

Plenary Session Three: Alternate Academic Achievement Standards for Students with Significant Cognitive Disabilities

Panelists: *Dan Farley, Fran Warkomski, Jan Sheinker, Janette Shell*

Moderator: *Susan Weigert, U.S. Department of Education, Office of Special Education and Rehabilitative Services*

Wording of New Requirement under ESEA

A panel discussed the new ESSA requirement for Alternate Academic Achievement Standards (AAAS). The new requirement states that AAAS must reflect professional judgment on the highest possible standards achievable by such students and must be “designed to ensure that a student who meets those standards is on track to pursue postsecondary education (PSE) or competitive integrated employment (CIE).” Most, if not all, states cannot yet demonstrate evidence of meeting this new requirement. The session focused on considerations that states might make when gathering evidence to demonstrate alignment in this area. See the Guide, Section 6.3, page 68, element 5.

Ms. Janette Shell addressed related topics, including the following: What changes did the Workforce Innovation and Opportunity Act (WIOA) make in employment services for students and youth with disabilities? What is competitive integrated employment? She began by providing employment statistics.

National Vocational Rehabilitation Program Data: FY 2016

Nationally, of the 19,108 individuals who were under 25 at exit and had an intellectual disability:

- 18,320 (95.9%) were determined eligible for vocational rehabilitation services;
- 12,969 (67.9%) received vocational rehabilitation services;
- 6,836 (35.8%) achieved an employment outcome; and
- Among the 6,836 employment outcomes achieved, 6,473 (94.7%) achieved competitive integrated employment.

Factors that cause these low numbers include families concerned about losing Social Security benefits, and protective families who want their children or other family members to stay home. In addition, if an agency can't serve all the eligible individuals in their states, it must implement an “order of selection,” which identifies the most significantly disabled individuals and prioritizes them for services.

Changes made by WIOA in Employment Services for Students and Youth with Disabilities

- The Department of Labor Youth Program must now use 75 percent of its program funds to serve out-of-school youth, including youth with disabilities;
- Department of Education Vocational Rehabilitation Program state grantees must reserve 15 percent of their federal allotment to provide pre-employment transition services to students with disabilities; and
- WIOA placed limitations on the use of subminimum wage employment for students and youth with disabilities. These are community programs that applied to the Department of Labor so they can pay subminimum wages.

WIOA Amendments to the Rehabilitation Act

WIOA amended the Rehabilitation Act of 1973 (the Act) by:

- Emphasizing the provision of services to students and youth with disabilities to ensure they have opportunities to receive the training and other services necessary to achieve competitive integrated employment;
- Expanding the population of students with disabilities who may receive services and the kinds of services that vocational rehabilitation agencies may provide to youth and students with disabilities who are transitioning from school to postsecondary education and employment;
- Increasing opportunities to practice and improve workplace skills, such as through internships and other work-based learning opportunities;
- Requiring vocational rehabilitation agencies to reserve and expend not less than 15 percent of the federal vocational rehabilitation allotment to provide, or arrange for the provision of, pre-employment transition services for students with disabilities transitioning from school to postsecondary education programs and employment; and
- Requiring vocational rehabilitation agencies to coordinate the provision of pre-employment transition services with LEAs.

WIOA Key Definition

A “student with a disability” is an individual who

- Is in an educational program;
- Meets certain age requirements that vary from state to state;
- Is eligible for and receiving special education or related services under the Individuals with Disabilities Education Act (IDEA); or
- Is an individual with a disability for purposes of Section 504 of the Act.

Pre-Employment Transition Services

Pre-employment transition services (section 7(30) of the Act and §361.5(c) (42)) are

- “Required” activities (section 113(b) of the Act and §361.48(a)(2));
- “Authorized” activities (section 113(c) of the Act and §361.48(a)(3)); and
- “Pre-employment transition coordination” activities (section 113(d) of the Act and 361.48(a)(4))).

