



## *Topical Audio Teleconference Transcript*

### **Legislative Update**

#### **Status of the Reauthorization of the Rehabilitation Act**

*presented by*

**Mary Frances Laverdure**, Disability Program Specialist, Rehabilitation Engineering and Assisted Technology Society of North America (RESNA)

March 26, 1998

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**Mary Mack:** Welcome to the National Transition Alliance for Youth with Disabilities teleconference series. We are excited to have this call on *The Legislative Update on the Status of the Reauthorization of the Rehabilitation Act*, presented by Mary Fran Laverdure. Mary Fran is with the Rehabilitation Engineering and Assisted Technology Society of North America (RESNA). She is a disability program specialist working on a technical assistance project for RESNA.

With that, I'm going to turn it over to Mary Fran. We've got a lot of states represented. This is a very well received call, Mary Frances, so that you know that there are some eager ears out there.

**Mary Frances Laverdure:** Well, first of all, let me start with the process of where we are with the status of Voc-Rehab. Now, the present authorization for Voc-Rehab will expire at the end of this fiscal year. So, in this particular Congress, this is one of the things that does have to be completed before Congress adjourns and, actually, hopefully before September 30th without some other form of continuing resolution.

As you may be aware, on May 16, 1997 the House passed HR1385, which was the Employment Training and Literacy Enhancement Act of 1997. This bill included the reauthorization of the Rehabilitation Act of 1973. As amended, the House bill included a number of modifications to strengthen federal agency compliance with section 508 and incorporates provisions of a bill that

Representative Eshoo had offered earlier regarding federal agencies and – (inaudible). ...having established procedures so that they comply with accessibility guidelines in purchasing new electronic and information technologies. The House amended bill also permits local rehab programs to promote self-employment programs, provide clients with a greater choice of services, and promote efforts to recruit and train vocational rehabilitation professionals.

Now I'm going to tell you what's been happening on the Senate side. On February 4th, the Senate Labor and Human Resources Committee approved and sent to the full Senate their bill, S1579, to amend and extend the Rehab Act. The Senate Rehab Act will be for seven years. Under the Senate's version it is strongly linked to the Workforce Investment Partnership Act of 1998, which is the other state job training systems program. So, one of the predominant themes of the Senate bill is linkage to these other state programs for clients who qualify or are eligible for voc-rehab, but voc-rehab does not have enough funds to go around. The Senate bill has several provisions so that these clients and consumers are linked into other job training programs. So, you will hear that linkage as one of the primary themes.

Now the Senate was very clear in both the statement offered by Senator DeWine on introduction of the bill and in the report that they wish to maintain the integrity of voc-rehab as a separate

agency and realize its importance, particularly in serving people with disabilities. And that was its fundamental purpose. So they, you know, have both themes emerge, linkage and integrity of the voc-rehab system.

So, the Senate has introduced their bill and the Senate committee introduced its report in early March and it's anticipated that it will go to the floor sometime this week. Now I had our legislative counsel send me an update on this, so as we're talking I'm going to fire up my computer and see if it's in here. When I was up on the hill last week I understood that there were four "non controversial amendments" to the bill and then it would go to the Senate floor as I said hopefully sometime at the end of this week or early next week. And then after that it will go into conference with the goal of getting a reauthorized bill out by September 30th.

Now, I'd like to give you some of the highlights from the Senate report. I know that when I spoke with Mary in our earlier conversations that you would like to know obviously the particulars regarding choice and transition. And so I'll do transition first. Let me read you the introductory portion of the general provisions of the Senate report in the portion really discussing the state plans. If you're interested in what I'm reading from, it's available on the web on *Thomas - US Congress on the Internet* at <http://thomas.loc.gov>. Now when you get into the first page of Thomas and you go down, there will be a section for you to hit a particular bill. And you can type in either the Senate or the House bill. And if you put Senate 1579, then it will come up and then it will give you a status report and it will have a hyperlink to the committee report. And the committee report number is 105166. You'll see that hyperlink to the committee report.

