
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,
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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 BAKER, LABOR AND INDUSTRY, IN SENATE, AS AMENDED, JUNE
9, 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 WITH DISABILITIES AND
25 facilitate the process of job and career development between
26 local education agencies and public and private employers to
27 ensure the successful transition of high school students with
28 disabilities into competitive integrated employment. In
29 collaboration with officials of local education agencies and
30 other relevant public agencies, the Office of Vocational

1 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, at competitive wages
18 in integrated settings with public or private sector
19 employers.

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

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

29 (5) Publish on its public website 45 days after the end
30 of each calendar quarter the following information, at a

1 minimum, pertaining to the implementation of this act in each
2 county in this Commonwealth for the prior calendar quarter:

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

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

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

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

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

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

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

25 (i) the Secretary of Labor and Industry;

26 (ii) the Pennsylvania Rehabilitation Council;

27 (iii) the State Board of Vocational Rehabilitation;

28 and

29 (iv) the Secretary of Education.

30 (7) The State Board of Vocational Rehabilitation shall

1 be responsible for reviewing reported progress and providing
2 advice to Office of Vocational Rehabilitation officials on
3 achieving the objectives of this act. The reports must be:

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

8 (ii) Made available to:

9 (A) the President pro tempore of the Senate;

10 (B) the Majority and Minority Leaders of the
11 Senate;

12 (C) the chairman and minority chairman of the
13 Labor and Industry Committee of the Senate;

14 (D) the chairman and minority chairman of the
15 Public Health and Welfare Committee of the Senate;

16 (E) the Speaker of the House of Representatives;

17 (F) the Majority and Minority Leaders of the
18 House of Representatives;

19 (G) the chairman and minority chairman of the
20 Labor and Industry Committee of the House of
21 Representatives; and

22 (H) the chairman and minority chairman of the
23 Human Services Committee of the House of
24 Representatives.

25 Section 4. State Board of Vocational Rehabilitation.

26 Prior to the issuance of any policies or procedures necessary
27 for the implementation of this act, the State Board of
28 Vocational Rehabilitation shall review and approve the policies
29 and procedures. The Pennsylvania Rehabilitation Council shall be
30 afforded an opportunity to comment on the policies and

1 procedures prior to their consideration by the State Board of
2 Vocational Rehabilitation.

3 Section 5. Construction.

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

11 Section 6. Notice of funding.

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

16 Section 7. Effective date.

17 This act shall take effect as follows:

18 (1) Section 6 and this section shall take effect
19 immediately.

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