Pre-Employment Transition Services: Section 113(b) of the Rehabilitation Act, as Amended

The five required activities of pre-employment transition services are

- Job exploration counseling;
- Work-based learning experiences;
- Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education;
- Workplace readiness training to develop social skills and independent living; and

- Instruction in self-advocacy, including peer mentoring.

What Is Competitive Integrated Employment?

To satisfy the definition of “competitive integrated employment,” the employment must meet the requirements for the following three components:

- Competitive earnings;
- Integrated location; and
- Opportunities for advancement.

Competitive Integrated Employment: Competitive Earnings Component

Under the definition of “competitive integrated employment,” earnings must be

- Equal to or greater than the federal, state, or local minimum wage rate, whichever is higher, where the place of employment is located; and
- Comparable to the customary rate paid by the employer to employees without disabilities in similar positions with comparable skills, experience, and training.

The employee with the disability also must receive benefits comparable to those of employees without disabilities in similar positions.

Competitive Integrated Employment: Integrated Location Component

Vocational rehabilitation agencies must determine on a case-by-case basis whether the work performed is in a location where the employee with a disability interacts with other persons who are not individuals with disabilities to the same extent that employees without disabilities in similar positions interact with other persons. This is considered an integrated location.

Types of Competitive Integrated Employment

- “Supported Employment” means individuals with the most significant disabilities require ongoing support services to maintain employment.
- “Customized Employment (CE)” is a type of employment based on the particular strengths, needs, and interests of the individual that also meets the business needs of the employer.
- CE uses a set of tools and strategies to ensure successful employment outcomes. It utilizes discovery instead of traditional vocational evaluations. Interest-based negotiation is used to create jobs, rather than relying on job market indicators.

Overview of Section 511 of the Rehabilitation Act: Limiting the Use of Subminimum Wage

Section 511 prohibits an entity that holds a section 14(c) certificate from compensating an individual with a disability at a subminimum wage unless certain conditions are met and focuses on the payment of subminimum wage, not the nature of the work setting. Section 511 also requires youth with disabilities to satisfy certain service-related requirements prior to starting work at a subminimum wage

and requires vocational rehabilitation agencies and LEAs to document the individual's completion of the requisite services.

Prior to beginning work at subminimum wage, a youth with a disability must demonstrate, through documentation, pre-employment transition services under the vocational rehabilitation program or transition services under IDEA, application for vocational rehabilitation services that results in determination of ineligibility or eligibility, and the receipt of career counseling and information and referral services.

Examples of Competitive Integrated Employment: Students and Youth

Videos were shown to seminar participants that demonstrated employment tasks being completed by students with disabilities, as well as the benefits supervisors experienced as they worked with these students. The video clips were provided by Dan Habib of Intelligent Lives, who documents secondary transitions for students with disabilities: www.intelligentlives.org

Ms. Jan Sheinker continued the presentation.

Alternate Academic Achievement Level Descriptors (AAALDs): On Track to Pursue PSE or CIE

Ms. Sheinker said reviews are addressing only alternate academic achievement standards at the proficient level for high school accountability assessments (English language arts, mathematics, and science). The charge is to determine how to develop evidence indicating that our AAAS demonstrate that a student is on track to pursue postsecondary education or competitive integrated employment. Postsecondary options include community colleges, four-year colleges and institutions, vocational-technical colleges, and other forms of adult education. The definition for competitive integrated employment is supplied by WIOA. Some academic skills observed in video clips were reading for information, speaking, and listening.

English Language Arts Strands (CCSS)

- Reading literature;
- Reading informational text;
- Writing;
- Speaking and listening; and
- Language.

Grade 11-12 Literacy (CCSS):

- Key Ideas and details;
- Craft and structure;
- Integration of knowledge and ideas; and
- Range of reading and level of text complexity.

Mr. Dan Farley continued the presentation.

Alternate Academic Achievement Level Descriptors (AALDs): On Track for Postsecondary Opportunities

Mr. Farley said a student who achieves the “at target” performance level typically can identify text elements, demonstrate an understanding of language, and identify text structure when reading literature and informational text. The student can identify text elements by identifying two related points and identifying details that defend a claim. (These two skills relate computer inventory category to entry.) The student can demonstrate an understanding of language by determining the figurative meaning of words and phrases. The student can identify text structure by identifying the linear parts of a story. (This skill identifies location of parts by following linear inventory sheet column headers.)