This is what the committee had to say in its report:

*With regard to the provision of transition services for students with disabilities, the committee*

*encourages state vocational rehabilitation agencies to assist schools in identifying transition services as part of the development of the Individualized Education Program (IEP) for those children who are receiving services under the Individuals with Disabilities Education Act.*

As I was reading this again last night I found that to be an interesting sentence, because VR is encouraged to do it, but yet the education folks – in the new IEP provisions that will go into affect in July – are mandated to do it and to consider the transition services as part of it. Now this is going to lead me into another discussion so just hold that thought. The report continues that:

*The committee intends that state vocational rehabilitation agencies may also participate in the cost of transition services for any student with a disability, so long as those students have been determined eligible to receive vocational rehabilitation under Title One of the Rehabilitation Act.*

Now, I will read you some more language in here but the emphasis is also on working out. There's a lot of language about encouraging voc-rehab, which the committee intends in the committee report to be the payer of last resort, to work out interagency agreements with not only, you know, state educational agencies and local educational agencies, but the interagency agreements are also intended to reach the states as far as Medicaid and other state agencies. I'll read you just a little more of the report. It says:

*The committee believes that the extent to which the state vocational rehabilitation agency and educational agency personnel work together in planning for a student's transition following school, developing the individualized education program as it relates to transition, or in providing transition services, is to be determined at the state or local level and reflected in an interagency agreement to which the state vocational rehabilitation agency*

*and, at a minimum, the state educational agency are parties.*

Now I'll read you a little more about the cooperative agreement:

*Regarding cooperative agreements between state vocational rehabilitation agencies and the state education officials, the committee intends these activities to facilitate the transition of secondary school students with disabilities from school to post-school activities. With regard to transition planning for students with disabilities, the committee believes strongly that transition planning should be construed as a constellation of activities designed to assist students with disabilities to plan for their post-school years. Appropriate activities include: Community career exploration, functional vocational assessment, career counseling, acquisition of independent living skills, use and acquisition of assistive technology, participation in IEP meetings, and similar activities. Furthermore, the committee intends that formal interagency agreements between state vocational rehabilitation agencies and education officials identify their respective roles and responsibilities, including financial responsibilities with regard to transition planning. Finally, for the purpose of cooperating in transition planning for students with disabilities, the committee views as a matter of state discretion whether state vocational agency requires formal application, determination of eligibility, or development of an Individualized Rehabilitation Employment Plan (IREP) prior to participating in individual transition planning activities.*

I'll stop there for a few minutes and take any questions you might have.

**Participant:** This is Linda Wyatt from California. I wanted just to ask you about the intent that has the IEP and the IREP. Is the IREP going to be the document that will sort of blend the IEP and the IWRP together?

**Mary Frances Laverdure:** You know, they're

not real clear on that when I went through it last night. I think it's really the intent that that be in the IEP until such time as the student actually finishes the transition. What is the whole point of this in the interagency agreement and the language not only here, but in IDEA as well, is that you have the folks from voc-rehab participating on the transition team so that they will be aware of the transition needs identified in the IEP and that those will again be picked up in the IREP.

**Participant:** This is Karen Gibson from Virginia. When you said about the cost share of the – (inaudible) – through interagency agreement.... I may have missed it. Did you give an age of the student or when that would occur within the school program? The specific age when the transition would be included or when funding could start as far as cost share.

**Mary Frances Laverdure:** As far as cost share, that's going to be up to the individual state-by-state interagency agreements. It's not specified. So that's going to be left to be determined. Now the other thing that, as I said you need to be aware of, is there's other language in the Senate report that strongly indicates that a couple of other things have been retained. The order of selection process with NVR, are you familiar with that? Do I need to explain what that means?

