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Youth Transition: The Growing Role of Centers for Independent Living

Necessary Elements of Youth Transition that Meet the Definition of the Newly Required Core Service of IL

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This session covers...

- What the law and final regulations say.
- What falls under the new core service and what doesn't.
- What the proposed* Program Progress Report tells us about this core service.
- Strategies for tracking this service for reporting purposes.

*The revised CIL PPR is open for public comment until May 5, 2017 and will not take effect until comments are reviewed and final information collection instrument is released. Information is available at https://acl.gov/NewsRoom/NewsInfo/2017/2017_03_09.aspx

WIOA and Transition Services

- Advocates throughout the country were active in seeking the most recent amendments to the Rehabilitation Act, the Workforce Innovation and Opportunity Act.
- The amendments addressed Title I (Vocational Rehabilitation Services) and Title VII (Independent Living services).
- Advocates from IL were not involved in the addition of youth transition to transition services, so it may have surprised many. CILs have always been required to serve all ages and all disabilities, whether or not they have or had an IEP.

What the Law Says

- The law references youth transition as one portion of a core service called “transition.”
- The law indicates that this service is for post-secondary youth who had an IEP when in school, which narrows the definition of youth with disabilities.
- The law indicates that these services are post-secondary (after ending high school) and extend through age 24 (up to the 25th birthday).

What Regulations Apply

- **45 CFR 1329—State Independent Living Services and Centers for Independent Living**
- **45 CFR part 75—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards.**
- 45 CFR part 93—New Restrictions on Lobbying.
- 2 CFR part 382—Requirements for Drug-Free Workplace (Financial Assistance).

What Non-Discrimination Regulations Apply



- 45 CFR part 80—Nondiscrimination under Programs Receiving Federal Assistance through the Department of Health and Human Services—Effectuation of title VI of the Civil Rights Act of 1964.
- 45 CFR part 84—Nondiscrimination on the Basis of Handicap in Programs Activities Receiving Federal Financial Assistance
- 45 CFR part 91—Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from HHS.

1329.4 Definitions.

Completed their secondary education means, with respect to the Independent Living Core Services that facilitate the transition of youth who are individuals with significant disabilities in section 7(17)(e)(iii) of the Act, that an eligible youth has received a diploma; has received a certificate of completion for high school or other equivalent document marking the completion of participation in high school; or has exceeded the age of eligibility for services under IDEA.

1329.4 Definitions, cont'd.

Core Services Definition for Youth Transition: Services that facilitate the transition of youth who are individuals with significant disabilities, who were eligible for individualized education programs under section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)), and who have completed their secondary education or otherwise left school, to postsecondary life. Individuals who have reached the age of 18 and are still receiving services in accordance with an Individualized Education Program (IEP) under IDEA have not “completed their secondary education.”

What does this mean in terms of who we should serve?



- You must serve people who had an IEP in school but you have always been allowed to also serve other individuals with 504 plans or no official plan with the school, as long as they have a significant disability.
- To address transition services you must assist with the transition to post-secondary life, but you can serve people of any age.

§ 1329.4 Definitions. cont'd. 2

Youth with a significant disability means an individual with a significant disability who—

1. Is not younger than 14 years of age; and
2. Is not older than 24 years of age.

Your CIL may Serve Younger or Older People



- Centers serve people of all ages and across all disabilities who have a significant disability.
- “Significant disability” has always been required for eligibility for IL services, and is self-disclosed
- If your CIL has other income you can broaden who you serve.
- Alternately, if you fund events for and with youth with significant disabilities, other youth may benefit if the CIL does not have an additional cost or that cost is paid by funds other than Title VII of the Rehabilitation Act (for example, Title I VR funds, registration fees, grants from other entities, etc.)

§ 1329.4 Definitions.—

Individual with a significant disability means an individual with a severe physical or mental impairment whose ability to function independently in the family or community or whose ability to obtain, maintain, or advance in employment is substantially limited and for whom the delivery of independent living services will improve the ability to function, continue functioning, or move toward functioning independently in the family or community or to continue in employment, respectively.

Persons served must be individuals with a significant disability; more than 50% of the board of your CIL must be individuals with a significant disability as well.

Significant disability is self-disclosed.

What Falls Under the New Core Service

- Any Independent Living service provided to youth with disabilities who are between age 14 and 25 that **assists them in the transition to post-secondary life.**
- By including this from age 14 in the definition of youth and in the proposed Program Progress Report, ACL may have resolved the major concern expressed by existing programs, that you must begin working with youth while they are still in school to have any impact on their post secondary life.

Some Other Core Services are Key with Youth

(Definitions) Advocacy may—

1. Involve representing an individual—
 - i. Before private entities or organizations, government agencies (whether State, local, or Federal), or in a court of law (whether State or Federal); or
 - ii. In negotiations or mediation, in formal or informal administrative proceedings before government agencies (whether State, local, or Federal), or in legal proceedings in a court of law; and

Some Other Core Services are Key with Youth, cont'd.

2. Be on behalf of—
 - i. A single individual, in which case it is individual advocacy;
 - ii. A group or class of individuals, in which case it is *systems advocacy*; or
 - iii. Oneself, in which case it is *self advocacy*.

Remember – an individual can receive both advocacy and transition services. Advocacy can BE a transition service.

Some Other Core Services are Key with Youth, cont'd. 2



- *Peer relationships* mean relationships involving mutual support and assistance among individuals with significant disabilities who are actively pursuing IL goals.
- *Peer role models* mean individuals with significant disabilities whose achievements can serve as a positive example for other individuals with significant disabilities.

Both are key components of a strong youth program.

Questions about what qualifies as youth transition?

How are youth addressed in the SPIL?

- They may be identified as underserved in the SPIL.
- Certainly the requirement that all CILs provide all the core services should be reflected in the SPIL.
- Specific state-wide efforts or events involving youth may be addressed in your SPIL.
- Others?

Can we count other services in our PPR?

The Program Performance Report (formerly 704 report) should include your youth activities.

- Just as you can “count” the different services provided to an adult, you can count the different services provided to youth.
- Not all of a youth’s goals are solely around transition.
- Group activities may center on system advocacy or peer support, but to “count” the individual must have a goal. This is true for all services provided except for Information and Referral.

Strategies for Tracking this Service for Reporting Purposes



At the time the person comes to your center you may want to ask:

- Demographics – age, disability if they choose to identify one or more.
- What are your plans and goals for completing high school? For after you leave school?
- What are the barriers to doing what you want to do in adult life?
- Do you have a significant disability?

Questions on the foundation in regulations?

The most common money question...

Is food allowable?

- Entertainment costs. (CFR 75.438) including amusement, diversion and social activities and any associated costs are not allowed,
 - except where specific costs that might otherwise be considered entertainment have a programmatic purpose AND
 - are authorized either in the approved budget or with prior written approval of the federal awarding agency.

When we say a cost is not allowable...

- We mean you are not allowed to pay for it with federal funds.
- Notice that if you have a program purpose AND it is approved in advance, food and recreation costs MAY BE allowed.
- If your youth (without using federal resources or staff time) raise funds for activities, these separate funds can be spent to cover otherwise unallowable costs.

Group Discussion on the New Law and Regulations

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