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Pennsylvania Needs to Do More to Prepare Students with Disabilities for Employment

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Executive Summary

This article analyzes the first three reports published by the Pennsylvania Office of Vocational Rehabilitation (OVR) as required by the Work Experience for High School Students with Disabilities Act, also known as Act 26.

The Pennsylvania Legislature passed Act 26¹ in May of 2016. The purpose of the law is to increase the number of students with disabilities ages 14-21 who are obtaining Competitive Integrated Employment (CIE) during high school and entering competitive employment upon graduation. CIE is secured when students with disabilities earn at least minimum wage and work alongside their non-disabled peers. To measure the increase, the law requires OVR to track and report data on this population.

In order to achieve its purpose, the Act requires OVR to collaborate with school districts and other educational entities, such as the Pennsylvania Department of Education (PDE), in several ways. For example, OVR counselors must attend Individualized Education Program (IEP) meetings with school district personnel, an individual student, and his or her family members to create goals that will lead to the student securing competitive employment. OVR must also collaborate with PDE in the collection and sharing of data, as outlined in more detail below.

¹ The full text of Act 26 can be viewed online:
<http://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2016&sessInd=0&act=26>

As noted, Act 26 also requires OVR to publish data on six items in a report on its website within 45 days of the end of each quarter. These reports may be potentially powerful tools for advocates wishing to hold OVR accountable. The categories include tracking the number of:

- IEP meetings OVR counselors attended
- students with significantly modified goals and specific steps toward the attainment of CIE
- job referrals made to employers on behalf of students with disabilities while still in high school
- students with disabilities working in part-time or summer jobs as a result of referrals made by OVR staff
- high school students who are receiving job coaching services
- students who entered CIE within three months of graduation

As of May 30 2018, OVR has issued three reports. All of the reports were either published late or did not have data for the entire reporting period. OVR has offered no public explanation for these issues. The reports demonstrate two main findings: 1) the numbers for all the categories are extremely low; and, 2) the report lacks sufficient data for stakeholders to reach accurate conclusions. The three reports covered the following reporting periods:

- 1.) Published November 15, 2017, data from July 1, 2016 through June 30, 2017
- 2.) Published March 20, 2018, data from July 1 through September 30, 2017
- 3.) Published April 26, 2018 to add data from October 1, through December 31 2017 to the report published in March

The next report **was due on May 15, 2018. As of May 30, the report has not been published.**

Finding 1: Low Numbers

According to the first report, over 105,000 students between ages 14-21 are eligible for transition services in Pennsylvania. Transition services are activities provided by schools and/or outside agencies, which prepare a student with a disability to move from school to post-school activities.

While the numbers for the 2017-2018 reports *are trending higher* than the numbers from the 2016-2017 report, OVR will still only assist approximately *three percent* of transition age students this year if the numbers for quarters three and four are similar to the first two quarters.

SUMMARY OF FINDINGS

ACT 26 METRIC	SCHOOL YEAR 2016-2017	SCHOOL YEAR 2017-2018 *
Staff Attended IEP Meeting	1,478	1,089
Job Referrals Made	1,238	1,612
Students Worked PT/Summer Jobs	832	731
Students Received Job Coaching	76	4
Students Entered CIE w/in 3 mos of Graduation	19	10

* Data for School Year 2017-2018 are for First and Second Quarters only.

While the numbers for the 2017-2018 reports are trending higher than the numbers from the 2016-2017 report, OVR will still only assist approximately three percent of transition age students this year if the numbers for quarters three and four are similar to the first two quarters.

Finding 2: Lack of Information

There is a more fundamental problem with the reports: they fail to provide enough information for readers to draw accurate conclusions. For example, it is not appropriate to use 105,000 as the baseline for the number of potential students who enter CIE within three months of graduation because not all 105,000 students eligible for transition services graduated. Some of the 105,000 students are in lower grades. The reports fail to provide the relevant information: the number of students who graduated or aged out of school.