**Participant** (Karen Gibson - Virginia): Most severe first?

**Mary Frances Laverdure:** Yes. And that has been changed. The language has been changed from *most severe* to *most significant*, because they thought that that was less pejorative. So, the new lingo is the *most significant*, but the order of selection criteria has basically remained. But what's one of the new features in here – and, again, I get back to the word of linkage – is that if you are eligible for VR services, but you don't fall into that most significant category, VR under the Senate proposal for reauthorization is not going to be able to just close the file on that particular client or customer. They are

supposed to refer that client to agencies like the Job Accommodation Network (JAN), to the other state workforce programs and provide other information and referral. And there is specific language in the Senate report on why they felt that linkage was essential so that people didn't fall between the gaps in the system.

**Participant:** This is Roberta Gajewski from Indiana. With regard to the interagency agreement, does it state that it is something that is recommended or that it's mandatory?

**Mary Frances Laverdure:** I think it's mandatory that they enter into an agreement.

**Participant:** Mary, this is Kathy Osborn also from Indiana. I find it interesting and disappointing that the examples of cost share don't include job development and job coaching. Has there been any specific discussion about that?

**Mary Frances Laverdure:** Development and job coaching? Explain how you use the word development and job coaching and I'll tell you what's in the report and see if I think it's close.

**Participant (Kathy Osborn - Indiana):** Well, I think what many states are experiencing is that VR is not willing to come in and authorize funds to develop jobs for students when they're toward the end of their school years. So that the intent, as was written in the last Rehab Act, is to have a seamless system of services –

**Mary Frances Laverdure:** And that remains the intent in this as well.

**Participant (Kathy Osborn - Indiana):** – exit school and so they sit at home until a job is found. It's a big issue of contention in several states from what I understand.

**Mary Frances Laverdure:** Well, this sort of leads us into the next area on **consumer choice**. I don't remember development and job creation coming out in particular, but they use other language as far as choice.

**Participant:** This is Barbara Palmer from Colorado. Let me add a little piece to this. In many

cases we find that students who are still in their last year of high school getting ready to leave may have a job that they can go to that has been developed through the school or through some other mechanism. But the issue comes up around not having a job coach available to go out into the community with them and do that support piece. So, it's not just around developing the jobs, but teachers not being able to be out of the school building during the daytime to go out with these kids and provide that level of support. So, that would be a critical piece that I think we would want to see addressed in this report and in the legislation when it comes to the cost sharing.

**Mary Frances Laverdure:** When it comes to the cost sharing?

**Participant (Barbara Palmer - Colorado):** That the school can in some cases develop a job, they may have job placements but they can't put a person out of the building during the day to be the coach with this kid or a group of kids. And that would be a really good place to be able to do some cost sharing and resource sharing with school districts and DVR.

**Mary Frances Laverdure:** I'm looking under the section on INR now, and it said:

*The committee intends to increase state flexibility regarding information and referral services. To the extent that such services are not purchased by the state vocational rehabilitation agency, the bill gives states discretion to provide individualized counseling and guidance, individualized vocational exploration and this is the phrase I wanted to point out to you, supervised job placement referrals and assistance in securing reasonable accommodations for eligible individuals who do not meet the state's order of selection criteria.*

**Participant (Unidentified):** I still listen to that and hear almost a conscious avoidance of the job development/job placement lingo. That may just be me, but it's been such an issue that it sounds like it's

purposely being avoided.

**Mary Frances Laverdure:** From reading the report, there was a lot of emphasis on that. But as I said, sometimes the committee will choose to use language that is not language that you folks use. So, we have to see if they used other language to get to that point.

**Participant** (Linda Wyatt - California): I have a question in terms of that same thing. We have transition partnership projects here where local educational groups enter into an agreement with VR and provide those kinds of services. But one of the difficulties we face is that with VR being named as the lead agency, there always is that part of them being in ultimate control of the decision about job coaches and things like that. Is there any change in the reauthorization of a more equalization of partnership or is it still that VR will be the lead agency and will be supervising and in control of all of these projects?

