
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 400 Session of
2015

INTRODUCED BY GINGRICH, GERGELY, MURT, SIMMONS, MILLARD, KINSEY,
BOBACK, MACKENZIE, DUNBAR, PICKETT, V. BROWN, ROZZI,
YOUNGBLOOD, GIBBONS, STURLA, SCHLOSSBERG, PETRI, KAUFFMAN,
KIRKLAND, COHEN, KAVULICH, D. COSTA, D. MILLER, MATZIE,
WATSON, SAMUELSON, FREEMAN, FEE, NEUMAN, RAVENSTAHL,
DONATUCCI, CUTLER, DEASY, ROEBUCK, McNEILL, HARKINS,
M. DALEY, DIGIROLAMO, BAKER, GODSHALL, DAVIS, READSHAW,
RADER, R. BROWN, GROVE, CARROLL, KORTZ, STEPHENS, DUSH,
SABATINA, BARBIN AND KILLION, FEBRUARY 17, 2015

SENATOR BROWNE, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, JUNE 26, 2015

AN ACT

1 Providing for the Work Experience for High School Students with
2 Disabilities Act; and imposing duties on the Office of
3 Vocational Rehabilitation.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Work
8 Experience for High School Students with Disabilities Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Competitive integrated employment." Work in the competitive

1 labor market that is performed on a full-time or part-time basis
2 in an integrated setting for which an individual is compensated
3 at or above the minimum wage, but not less than the customary
4 wage and level of benefits paid by the employer for the same or
5 similar work performed by individuals who do not have
6 disabilities.

7 "Integrated setting." With respect to an employment outcome,
8 a setting typically found in the community in which an applicant
9 or eligible individual interacts with individuals without
10 disabilities, other than an individual who is providing services
11 to the applicant or eligible individual, to the same extent that
12 individuals without a disability in a comparable position
13 interact with other persons.

14 "Office of Vocational Rehabilitation." The Office of
15 Vocational Rehabilitation established under section 7 of the act
16 of December 20, 1988 (P.L.1306, No.167), known as the Vocational
17 Rehabilitation Act.

18 "PREEMPLOYMENT TRANSITION SERVICES." SERVICES PROVIDED IN <--
19 ACCORDANCE WITH SECTION 113 OF THE REHABILITATION ACT OF 1973
20 (PUBLIC LAW 93-112, 29 U.S.C. § 701 ET SEQ.).

21 Section 3. Powers and duties of the Office of Vocational
22 Rehabilitation.

23 The Office of Vocational Rehabilitation shall PROVIDE <--
24 PREEMPLOYMENT TRANSITION SERVICES TO ~~YOUTH~~ STUDENTS WITH <--
25 DISABILITIES AND facilitate the process of job and career
26 development between local education agencies and public and
27 private employers to ensure the successful transition of high
28 school students with disabilities into competitive integrated
29 employment. In collaboration with officials of local education
30 agencies and other relevant public agencies, the Office of

1 Vocational Rehabilitation shall:

2 (1) Provide information for the development of
3 individual education plans for high school students with
4 disabilities ensuring that job skill training is included in
5 the plans when appropriate. When possible, the Office of
6 Vocational Rehabilitation shall attend individual education
7 plan meetings in person or by alternative means, such as
8 video conferences and conference calls, when invited by local
9 education agencies. ~~A representative from the Office of~~ <--
10 ~~Vocational Rehabilitation shall attend at least one meeting~~
11 ~~per year of individual education plan meetings for the last~~
12 ~~two years prior to the anticipated graduation of high school~~
13 ~~students with disabilities.~~

14 (2) ~~Arrange for, monitor and support the placement of~~ <--
15 ~~high school students with disabilities in lawful internships,~~
16 ~~on the job training and full time or part time work after~~
17 ~~school, evenings and during the summer,~~ WORK-BASED LEARNING <--
18 EXPERIENCES, WHICH MAY INCLUDE IN-SCHOOL OR AFTER-SCHOOL
19 OPPORTUNITIES OR EXPERIENCE OUTSIDE THE TRADITIONAL SCHOOL
20 SETTING, INCLUDING INTERNSHIPS, at competitive wages in
21 integrated settings with public or private sector employers.

22 (3) Provide professional guidance relative to job
23 coaching services to eligible individuals when the services
24 are included in an individualized plan for employment by the
25 Office of Vocational Rehabilitation, so that high school
26 students with disabilities may succeed in competitive
27 employment with private sector and public employers.

28 (4) Provide counseling on opportunities for enrollment
29 in comprehensive transition or postsecondary educational
30 programs at institutions of higher education.

1 (5) Publish on its public website 45 days after the end
2 of each calendar quarter the following information, at a
3 minimum, pertaining to the implementation of this act in each
4 county in this Commonwealth for the prior calendar quarter:

5 (i) the number of individualized education meetings
6 attended by Office of Vocational Rehabilitation staff;

7 (ii) the number of individual education plans that
8 include new or significantly modified goals and specific
9 steps toward the attainment of competitive integrated
10 employment;

11 (iii) the number of job referrals made to employers
12 on behalf of students with disabilities while still in
13 high school;

14 (iv) the number of high school students with
15 disabilities working in part-time and summer jobs as a
16 result of referrals made by Office of Vocational
17 Rehabilitation staff;

18 (v) the number of high school students with
19 disabilities working in part-time or summer jobs who are
20 receiving job coaching services; and

21 (vi) the number of high school students with
22 disabilities who enter competitive integrated employment
23 within three months of their graduation.