Additionally, while the law requires OVR to report the information for each of the six data categories by county, the law does not require school districts or any agency, such as PDE, to provide information regarding how many transition-age students are enrolled in special education by county. Not surprisingly, then, stakeholders cannot accurately compare the county data from OVR with PDE data.

While there are significant gaps, it is important to acknowledge that these reports are an important first step in improving outcomes for high school students with disabilities because they shed light on the gaps in services and provide information for advocates. In addition, the reports can help advocates hold the three entities that can have the greatest impact on improving outcomes for these students accountable: the Philadelphia OVR, PDE, and the State Legislature. The Philadelphia OVR should be providing additional services to the large population of students that are eligible for the agency’s services, PDE should provide information about how

many IEPs are modified to include CIE goals, and the legislature should amend Act 26 so that additional, relevant data is required and provided.

Legal Landscape

Transition services help students with disabilities move from school to post-school activities including further education and employment. Research has shown that gaining paid work experience while still in high school is a strong predictor of whether a student with a disability will be employed after high school.² Furthermore, under federal special education law (the Individuals with Disabilities Education Act), school districts must provide transition services to students with disabilities ages 16 – 21. In Pennsylvania, the School Code mandates an expansion of that population to include students ages 14 – 21.

There are over 105,000 students with disabilities between the ages of 14 and 21 eligible for transition services in Pennsylvania. Under federal law, school districts are able to partner with outside agencies to provide transition services. One such agency available to school districts is Vocational Rehabilitation. Each state has a Vocational Rehabilitation agency, which is responsible for helping people with disabilities prepare for, obtain and maintain employment. The Vocational Rehabilitation agency in Pennsylvania is called the Office of Vocational Rehabilitation (OVR). In order to improve collaboration between OVR and school districts, in May of 2016 the Pennsylvania Legislature passed the *Work Experience for High School Students with Disabilities Act*, also called Act 26. Act 26 requires OVR to collaborate with school districts to ensure that students with disabilities are prepared to enter the workforce upon graduation.

The main tool that schools use to create transition plans is the Individualized Education Program (IEP). While the transition section of a student's IEP is supposed to include measurable goals to help the student prepare for and obtain employment, many schools do not have staff with the expertise to help students with disabilities find employment that fits their unique needs. Act 26 helps address this issue by requiring OVR counselors to attend IEP meetings when possible, to assist in creating individualized employment goals, and to offer additional services such as job coaching.

Act 26 also requires OVR and the Pennsylvania Department of Education (PDE) to collaborate in the collection and sharing of data related to students with disabilities ages 14-21. OVR must publish the following information on its website 45 days after the end of each calendar quarter for the prior quarter for each county in the Commonwealth:

- the number of IEP meetings attended by OVR staff
- the number of IEPs that included new or significantly modified goals and specific steps toward the attainment of competitive integrated employment (CIE)
- the number of job referrals made to employers on behalf of students with disabilities while still in high school

² https://www.witig.org/wstidata/resources/journal-of-disability-policy-studies-2012-carter-50-63_1445367527.pdf

- the number of high school students with disabilities working in part-time or summer jobs as a result of referrals made by OVR staff
- the number of high school students who are receiving job coaching services
- the number of students who entered CIE within three months of graduation

OVR published its first report on November 15, 2017, which included data for July 1, 2016-June 30, 2017. The second report was published in March of 2018. It included data for July 1-September 30, 2017. OVR published a third report in April of 2018 because the report published in March did not include the data for October through December 2017 as required by the law. The next report **was due on May 15, 2018. As of May 30, the report has not been published.** The full reports can be found here <http://www.dli.pa.gov/Individuals/Disability-Services/Pages/Act-26-Information.aspx>

Findings

The two main findings from the reports are that the numbers in every category are low and the law does not require agencies to provide enough information for stakeholders to make accurate comparisons.