**Mary Frances Laverdure:** Because they control the purse strings?

**Participant** (Linda Wyatt - California): Right.

**Mary Frances Laverdure:** There is a lot of language on partnership. Right now I can't lay my hands on the specifics and what you're really looking for is the weight in decision making.

**Mary Mack:** And I think that the companion question to that is, in terms of the development of the partnerships, how much of the weighting would be decided at the state and/or local level? Because I think that the federal legislation may be encouraging and giving kind of a global, this is what we'd like to see, but there's a lot of latitude within states.

**Mary Frances Laverdure:** That's the way that I understand it, that there is going to be a lot of latitude in crafting these interagency agreements. Because they mention partnership repeatedly with the other job training programs as well. As I said, linkage is one of the big terms in here.

**Mary Mack:** So that in terms of this legislation, that a lot of the work that needs to be done is at the

local and state levels in terms of implementation.

**Mary Frances Laverdure:** Right. And when the Senate held their hearings last summer – these are also other themes that you will hear – their witnesses focused on six major themes. And they were: consumer choice, streamlining the system's administrative process (and there were a lot of changes on the state plan, you may not necessarily be interested in those details), due process, partnership and links with the Workforce Improvement Act, increasing the number of successful employment outcomes and extending the reauthorization period. So, it's the goal of the Senate that this reauthorization is also going to mirror the reauthorization in the Workforce Improvement Act.

**Participant:** This is Jerry Wood from Minnesota. The Senate bill continues to strengthen the language around consumer choice.

**Mary Frances Laverdure:** Most definitely.

**Participant** (Jerry Wood - Minnesota): Then ultimately when we talk about partnerships and who holds the purse strings, that shouldn't be the driving issue as far as what kind of job coaching or what kind of service. If it should drive anything it's that the learner and their families have an increased say in choosing between career exploration, job development services –

**Mary Frances Laverdure:** And self-employment, which is also –

**Participant** (Jerry Wood - Minnesota): – and self-employment. We're looking at not jobs, but careers. And so then as IEP teams and transition teams work together it should be consumer choice that's driving the choice of service.

**Mary Frances Laverdure:** That's exactly right.

**Participant** (Jerry Wood - Minnesota): Well, that's my thought. Is that how the language... when you find all the pieces, you know, is that how the puzzle fits together?

**Mary Frances Laverdure:** Well, I think that the committee definitely intended that. Here are some of the statements on choice:

*This bill has a requirement that the state plan include an assurance that applicants or eligible individuals or, as appropriate, the applicant's representatives or individual's representatives, will be provided information on support services to assist the applicants or individuals in exercising informed choice throughout the rehabilitation process consistent with the provisions of the section of the Act. The committee intends for vocational rehabilitation consumers to have an expanded role in the decisions regarding their job training. The committee endorses the increased independence of individuals with disabilities and to that end, intends to remove from the Act processes that reinforce or promote paternalism. The committee believes a consumer-driven program is most effective in getting people jobs and therefore intends to offer through (and then they give the bill number) increased opportunities for informed consumer choices related to job training and placement.*

So, I don't think it could be any clearer how they feel about choice.

**Participant:** This is Ed O'Leary from Iowa. I've got a real quick question before we move away from the transition into the choice. A number of states and districts, while we have talked about the age and cost sharing and, you know, that's tied up in the interagency agreements, some other questions have to do with not so much the cost sharing but just the age at which the student is that VR get involved even in just the assisting the schools in identifying transition services and being a part of that IEP. There is some discussion in some states that are saying, well, it's not going to happen until they're eighteen and some are saying sixteen and some are saying fourteen and it's kind of all over the board. Any kind of discussion or thoughts about that?

**Mary Frances Laverdure:** Again, I don't believe the Senate bill gives a specific age or grade level for the VR counselor to become involved. IDEA is

more specific about that and the IDEA regs that we anticipate will be out in April may also be more specific on that, exactly when you have to start mentioning, you know, transition in the IEP.