When writing, the student does the following:

- Introduces a topic clearly to convey information;
- Includes quotes from print sources;
- Produces grammatically correct simple, compound, and complex sentences;
- Uses domain-specific vocabulary to strengthen claims;
- Produces a conclusion; and
- Spells single-syllable words conventionally and phonetically.

Academic Skills Observed in Video Clips of Working Students

- Matching;
- Counting;
- Implementing the concept of zero;
- Visual-spatial reasoning;
- Abstract letter/number code interpretation; and
- Organizing and categorizing spare parts.

Eight Mathematical Practices (CCSS)

There are eight standards for mathematical practice from CCSS that teachers are expected to tie into their curricula:

- Make sense of problems and persevere in solving them;
- Reason abstractly and quantitatively;
- Construct viable arguments and critique the reasoning of others;
- Model with mathematics;
- Use appropriate tools strategically;
- Attend to precision;
- Look for and make use of structure; and
- Look for and express regularity in repeated reasoning.

Alternate Academic Achievement Level Descriptors (AALDs): On Track for Postsecondary Education in Mathematics

In grade-level content reduced in depth, breadth, and complexity, students demonstrate proficient performance when presented with items that ask them to do the following:

- Compare units in terms of magnitude (0-40) (compare quantities);
- Identify congruent angles, rectangles, and rhombuses (e.g., microchip quality assurance review);
- Identify objects that are shaped like circles or rectangles.

Next Generation Science Standards (NGSS) Science and Engineering Practices

Here are the eight practices of science and engineering identified by NGSS as essential for all students to learn and describes in detail:

1. Asking questions (for science) and defining problems (for engineering);
2. Developing and using models;
3. Planning and carrying out investigations;
4. Analyzing and interpreting data;
5. Using mathematics and computational thinking;
6. Constructing explanations (for science) and designing solutions (for engineering);
7. Engaging in argument from evidence; and
8. Obtaining, evaluating, and communicating information.

NGSS Crosscutting Concepts

Crosscutting concepts have application across all domains of science. They are a way of linking the different domains of science. They include patterns; cause and effect; scale, proportion, and quantity; systems and system models; energy and matter; structure and function; and stability and change.

Possible Agencies to Engage in AALD Review

The following agencies may be helpful in preparing for review:¹

- Division of Vocational Rehabilitation (DVR);
- Local agencies that serve students with intellectual disabilities;
- National agencies that serve students with intellectual disabilities;
- TASH, the American Association on Intellectual and Developmental Disabilities (AAIDD), the Association of University Centers on Disabilities (AUCD)/University Centers of Excellence, The ARC, United Cerebral Palsy (UCP), PACER/Parent Training Information Centers, and the Association on Higher Education and Disability (AHEAD);
- Businesses and nonprofits that have a history of incorporating students with intellectual disabilities into their workforce;

¹ Grigal, M., & Hart, D. (2009). *Think College! Postsecondary Education Options for Students with Intellectual Disabilities*. Baltimore: Paul H. Brookes Publishing.

- One potential bridge to relevant information with contacts in the state is ThinkCollege: <https://thinkcollege.net/>.

Postsecondary Education Funding Resources to Consider (Grigal & Hart, 2009)