A. Low Numbers In Every Category

1. Number of IEP Meetings Attended by OVR Staff

OVR counselors attended almost 1,500 IEP meetings for 2016-2017 and 1,089 so far for the 2017-2018 school year. The reports provide no information regarding the total number of meetings to which they were invited. Therefore, it is difficult for stakeholders to gauge how well or how poorly OVR is responding to students' needs. The data shows that OVR's performance is better in some counties than in others. The chart on page 8 compares the data from Philadelphia, Allegheny and Bucks counties, where the state's three largest school districts are located.

Advocates should press PDE to collect the data regarding requests for OVR attendance at IEP meetings so that they can evaluate OVR's performance responding to those requests.

Moreover, a small number of requests may also indicate that parents are not receiving information about the option to invite a representative from OVR to attend the IEP meeting.

2. Number of IEPs with New or Significantly Modified Goals

Although Act 26 required the reports to include data on the number of IEPs that included new or significantly modified goals, ***none of the reports did.***

In the first report, OVR stated that this data was not included because a Memorandum of Understanding (MOU) between the Department of Labor and Industry (DOL) and PDE to share

the student-level data was still under development. In the second report, OVR stated that the MOU was completed but the number of IEPs that have new or significantly modified goals will only be provided annually after the 4th quarter data is submitted from Local Education Agencies to the Bureau of Special Education. *The law did not permit this change.*

3. Number of Referrals Made to Employers on Behalf of High School Students

See chart on page 8.

4. Number of Students Working Part-Time or During the Summer Based Upon Referrals Made by OVR

See chart on page 8.

5. Number of Students Receiving Job Coaching in Summer or Part-Time Jobs

In addition to information on how many students received summer or part-time jobs based on OVR referrals, the reports also included information on the number of students in summer or part-time jobs who received job coaching. For the first report, at least one student from 25 counties received job coaching. The remaining 43 counties³ had no students who received this service.

6. Number of Students Who Obtained CIE Within 3 Months of Graduation

The final required data item is the number of students who entered CIE within three months of graduation. While the data in every other category is broken down by county, and while the law requires this data be presented on a county-by-county basis, all the reports combine this data from all counties. Without this breakdown, it is difficult to compare counties' performance, and it will be difficult in the future to know which counties are making significant improvements.

The reports do not provide any information as to how these numbers compare to the total number of students with disabilities who should have obtained CIE; that is, how many graduated or reached 21 and thus aged out of school in Pennsylvania. It is possible, however, to compare this figure of 19 to data from PDE, which indicates that for the 2016-2017 school year 18,231 students enrolled in special education either graduated or reached maximum age.⁴ In other words, less than one percent of students with disabilities who graduated or aged out of school in 2017 were competitively employed within three months of graduation.

The reports offered several reasons for why the reported figures of students who obtained employment within three months of graduation were "imperfect." The reasoning included that many students who became employed over the summer would not be able to be "closed" as a

³ Pennsylvania has 67 counties. However, the reports include an additional "county" called "out of state county." Therefore the total equals 68.

⁴ https://penndata.hbg.psu.edu/Portals/66/documents/ADR/Exitingpartb_2017.pdf

successful placement until they had worked for the entire three months. Therefore, OVR was sometimes not initially aware of employment outcomes, which may have caused a delay in data entry. The reports also pointed out that many students with open cases need multiple services to become employed, including job training and post-secondary education, which may take years to complete. In addition, in the second and third reports, OVR asserts that for the reporting periods this item was not applicable because high school students had not yet graduated.