**Participant** (Ed O'Leary - Iowa): Well, I think it's there in IDEA, it's just that there is some confusion about at what age or grade level VR really needs to be at the table.

**Mary Frances Laverdure:** Right. And I think that's going to have to be left for these interagency agreements. There's obviously the expressed intent that they are supposed to be involved in transition, but it doesn't get down to a specific age.

**Participant** (Karen Gibson - Virginia): That gets right back to when can VR kick in financial assistance in providing that if there is no guideline to the age as far as VR's role. Ultimately I think what's happening in a lot of states is they get involved now at the end of the senior's last semester and often for the students with the most significant disabilities, they in fact should have received services or could have benefited from services long before that time frame.

**Mary Frances Laverdure:** I'm thinking about your question in relation to some of the other language that I have seen in the report, which indicates that VR is supposed to be payer of last resort. And that could set up some troublesome things here if the folks in VR tend to focus on that language rather than the language on partnership or the transition planning and the linkages and could hold out those dollars as you said until the end.

I just want to just bring you up to speed here. This is just from our legislative counsel. What's holding up the bill right now is stuff that they have to do on the workforce bill that they want to put this with. So, it really isn't stuff on the VR end necessarily, it's that other bill.

**Mary Mack:** What happens if the workforce bill gets bogged down? That bill's been going on in some form or another for how many years?

**Mary Frances Laverdure:** Well, yeah, there's a

quagmire – I started with our status report. I didn't go back to what happened, you know, last session with the attempted reauthorization and with the Job Training Bill. It's possible that it could get bogged down. And see, originally, this was going to be an amendment to the Workforce Bill and there was talk that the amendment would just be offered on the floor. But it has been introduced as a separate bill. Ideally the Senate wants these moving on parallel tracks. They'd like both of them passed at the same time so they're both up for reauthorization at the same time seven years from now. That's everybody's goal, but it might not happen and the Senate could choose to pass this version of the bill and then go into conference with the House on its version. And if the other things happen with the Workforce Bill, they happen.

**Participant:** This is Rachel Parker from Minnesota. Aaron Grau (phonetic) from Senator DeWine's office did say at a conference that if the workforce bill gets bogged down, they will de-link the Rehab Act stuff and pass it separately.

**Mary Frances Laverdure:** Right. And I think that's most likely what will happen, that they will have to de-link it. That's why they went ahead and did introduce it as a separate bill rather than go as an amendment as they had originally thought. So, they would have that option.

**Mary Mack:** Mary Fran, have you discussed adequately the improvement in consumer choice at this point or are there some more points that you wish to make?

**Mary Frances Laverdure:** Well, they've also indicated that the choice is also seen when you get into the electronic and information technology accessibility guidelines. It's there as well. And let's see. I just want to go through my notes here and make sure I've covered everything.

**Mary Mack:** While you're doing that, I'd like for you to talk to us a little bit about the stronger access to technology. There have been some questions about that and the technology following the

young person into the world of work, staying with them.

**Mary Frances Laverdure:** Sure. I'm going to read you a little section from the report. The heading is Consumer Driven Information Needs Related to Assistive Technology. It says:

*Senate 1579 mandating that the Institute – and they're referring to the National Institute on Disability and Rehabilitation Research (NIDRR) – provide for consumer-driven information needs related to assistive technology and assistive technology services through funding for the development and dissemination of models that include convening groups of individuals with disabilities, family members and advocates of such individuals, commercial producers of assistive technology, and entities funded by the institute to develop, assess, and disseminate knowledge about information needs related to assistive technology.*

And the second one, B:

*Identifying the types of information regarding assistive technology devices and assistive technology services that individuals with disabilities find especially useful and evaluating current models and developing new models for transmitting information to consumers and to commercial producers of assistive technology.*

And, lastly:

