




STATE OF CONNECTICUT  
DEPARTMENT OF EDUCATION



**TO:** Directors of Special Education and Pupil Personnel Services  
Secondary Transition Contact Persons

**FROM:** Alycia M. Trakas, Education Consultant 

**DATE:** February 9, 2022

**SUBJECT: Workforce Innovation and Opportunity Act (WIOA) LEA Requirements**

The Connecticut State Department of Education (CSDE) Bureau of Special Education (BSE) is engaged in a partnership with the Department of Aging and Disability Services (ADS) Bureau of Rehabilitation Services (BRS) and the Department of Developmental Services (DDS) to assist in supporting students who will be transition from school to adult supports and services. The Individuals with Disabilities Education Act (IDEA, 2004) and the Workforce Innovation and Opportunity Act of 2014 (WIOA) require interagency cooperation for transition preparation, planning, and implementation for students with disabilities receiving special education services.

***Level Up Contact Person and the BRS Referral Protocol***

This interagency cooperation includes, but is not limited to the identification of a local education agency (LEA) contact person in each secondary school to collaborate with a ADS/BRS Level Up Counselor assigned to that school and the completion of a *Bureau of Rehabilitation Services Secondary Transition, School Referral Process* form, known as the *BRS Referral Protocol*, by each school and Level Up Counselor to share information necessary to collaborate to provide pre-employment transition services annually. Each fall, the ADS/BRS Level Up Counselor assigned to each district school will contact either the transition contact from the previous year or the Director of Special Education to identify who the school contact person will be for the current year. A meeting will be set up at a mutually agreed upon time and location to complete the *BRS Referral Protocol* which documents the contact information of each person and is the framework used to initiate a discussion about how Level Up Services will be provided to appropriate students with disabilities in each school. A copy of the *BRS Referral Protocol* must be filed with ADS by the end of the calendar year.

***WIOA Section 511 LEA Documentation of Transition Services Requirements***

Section 511 of the WIOA is intended to place limits on the payment of subminimum wage to individuals with disabilities. The CSDE plays a critical role in the implementation and enforcement of WIOA Section 511. The individuals to whom WIOA Section 511 applies are students who are known by the local education agency (LEA) to be seeking subminimum wage employment upon exiting school and are also known by the ADS, which includes the Bureau of Education and Services for the Blind (BESB) and the BRS. In Connecticut these students are eligible for receiving adult services from the DDS. Please see the attached *WIOA Section 511 LEA Documentation of Transition Services Requirements*, developed by a stakeholder

workgroup consisting of CSDE, ADS, DDS, and LEA personnel, which summarizes the LEA requirements for documenting transition services provided by the LEA under the IDEA, as identified in WIOA Section 511<sup>1</sup>.

Prior to a decision to place any student, age 21 and younger, into subminimum wage employment, the LEA will ensure that all of the following steps have been completed.

The student:

- 1) Has received transition services under the IDEA, as indicated in their individualized education program (IEP) and, if appropriate;
- 2) Has received pre-employment transition services called Level Up Services funded by ADS; and
- 3) Has been referred to ADS, and has either been found ineligible for services or has been found eligible and has been unable to achieve the employment outcome specified in their Individualized Plan for Employment (IPE) after a reasonable period of time.

***WIOA Section 511 LEA Documentation of Completed Transition Services for WIOA Section 511 Students***

Federal regulations require LEAs to submit the documentation of the provision of transition services provided under the IDEA, as indicated on the student's IEP, to ADS/BRS for WIOA Section 511 students **no later than 30 calendar days after the completion of the required activity or service**. The CSDE reminds school districts that as a result of the A.R. v. Connecticut State Board of Education court order, all students remain eligible for special education services under the IDEA through the age of 21 (up until their 22<sup>nd</sup> birthday, when they reach the maximum age of eligibility) or until they graduate from high school with a regular high school diploma, whichever occurs first.

***WIOA Section 511 LEA Documentation of Completed Transition Services for WIOA Section 511 Students Outplaced in an Approved Private Special Education Program (APSEP) or a Regional Educational Service Center (RESC)***

For WIOA Section 511 Students who are outplaced either in an APSEP or in a RESC, the sending LEA is responsible for submitting the WIOA Section 511 documentation to ADS/BRS, since the LEA is responsible for the development and implementation of the student's IEP that contains the provision of transition services provided under the IDEA. LEAs are encouraged to collaborate with the APSEPs and the RESCs to ensure that the most up-to-date and accurate information is submitted along with the *WIOA Section 511 LEA Documentation of Completed Transition Services* form in a timely manner.

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<sup>1</sup> 34 Code of Federal Regulation § 397.30

***Actions Required by LEAs for WIOA Section 511 Students***

**Upon the student's exit from high school (no later than 30 calendar days after completion of the required activity or service), LEAs must:**

- 1) Complete the *WIOA Section 511 LEA Documentation of Completed Transition Services* form and attach the student's most recent IEP.
- 2) Submit the completed form and the student's most current IEP to, Katlyn Williams, Secretary, ADS/BRS, using the contact information on the form.

\*LEAs must obtain written parental consent or the consent of the adult student, if the student has reached the age of majority under state law (age 18 in CT) and is their own guardian, before disclosing confidential student information/personally identifiable information (PII) to ADS/BRS. **Documentation should be submitted to ADS/BRS either through the mail or through an encrypted/password protected email to comply with confidentiality requirements of the Family Education Rights and Privacy Act (FERPA) and the IDEA.**

- 3) Provide the parent or adult student with a copy of the submitted form and IEP.

If an LEA encounters a student, already determined eligible through the DDS, who has not been referred to the ADS/BRS Level Up for an evaluation and has not received documentation from the ADS/BRS indicating the ability to seek subminimum wage employment upon exiting high school, please contact Lynn Frith, Education Consultant, ADS/BRS, by email at [Lynn.Frith@ct.gov](mailto:Lynn.Frith@ct.gov) or by phone at 860-424-4863 for further instructions.

Questions can be directed to Alycia M. Trakas, Education Consultant, by email at [Alycia.Trakas@ct.gov](mailto:Alycia.Trakas@ct.gov) or by phone at 860-713-6932.

We thank you in advance for complying with these established federal and state timelines. Questions can be [emailed to Alycia M. Trakas and Lynn Frith using this link](#).

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cc: Bryan Klimkiewicz, CSDE, Special Education Division Director  
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Enclosures: (2)