identified by the student as particularly helpful or necessary to meet academic or functional goals, or both.	
Role Definition	<p><b>511 IAC 7-32-97 "Teacher of record" defined</b>            Sec. 97. "Teacher of record" refers to the single special education teacher to whom a student with a disability is assigned. Each student with a disability must have a teacher of record identified. The teacher of record may be the teacher of service and must be appropriately licensed to work with the student or, where appropriate state licensure is not available, appropriately trained.</p>	<p><b>510.02 Participants in Transition:</b>            Counselor. Area Supervisors and Region Managers are responsible for assigning each high school within their area to a Counselor. The assigned Counselor should encourage students who may be eligible to apply for VR services by doing the following:</p>
Role Definition	Serve as a consultant and resource person to all other personnel providing services to the	<p>510.02</p> <ol style="list-style-type: none"> <li>1. Providing the high school with VR literature and contact information—enough copies of written materials for all potentially eligible students.</li> <li>2. Participating in appropriate school functions, including career days, family and student forums, and similar activities to provide students with information about VR and its services.</li> <li>3. Visiting school personnel at assigned high schools at least annually to identify which students should be referred for VR services.</li> <li>4. Providing information, consultation, and advocacy to students and their families.</li> <li>6. Helping the student and the student’s family determine the appropriate time for completing an application for VR services. The Counselor should encourage the student and the student’s family to contact the Counselor for the application.</li> </ol>