*Disseminating through one or more entities funded by the models and information to consumers described above and commercial producers of assistive technology.*

There's another statement here:

*The committee recognizes that individuals with disabilities lack access to uniform useful information about assistive technology devices and services that permit individuals to make comparisons and informed decisions about devices and services. The committee strongly urges – which is NIDRR – to*

*assume a leadership role in promoting the identification, use and acceptance of uniform information about common devices and services. The committee is not suggesting that the institute contemplate or set standards for devices and services, but working with individuals with disabilities who use and need devices and services identify categories of information that should be provided on common devices and services.*

For example, there is certain vital information worth knowing – and this is what they indicate here – about battery packs for electric wheelchairs, such as cost, time between changes, weight and models of the chair for which they can be used.

**Participant:** This is Tina Ankle at Oregon Health Sciences University. So, it doesn't address the issues around cost sharing for assistive technology between schools and VR?

**Mary Frances Laverdure:** Again, the language in the report indicates that VR is going to be payer of last resort.

**Participant** (Tina Ankle - Oregon): It doesn't address that when the schools purchase the technology, it doesn't go with the students into the world of work?

**Mary Frances Laverdure:** No. As I said, they indicate that they are going to be payer, but they also have a pool, I mean, they also have funds to be able to pick that up, and as I said, that's what's going to be left for a lot of these interagency agreements.

**Mary Mack:** So, could that mean that your educational system would pick up the cost of assistive technology and then as that person transitions, you know, has a job and transitions into the world of work that, say, VR could pick up the cost difference between what the initial cost would be and what the use cost would be?

**Mary Frances Laverdure:** Mary, when you say higher ed, do you mean the professional development portion or –

**Mary Mack:** That and transitioning into

post-secondary.

**Mary Frances Laverdure:** Okay. I may be talking about something else but this is the language from the report on professional development and special projects. This is one I wanted to draw to your attention. It says:

*The committee intends amendments to the training provisions in the Act to streamline the administration of discretionary programs, making decisions and notification about funding more timely. The committee specifies that the commissioner shall make grants to and enter into contracts with states and public and non-profit agencies and organizations, including institutions of higher education, to pay part of the cost of projects to provide training, trainee-ship and related activities, including the provision of technical assistance designed to increase the numbers of and upgrading the skills of qualified personnel, especially – they have especially rehab counselors and parents – who are trained to provide vocational, medical, social and psychological rehabilitation services.*

I could go into a lot more but there's also the, you know, again the strong linkages with independent living as well.

**Participant:** This is Gail Faulkner from Michigan. I am also, as Mary stated, interested in the language that pertains to the impact of transition to post-secondary education or anything in the Rehab Act that's identifying that. What is your interpretation of that area?

**Mary Frances Laverdure:** Well, most of the language on transition with post-secondary is very broad. At least the committee report doesn't break it down

**Participant** (Tina Ankle - Oregon): I know you said the new provisions don't indicate any specific age of when a VR counselor can get involved in transition planning, and that concerns me a little bit. What I see, at least here in Oregon, is that VR doesn't get involved until there is actual

services that can be provided. And one of the things for kids with real severe disabilities is it's real helpful if VR can get involved earlier, not even to open a file but just to be a part of the transition team.

**Mary Frances Laverdure:** To talk about potential jobs and avenues and all that jazz.

**Participant** (Tina Ankle - Oregon): Yeah. But that absolutely isn't happening because case loads are large, et cetera, et cetera. Does that get addressed at all?

**Mary Frances Laverdure:** Well, as I said, the language in the committee report is pretty strong about wanting them involved in those very discussions, and wanting them to bring that expertise to the table. So, the details as I said of when that happens though, they left to be worked out in the interagency agreements. But I think it's clearly the expressed intent of the committee that they do bring their knowledge and skills in what is available on all sorts of options and to ensure informed choice. And that's probably another angle as well to explore here is that are you providing informed choice at the appropriate time. I believe one of the other participants raised that question, that informed choice does go hand in hand with the transition planning. And that VR, with their special expertise, they need to bring that to the table in the IEP planning process so that both the student and the student's parents and other representatives know of various options that only VR folks might know about.

