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February 23, 2021

**Via E-mail and First-Class Mail**

School District of Philadelphia Board of Education  
Attn: Joyce Wilkerson, Board President  
440 N. Broad Street, Suite 101  
Philadelphia, PA 19130

Dear Board of Education Members,

We are advocates and parents of current and former public school students with disabilities in the School District of Philadelphia (the “District”). We write to provide you with the transcript of a hearing that was held before Philadelphia City Council in the fall of 2020 about the provision of secondary transition services in the District, and to ask the Board to take actions to ensure that all students with disabilities receive the support and services they need, and to which they are legally entitled, to move confidently from school to adult life.

As this Board recognized in its 2020 Goals and Guardrails, one of the District’s fundamental mandates is ensuring that students have the skills they need to succeed in life after high school.<sup>1</sup> Success includes being prepared for higher education, being economically self-sufficient, and being able to live as independently as possible. While students with disabilities may require more planning and services to achieve these goals, success for these students is possible. Both state and federal law recognize this fact, and require Pennsylvania school districts to help students with disabilities ages 14-21<sup>2</sup> set individualized goals around postsecondary education, employment, and independent living, using age-appropriate assessments that take into account the student’s interests and skills.<sup>3</sup> School districts are required to provide transition services – an individualized, coordinated set of activities designed to help the student achieve their post-school goals.<sup>4</sup> State and federal law also require

<sup>1</sup> School District of Philadelphia, *Board of Education, Summary of Goals and Guardrails with Indicators* (2020), <https://www.philasd.org/schoolboard/goals-and-guardrails/>

<sup>2</sup> The IDEA mandates that transition services begin “not later than the first IEP to be in effect when the child is 16.” 20 U.S.C. § 1414(d)(1)(A)(i)(VIII). In Pennsylvania, however, transition services must begin at age 14. *See* 22 Pa. Code Ch. 14.

<sup>3</sup> *See* 20 U.S.C. § 1414(d)(1)(A)(i)(VIII); 34 C.F.R. § 300.320(b).

<sup>4</sup> 34 C.F.R. § 300.320(b); *see also id.* at § 300.43. Examples of transition services include daily living skills, travel training, self-advocacy skills particularly around a student’s disability, work-based learning experiences, and activities around applying to college and vocational school. *See also* 20 U.S.C. § 1414(d)(1)(A)(VIII).

schools to partner with other agencies that can expand students' opportunities, including the Office of Vocational Rehabilitation (OVR), the state agency responsible for helping people with disabilities prepare for, obtain, and maintain employment.<sup>5</sup>

On October 21, 2020, the Philadelphia City Council's Committees of Disabled and Persons with Special Needs and Education held a hearing to examine current and best practices on secondary transition services for District students. The hearing convened a broad range of stakeholders, including parents of current and former District students with disabilities, transition service providers, and District representatives, to testify about the importance of transition planning, the District's current challenges in providing these services, and the unmet needs of District's transition-age students. This letter summarizes the key takeaways from the hearing, which included testimony from 13 individuals over 4 hours.

### **Effective transition planning should be the cornerstone of education for students with disabilities**

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- **Students with disabilities often face significant hurdles after high school**, including lower enrollment in higher education than their non-disabled peers and high rates of unemployment. Darlene Hemerka, an attorney at the Public Interest Law Center, testified that according to a 2016 report by the Mayor's Office of Community Empowerment and Opportunity, 24% of Philadelphians with disabilities were unemployed.<sup>6</sup> Within the School District of Philadelphia, only 22% of students who had an IEP when they left high school were enrolled in higher education within one year of leaving school and only 69% of students were either enrolled in higher education or employed within one year of leaving school.<sup>7</sup>
- **Comprehensive, coordinated transition planning has the power to improve these outcomes.** Across the board, panelists emphasized that with the right supports, services, and interventions, students with disabilities can transition successfully to adulthood.<sup>8</sup> Julia Barol, the President of the Pennsylvania Association of People Supporting Employment First, testified that decades of research have demonstrated that post-school outcomes improve when "educators, family, students and community members and organizations work together to implement a broad perspective of transition planning, more appropriately referred to as a transition focused education," which recognizes that

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<sup>5</sup> 29 U.S.C § 3101; *see also* 43 P.S. § 683.1.

<sup>6</sup> Transcript at 13; *see also* City of Philadelphia Mayor's Office of Community Empowerment and Opportunity, *2016 Community Needs Assessment* (February 15, 2017), <http://www.sharedprosperityphila.org/wp-content/uploads/2019/07/CEO-CNA-Draft-Report-03282017.pdf>.