- **IDEA funds:** Dual enrollment programs are often funded by the school system using IDEA or local school district funds. Additionally, the institution of higher education can waive tuition.
- **Vocational rehabilitation funds:** If an eligible student's coursework is directly related to his or her employment goal, state vocational rehabilitation funds might be used. Additionally, some VR agencies may offer financial assistance with the costs of postsecondary education for eligible students.
- **Family funds:** Postsecondary options can be paid for by students' families. Students without a standard high school diploma are not eligible to apply for financial aid, nor can their families use college savings or 529 plans to pay tuition and fees. This limits access for economically challenged students.
- **Other rehabilitation organizations:** State developmental disability/mental retardation departments may provide funding to assist a student with intellectual disabilities to access postsecondary education.
- **Scholarships:** Foundations or organizations can give scholarships to students enrolling in postsecondary education regardless of their financial or disability status if the student meets other requirements. Individual colleges also award annual scholarships based on demonstrated financial need.
- **AmeriCorps programs:** Funded by the Corporation for National and Community Service, these programs provide an education award or stipend to participants who volunteer for one or two years.
- **Plans for Achieving Self-Support (PASS Plans):** PASS Plans were developed by the Social Security Administration as an incentive to encourage individuals who receive Supplemental Security Income (SSI) or Supplemental Security Disability Income (SSDI) to enter the workforce. This plan allows individuals to work and save money without being penalized with a deduction from their SSI or SSDI check. There are restrictions on how the saved money can be used, but college tuition and fees would be permissible if shown to relate to a career goal and outcome.

Evidence: On Track to Pursue Postsecondary Education or Competitive Integrated Employment

Ms. Fran Warkomski said to inventory current, available data sources:

- Special education programs:
 - State Performance Plan (SPP)/Annual Performance Report (APR) indicators on graduation, transition, postschool outcomes, and the state systemic improvement plan (SSIP); and
 - State monitoring or focused monitoring;
- National technical assistance centers and model programs.

Identify other state agencies and partners with shared requirements or mission:

- Vocational rehabilitation:
 - Increasing opportunities to practice and improve workplace skills;

- Requiring vocational rehabilitation agencies to reserve and expend not less than 15 percent of the federal vocational rehabilitation allotment;
 - Requiring vocational rehabilitation agencies to coordinate the provision of pre-employment transition services with LEAs; and
 - Career and technology programs.
- Other state agencies and partners:
 - Higher education;
 - ThinkCollege;
 - U.S. Business Leadership Network, now called “Disability: IN”; and
 - Corporations committed to expanding opportunities.

Examples of companies that have had successes are Marriott, HP, SAP, Microsoft, AETNA, EY, American, Medronic, Walmart, JPMorgan Chase, Florida Blue, Aramark, Merck, Lockheed Martin, and T-Mobile.

Ms. Warkomski advised states to Identify what may be created based on program improvement areas; develop models for replication within the state using discretionary funds; and gather input from parents, education, and businesses.

Existing Alignment Options

- Processes and procedures used to demonstrate challenge;
- IEP sampling as part of monitoring;
 - Checklist for IEP team: identifies transition plan, internships, classes;
 - Development of benchmarks designed to demonstrate alignment; and
 - Review Summary of Academic Performance of proficient students on the alternate assessment using criteria for “on track” to pursue either postsecondary education or competitive integrated employment.
- Follow-up studies;
 - TAC suggestions.

The Guide (page 69, third bullet) addresses the evidence you can submit related to follow-up studies and postsecondary employment.

Questions and Comments

- Mr. Peasley noted that ED received many questions from states in this area but was not able to answer all of them.
- A participant said it’s clear how the linkage of alignment can be made. However, the requirement is for all grade levels; how do you get this done early in the educational system, e.g., third-grade reading? The response was to begin with the end in mind. Ask “What will get us to the goal line?” Vertically align backwards and keep in mind the links to the grade-level expectations. It’s worthwhile to engage the people providing postsecondary opportunities in the conversation about grade levels. Also, think about what is common across all grades in academic areas.
- Another participant asked about students at work who can’t speak or communicate conventionally. They need assistive technology. A panelist said there are a variety of tools to

assist workers, such as job coaches that develop picture books, a word the student can use to ask for help, and sign language, which can be used in a variety of settings.

- A participant noted that sources of information are important. Many states have data. Section 3.4 of the Guide points to evidence of correlations between proficiency on the high school AA-AAAS and performance in postsecondary education, vocational training, or competitive integrated employment. States could consider present levels statements from IEPs and postsecondary education programs.

This was the last plenary session of the day and the entire group would not be reconvening, Mr. Peasley thanked everyone for their participation and asked participants to complete their evaluations.