**Participant:** I have a question. This is Ellie Emanuel from Minnesota. Mary Fran, you had alluded in the beginning of your talk to the terminology "encouraged." Could you just spend a couple of minutes going back to that because you said that you had some comments about that.

**Mary Frances Laverdure:** Sure. The specific language is: *The committee encourages state vocational rehabilitations to assist schools in identifying transition services.*

**Mary Mack:** Maybe what we might do is to

provide an example of how particular states that are doing it well are operating it also and send it along with the transcript, as well as post it on our web page (*see attached* Overview of State Vocational Rehabilitation Agency Involvement in School-to-Work Implementation States).

**Mary Frances Laverdure:** Right. And there is also, you know, stronger emphasis in the research and demonstration on such effective model.

**Participant:** This is Jane Johnson from Minnesota and I would like to just add that the sentence after the one that you're referring to about encouraging the participation of the VR to assist schools in identifying transition services, the following sentence indicates that the committee intends the state VR agencies may also participate in the cost.

**Mary Frances Laverdure:** Right. They are intending that they participate in the cost.

**Participant** (Jane Johnson - Minnesota):...May or may not. That's true. But I guess the argument I've always used at IEP meetings is it's going to cost you far less to do it now collaboratively then to do it later all by yourself. And I've never had a VR counselor turn me down on that. So, you know, some of it is just plain old common sense.

**Participant** (Unidentified): But to add that, if I remember what Mary Frances said with that statement, was that as long as the person is determined eligible. And in how many states is a person determined eligible when they are at a younger age in high school versus that last year?

**Participant** (Tina Ankle - Oregon): And that was exactly my point. If it's just the language of encouragement, if there's no outcome for VR, then they're not going to be involved.

**Mary Frances Laverdure:** Another critical issue that you need to be aware of is the language on eligibility. One of the points here was although they were referring specifically to folks on SSI and SSDI, the language there was that if you were eligible in one, you are going to be presumed eligible for VR without having to go through all of the retesting

and reassessment.

**Participant** (Tina Ankle - Oregon): I think that's a good point. But just because somebody's eligible for VR doesn't necessarily mean that their file will be opened.

**Mary Frances Laverdure:** Then we go back to the order of selection problem.

**Participant** (Tina Ankle - Oregon): Well, no, just that there's no services to be provided when they are fourteen. Services may not be provided until they are twenty or twenty-one. So, I just don't think VR is going to get involved that early, regardless of whether or not they are eligible.

**Mary Frances Laverdure:** Well, unless you talk about trial work experiences. Let me read you the language on eligibility. It says:

*Senate 1579 eliminates the requirement for an extended evaluation prior to a determination of ineligibility. The committee bill requires instead that state vocational rehabilitation agencies to explore individual's abilities to perform in real work situations before concluding that an individual is incapable of benefiting from vocational rehabilitation services. This may be done through trial work experiences, including supported employment, on-the-job training, or other experiences using realistic work settings. The trial work experiences must be of sufficient length and variety to demonstrate the existence of clear and convincing evidence that an individual cannot benefit from vocational rehabilitation services due to the severity of his or her disability.*

Now, that language really wasn't linked with transition but it could be. Could you be having the on-the-job training, the work experiences in realistic settings going on at sixteen, seventeen?

**Mary Mack:** This also ties in with work-based learning within the school-to-work opportunities.

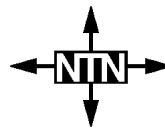
Mary Frances, I want to thank you very much for the presentation. I think that it has been very helpful. Thank you all very much for being here on

this call today. And if you have any further questions that you want to ask me, you may call me at (612) 624-7579. Also, Mary Fran is available for questions at (703) 524-6686, extension 307.

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