<sup>7</sup> Transcript at 14; *see also* *Special Education Data Report: Philadelphia City School District*, (May 15, 2020), [https://penndata.hbg.psu.edu/penndata/documents/BSEReports/Public%20Reporting/2018-2019/PDF\\_Documents/Speced\\_Data\\_Report\\_SD463\\_Final.pdf](https://penndata.hbg.psu.edu/penndata/documents/BSEReports/Public%20Reporting/2018-2019/PDF_Documents/Speced_Data_Report_SD463_Final.pdf).

<sup>8</sup> *See, e.g.*, Transcript at 138-141 (testimony of Andrea Consigny, Division Director of Employment Services and Community Participation Supports at SPIN); *id.* at 77-91 (testimony of Justin Salisbury, advocate for National Federation of the Blind PA); *id.* at 148-149 (testimony of Mary Beth Morgan, Independent Living Specialist at Liberty Resources).

transition planning is a fundamental part of students' educational programming, rather than an "add-on activity."<sup>9</sup>

- **Opportunities to work in the community alongside non-disabled peers are among the most effective tools for achieving post-school success.**<sup>10</sup> Work-based learning, which gives students opportunities to spend part of their school day working in an integrated community setting, helps transition-aged youth build confidence, understand workplace expectations, and link their skills to real-world career options.<sup>11</sup> Andrea Consigny, the Division Director of Employment Services and Community Participation Supports at SPIN, a nationally recognized disability services organization, testified that "[t]ransition-age students with disabilities are more successful post-graduation if they had meaningful employment experience while still in school."<sup>12</sup>

### **Significant improvements are necessary to ensure that District students with disabilities can live independent, fulfilling, and economically self-sufficient lives**

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- **Students with disabilities in the School District of Philadelphia are not being provided with the transition planning and services they need to succeed.** It is estimated that there are anywhere between 6,000-14,000 students entitled to transition services in the District each year.<sup>13</sup> Darlene Hemerka testified that, according to data submitted by the District to the U.S. Department of Education, over 60% of eligible students in Philadelphia did not receive the transition services to which they were entitled during the 2017-2018 school year.<sup>14</sup> Additional data suggests that the District is not effectively coordinating with OVR. According to 2018-2019 reports, OVR staff members

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<sup>9</sup> Transcript at 22-25; *see also* Department of Education Office of Special Education and Rehabilitative Services Transition Data Fact Sheet, September 2015, at 4; *see also, e.g.*, Carter, E. W., Austin, D., & Trainor, A. A., "Predictors of postschool employment outcomes for young adults with severe disabilities," *Journal of Disability Policy Studies* 23(1) (2012), 50-63, available at <http://journals.sagepub.com/doi/abs/10.1177/1044207311414680?journalCode=dpsa#articleCitationDownloadContainer>.

<sup>10</sup> *See, e.g.*, Transcript at 20 (testimony of Otis Hackey, Chief Education Officer for the City of Philadelphia); *id.* at 25-26 (testimony of Julia Barol, President of the Pennsylvania Association of People Supporting Employment First); *id.* at 62-63 (testimony of Justin Gabor, student at Abraham Lincoln High School); 81-83 (testimony of Justin Salisbury, advocate for National Federation of the Blind PA).

<sup>11</sup> *Id.* at 142-145.

<sup>12</sup> *Id.* at 142.

<sup>13</sup> The District does not appear to track information regarding the number of transition-age students enrolled in its schools. *See* Testimony at 107-108. In response to questioning, the District offered to compile that information and share it with Council, but to our knowledge it has not yet been provided. Accordingly, this estimate is based on information reported by OVR under state law. *See* Work Experience for High School Students with Disabilities Act, Office of Vocational Rehabilitation Quarterly Report April 1, 2019–June 30, 2019, IEPs Transition Status, Philadelphia at <https://www.dli.pa.gov/Individuals/Disability-Services/Documents/Act%2026%20SFY18-19%20Q4%20Report.pdf>

and Work Experience for High School Students with Disabilities Act, Office of Vocational Rehabilitation Quarterly Report July 1, 2018–September 30, 2018, IEPs Transition Status, Philadelphia at <https://www.dli.pa.gov/Individuals/Disability-Services/Documents/Act%2026%20SFY18-19%20Q1%20Report.pdf>.

