



State of Arizona  
Department of Education

Diane Douglas  
Superintendent of  
Public Instruction

## Special Education Monitoring Alert



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### **Alert to Special Education Directors:**

#### **Workforce Innovation and Opportunity Act (WIOA) and Reporting Progress on Transition Services**

The Arizona Department of Education, Exceptional Student Services (ADE/ESS), is working in collaboration with Arizona Rehabilitation Services Administration, Vocational Rehabilitation (RSA/VR), to aid in the implementation of the Workforce Innovation and Opportunity Act (WIOA).

The WIOA, enacted on July 22, 2014, is designed to help workers, including youth and those with significant barriers to employment, access education, training, and support services and to assist those individuals in obtaining high-quality jobs and careers, while also helping employers hire and retain skilled workers.

The WIOA added a new section, Section 511, to the Rehabilitation Act of 1973. The intent of the new Section 511 is for individuals with disabilities, especially youth with disabilities, be afforded a full opportunity to prepare for, obtain, maintain, advance in, or reenter competitive integrated employment. It imposes limitations on employers who hold special wage certificates, commonly known as 14(c) certificates, under the Fair Labor Standards Act (FLSA) (29 U.S.C. 214(c)), that must be satisfied before employers may hire youth with disabilities at subminimum wage or continue to employ individuals with disabilities of any age at the subminimum wage level.

As a result, Section 511 requires an individual, before beginning work that is compensated at a subminimum wage, to complete and to produce documentation indicating completion of certain requirements. One such requirement is documentation of transition services that were made available to a student with a disability under IDEA.

In its [Letter to Pugh](#), issued on January 18, 2017, the Office for Special Education Programs (OSEP) stated that periodic progress reports for transition-aged students would need to address the student's progress toward meeting his or her postsecondary transition goals and gave States discretion to require schools to include information in progress reports about the specific transition services that were provided to transition-aged students

Therefore, in order to comply with both this recent guidance from OSEP and to align with the requirements described in WIOA Section 511, IEP progress reports for transition-aged students must address the student's progress toward meeting his or her postsecondary goals, and must also include documentation of the transition services provided to the student during the progress reporting period.

Program Support and Monitoring specialists will be providing technical assistance related to this new requirement when they conduct their annual site visits. Secondary Transition specialists will also be developing technical assistance for regional and other trainings.

ESS is excited about this enhanced collaboration with RSA/VR. We believe this collaboration will result in improved postsecondary outcomes for all students!