



STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION



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

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

DATE: April 30, 2024

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 transitioning 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.

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 BRS. In Connecticut these students are eligible for receiving adult services from DDS. Please see the attached [WIOA Section 511 LEA Documentation of Transition Services Requirements](#), developed by a collaborative 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 511¹.

Prior to a decision to place any student, age 22 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

¹ 34 Code of Federal Regulation § 397.30

- 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 Public Act 23-137, effective July 1, 2023, all students remain eligible for special education services under the IDEA through the end of the school year during which the student turns age 22, or until the student graduates from high school with a regular high school diploma, whichever occurs first.

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.

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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.

If an LEA identifies 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 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 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](#).

AMT:amt

cc: Bryan Klimkiewicz, CSDE, Division Director, Bureau of Special Education
Amber Carter, DDS, Director of Employment & Day Services
Tammy Venenga, DDS, Director of Specialized Service Development
Kathleen Marchione, ADS, Bureau of Rehabilitation Services, Bureau Chief
Lynn Frith, ADS, Bureau of Rehabilitation Services, Education Consultant
Katlyn Williams, ADS, Bureau of Rehabilitation Services, Secretary

Enclosures: (2)