<sup>14</sup> Transcript at 13-14; *see also*

[https://penndata.hbg.psu.edu/penndata/documents/BSEReports/Public%20Reporting/2017-2018/PDF\\_Documents/Speced\\_Data\\_Report\\_SD463\\_Final.pdf](https://penndata.hbg.psu.edu/penndata/documents/BSEReports/Public%20Reporting/2017-2018/PDF_Documents/Speced_Data_Report_SD463_Final.pdf)

attended fewer than 200 IEP meetings and made fewer than 300 job referrals for students in Philadelphia.<sup>15</sup>

- **As a result, transition-aged students are being left behind.** Several parents of District students testified about the ways in which the District’s lack of appropriate transition planning and services has hampered their children’s progress towards employment, continuing education, and independent living.<sup>16</sup> Kimberly Williams, a mother of a recent graduate with autism, testified that her son’s teachers did not have the training needed to develop a coordinated transition plan and were not familiar with other agencies that provide resources around transition planning.<sup>17</sup> Antonio Spence testified that his son’s IEP team failed to provide him with information about the basic requirements and accommodations necessary to achieve his post-school goal of college, which delayed his plans to enroll in a 4-year degree program.<sup>18</sup> Lisa Johnson, a parent of a current student with multiple disabilities, testified that the District does not have the appropriate tools to assess her son’s skills and that as a result, her son has been referred to a “day program,” which segregates people with disabilities from the rest of the community.<sup>19</sup>
- **The District faces a number of challenges to providing adequate transition services.** Currently, there is only one secondary transition coordinator to support the thousands of transition-age students with IEPs enrolled in District schools.<sup>20</sup> The teachers, counselors, and school teams tasked with putting together transition plans frequently lack the necessary training and resources to do so effectively.<sup>21</sup> Although the District offers some community-based instruction, those programs currently serve only a very small fraction of eligible students.<sup>22</sup> The District also continues to face challenges in coordinating with OVR.<sup>23</sup> ShaVon Savage, the Deputy Chief for the District’s Office of Specialized Services, testified that the District needs additional resources and finances to provide appropriate transition planning, especially as the number of students eligible for those services grows.<sup>24</sup>

### **The Board of Education can help ensure that District students with disabilities are prepared for adulthood**

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- **The Board should undertake a review of the District’s transition services program.** As part of the Goals and Guardrails program, the Board is currently monitoring the District’s progress towards ensuring that students are college and career ready when they graduate. We urge the Board to include transition planning in this progress monitoring,

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<sup>15</sup> See Office of Vocational Rehabilitation Quarterly Report April 1, 2019–June 30, 2019, Work Experience for High School Students with Disabilities Act, , IEPs Transition Status, Philadelphia at <https://www.dli.pa.gov/Individuals/Disability-Services/Documents/Act%2026%20SFY18-19%20Q4%20Report.pdf>

<sup>16</sup> See Transcript at 42-47 (Lisa Johnson); 48-56 (Cecelia Thompson); 56-61 (Dawn Ang); 67-74 (Kimberly Williams); 74-77 (Antonio Spence).

<sup>17</sup> *Id.* at 70.

<sup>18</sup> *Id.* at 77.

<sup>19</sup> *Id.* at 47.

<sup>20</sup> *Id.* at 108-109.

<sup>21</sup> *Id.* at 70 (Kimberly Williams); 141 (Andrea Consigny).

<sup>22</sup> *Id.* at 101-102 (ShaVon Savage); 71 (Kimberly Williams); 63 (Justin Gabor); 58 (Dawn Ang).

<sup>23</sup> *Id.* at 112-113.

<sup>24</sup> See, e.g., *id.* at 105-106; 111-112; 114.

and specifically to establish benchmarks related to training, assessments, community-based learning, and interagency coordination, in order to ensure that the District is meeting its obligations to its transition-age students.

- **The Board should commit the resources necessary to ensure that the District can improve and expand transition planning.** As part of its review, we ask the Board to identify areas of unmet need and allocate the financial support necessary to build the District's capacity to provide effective, comprehensive transition services to *all* its students. For example, the District is currently seeking funding for RFQ-221, which aims to expand transition curricula and improve the qualifications of teachers working with transition-aged youth. We ask the Board to take action on this RFQ and assist the District in securing a qualified vendor.
- **The Board should review the District's current contracts for community-based instruction to ensure they are providing inclusive and integrated opportunities for students with disabilities.** Research demonstrates that transition-age students need real work experience in community settings to succeed. We encourage the Board to review the District's current contracts to ensure that its work-based learning programs provide students with meaningful opportunities to build skills outside the walls of their classrooms.

We thank you for your consideration of this important issue, and we look forward to working with the Board to ensure that students with disabilities in the School District of Philadelphia are being prepared to successfully transition to life after high school.

Sincerely,

The Public Interest Law Center  
The Arc of Philadelphia  
Education Law Center-PA  
HUNE (Hispanos Unidos para Niños Excepcionales)  
Liberty Resources Inc.  
The PEAL Center  
Pennsylvania Association of People Supporting Employment First  
SPIN Inc.  
Dawn Ang, Parent  
Lisa Johnson, Parent  
Kimberly Williams, Parent