ACT 26 METRIC	SCHOOL YEAR 2016-2017				SCHOOL YEAR 2017-2018 *			
	State Wide	Phila	Allegheny	Bucks	State Wide	Phila	Allegheny	Bucks
Staff Attended IEP Meeting	1,478	8	71	19	1,089	9	62	10
Job Referrals Made	1,238	33	198	7	1,612	88	107	27
Students Worked PT/Summer Jobs	832	3	326	5	731	19	242	8
Students Received Job Coaching	76	25	6	1	4	0	0	0
Students Entered CIE w/in 3 mos of Graduation	19	N/A	N/A	N/A	10	N/A	N/A	N/A

* Data for School Year 2017-2018 are for First and Second Quarters only.
N/A – Not Available

B. Lack of Information Makes it Impossible to Draw Accurate Conclusions

The data OVR is required to provide under Act 26 does not give stakeholders enough context to accurately assess how well the state is ensuring that students with disabilities ages 14-21 are gaining work experience while still in high school. For example, the law requires OVR to provide a breakdown of the number of transition-aged (14-21-year-old) students it served in any given quarter by county, but it does not have to determine or disclose the total eligible population in each county. It is therefore impossible to qualify how well OVR is responding in each county. And one cannot find the total eligible population anywhere else. While PDE provides public data on enrollment of special education students by school district, it only provides data for students ages 6-21. There is no way to accurately extrapolate the data for only students ages 14-21.

The lack of information regarding the number of transition-age students is problematic because there is significant variation in the number of students enrolled in special education by school district. For example, the chart below compares the three largest school districts in Pennsylvania. Based on their drastic differences in size, one would expect OVR’s report to show

that in Philadelphia, the largest district in the state, OVR served a significantly higher number of students than all the other counties. Yet the number of students served in Philadelphia is similar to every other county in every reporting category and nothing in the any of the reports explains why.

<i>School District</i>	<i>County</i>	<i>Students Aged 6-21 in School District (2016-2017)</i>	<i>SP. Ed. Students Aged 6-21 in School District (2016-2017)⁵</i>	<i>Students Aged 14-21 in School District</i>	<i>Students Aged 14-21 in County</i>
Philadelphia City	Philadelphia	132,612	19,487	Unknown	Unknown
Pittsburgh Public	Allegheny	22,507	4,208	Unknown	Unknown
Central Bucks	Bucks	18,451	2,332	Unknown	Unknown

In addition to the information that is not required by the law, it is important to note a key difference between the language around required data in Act 26 and the data collected by PDE. Act 26 requires data about “high school students with disabilities” while PDE publishes data about “students enrolled in special education.” While all high school students enrolled in special education have disabilities, not all students that have a disability are enrolled in special education. Thus comparison is imperfect. Advocates should press PDE to collect the missing data and resolve the definitional differences of the students between Act 26 and PDE’s data.

Conclusion

The legislature should amend Act 26 to require OVR to provide sufficient data so that parents and advocates can actually understand which students are receiving appropriate services. The legislature and advocates need to press OVR to increase its services. The numbers in every category of the first report showed that OVR reached less than one percent of transition age students in 2016-2017. If the numbers for the next two quarters are similar to all three reports, OVR will reach somewhere between one and three percent of transition age students for 2017-2018. That means thousands of students with disabilities are not getting the services they need and to which they are legally entitled so that they can become contributing members of our society.

Despite these problems, it is important to acknowledge that these reports are a key first step in improving outcomes for these students. The reports provide stakeholders with some of the data necessary to track the number of students with disabilities who are obtaining paid work experience during high school and upon graduation and provides insight into where to direct resources to increase these numbers.

⁵ <https://penndata.hbg.psu.edu/PublicReporting/DataataGlance/tabid/2523/Default.aspx>

We suggest that advocates take the following actions:

1. Advocate for PDE to change its data reporting requirements to comport with Act 26/OVR's definition of a high school student with a disability.
2. Let the Philadelphia OVR know they are being watched and should work toward exponentially increasing the number of transition-age students they serve.
3. Advocate for the Pennsylvania Legislature to amend the current law to require OVR and PDE to publish additional data. This information should include the number of transition-age students enrolled in special education by county.