24 (6) Report on the progress of the Office of Vocational
25 Rehabilitation regarding the implementation of this act on at
26 least a quarterly basis to:

27 (i) the Secretary of Labor and Industry;

28 (ii) the Pennsylvania Rehabilitation Council;

29 (iii) the State Board of Vocational Rehabilitation;

30 and

1 (iv) the Secretary of Education.

2 ~~(7) The State Board of Vocational Rehabilitation shall~~ <--
3 ~~be responsible for reviewing reported progress and providing~~
4 ~~advice to Office of Vocational Rehabilitation officials on~~
5 ~~achieving the objectives of this act. The reports must be:~~

6 ~~(i) Published on the publicly accessible Internet~~
7 ~~website of the Office of Vocational Rehabilitation in a~~
8 ~~format that is easily understandable by members of the~~
9 ~~public.~~

10 ~~(ii) Made available to:~~

11 ~~(A) the President pro tempore of the Senate;~~

12 ~~(B) the Majority and Minority Leaders of the~~
13 ~~Senate;~~

14 ~~(C) the chairman and minority chairman of the~~
15 ~~Labor and Industry Committee of the Senate;~~

16 ~~(D) the chairman and minority chairman of the~~
17 ~~Public Health and Welfare Committee of the Senate;~~

18 ~~(E) the Speaker of the House of Representatives;~~

19 ~~(F) the Majority and Minority Leaders of the~~
20 ~~House of Representatives;~~

21 ~~(G) the chairman and minority chairman of the~~
22 ~~Labor and Industry Committee of the House of~~
23 ~~Representatives; and~~

24 ~~(H) the chairman and minority chairman of the~~
25 ~~Human Services Committee of the House of~~
26 ~~Representatives.~~

27 Section 4. State Board of Vocational Rehabilitation.

28 (A) DUTIES.--THE STATE BOARD OF VOCATIONAL REHABILITATION <--
29 SHALL BE RESPONSIBLE FOR REVIEWING REPORTED PROGRESS AND
30 PROVIDING ADVICE TO OFFICE OF VOCATIONAL REHABILITATION

1 OFFICIALS ON ACHIEVING THE OBJECTIVES OF THIS ACT. THE REPORTS
2 MUST BE:

3 (1) PUBLISHED ON THE PUBLICLY ACCESSIBLE INTERNET
4 WEBSITE OF THE OFFICE OF VOCATIONAL REHABILITATION IN A
5 FORMAT THAT IS EASILY UNDERSTANDABLE BY MEMBERS OF THE
6 PUBLIC.

7 (2) MADE AVAILABLE TO:

8 (I) THE PRESIDENT PRO TEMPORE OF THE SENATE;

9 (II) THE MAJORITY AND MINORITY LEADERS OF THE
10 SENATE;

11 (III) THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
12 LABOR AND INDUSTRY COMMITTEE OF THE SENATE;

13 (IV) THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
14 PUBLIC HEALTH AND WELFARE COMMITTEE OF THE SENATE;

15 (V) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;

16 (VI) THE MAJORITY AND MINORITY LEADERS OF THE HOUSE
17 OF REPRESENTATIVES;

18 (VII) THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
19 LABOR AND INDUSTRY COMMITTEE OF THE HOUSE OF

20 REPRESENTATIVES; AND

21 (VIII) THE CHAIRMAN AND MINORITY CHAIRMAN OF THE
22 HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

23 (B) REVIEW.--Prior to the issuance of any policies or
24 procedures necessary for the implementation of this act, the
25 State Board of Vocational Rehabilitation shall review and
26 approve the policies and procedures. The Pennsylvania
27 Rehabilitation Council shall be afforded an opportunity to
28 comment on the policies and procedures prior to their
29 consideration by the State Board of Vocational Rehabilitation.
30 Section 5. Construction.

1 This act may not be construed to reduce the obligation under
2 the Individuals with Disabilities Education Act (Public Law 91-
3 230, 20 U.S.C. § 1400 et seq.) of a local education agency or
4 another agency to provide or pay for a transition service that
5 is also considered special education or related services and
6 that is necessary for ensuring a free, appropriate public
7 education to children with disabilities.

8 Section 6. Notice of funding.

9 Upon the initial appropriation of sufficient funds to carry
10 out the provisions of this act, the Office of Vocational
11 Rehabilitation shall publish notice of the appropriation in the
12 Pennsylvania Bulletin.

13 Section 7. Effective date.

14 This act shall take effect as follows:

15 (1) Section 6 and this section shall take effect
16 immediately.

17 (2) The remainder of this act shall take effect upon
18 publication of the notice under section 6.