
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 AND D. MILLER,
FEBRUARY 17, 2015

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, FEBRUARY 17, 2015

AN ACT

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

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
14 labor market that is performed on a full-time or part-time basis
15 in an integrated setting for which an individual is compensated
16 at or above the minimum wage, but not less than the customary
17 wage and level of benefits paid by the employer for the same or

1 similar work performed by individuals who do not have
2 disabilities.

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

10 "Office of Vocational Rehabilitation." The Office of
11 Vocational Rehabilitation established under section 7 of the act
12 of December 20, 1988 (P.L.1306, No.167), known as the Vocational
13 Rehabilitation Act.

14 Section 3. Powers and duties of the Office of Vocational
15 Rehabilitation.

16 The Office of Vocational Rehabilitation shall facilitate the
17 process of job and career development between local education
18 agencies and public and private employers to ensure the
19 successful transition of high school students with disabilities
20 into competitive integrated employment. In collaboration with
21 officials of local education agencies and other public agencies,
22 such as an agency taking part in a county mental health or
23 intellectual disabilities program, the Office of Vocational
24 Rehabilitation shall:

25 (1) Provide information for the development of
26 individual education plans for high school students with
27 disabilities ensuring that job skill training is included in
28 the plans when appropriate. When possible, the Office of
29 Vocational Rehabilitation shall attend individual education
30 plan meetings in person or by alternative means, such as

1 video conferences and conference calls, when invited by local
2 education agencies. A representative from the Office of
3 Vocational Rehabilitation shall attend at least one meeting
4 per year of individual education plan meetings for the last
5 two years prior to the anticipated graduation of high school
6 students with disabilities.

7 (2) Arrange for, monitor and support the placement of
8 high school students with disabilities in lawful internships,
9 on-the-job training and full-time or part-time work after
10 school, evenings and during the summer, at competitive wages
11 in integrated settings with public or private sector
12 employers.

13 (3) Provide professional guidance relative to job
14 coaching services and provide the services to individuals who
15 are eligible for services at the Office of Vocational
16 Rehabilitation and when the services are included in an
17 individualized plan for employment by the Office of
18 Vocational Rehabilitation, so that high school students with
19 disabilities may succeed in competitive employment with
20 private sector and public employers.

21 (4) Provide counseling on opportunities for enrollment
22 in comprehensive transition or postsecondary educational
23 programs at institutions of higher education.

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

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

30 (ii) the number of individual education plans that

1 include new or significantly modified goals and specific
2 steps toward the attainment of competitive integrated
3 employment;

4 (iii) the number of job referrals made to employers
5 on behalf of students with disabilities while still in
6 high school;

7 (iv) the number of high school students with
8 disabilities working in part-time and summer jobs as a
9 result of referrals made by Office of Vocational
10 Rehabilitation staff;

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

14 (vi) the number of high school students with
15 disabilities who enter competitive integrated employment
16 within three months of their graduation.

17 (6) Report on the progress of the Office of Vocational
18 Rehabilitation regarding the implementation of this act on at
19 least a quarterly basis to:

20 (i) the Secretary of Labor and Industry;

21 (ii) the Pennsylvania Rehabilitation Council; and

22 (iii) the State Board of Vocational Rehabilitation.

23 (7) The State Board of Vocational Rehabilitation shall
24 be responsible for reviewing reported progress and providing
25 advice to Office of Vocational Rehabilitation officials on
26 achieving the objectives of this act. The reports must be:

27 (i) Published on the publicly accessible Internet
28 website of the Office of Vocational Rehabilitation in a
29 format that is easily understandable by members of the
30 public.

1 (ii) Made available to:

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

3 (B) the Majority and Minority Leaders of the
4 Senate;

5 (C) the chairman and minority chairman of the
6 Labor and Industry Committee of the Senate;

7 (D) the chairman and minority chairman of the
8 Public Health and Welfare Committee of the Senate;

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

10 (F) the Majority and Minority Leaders of the
11 House of Representatives;

12 (G) the chairman and minority chairman of the
13 Labor and Industry Committee of the House of
14 Representatives; and

15 (H) the chairman and minority chairman of the
16 Human Services Committee of the House of
17 Representatives.

18 Section 4. State Board of Vocational Rehabilitation.

19 Prior to the issuance of any policies or procedures necessary
20 for the implementation of this act, the State Board of
21 Vocational Rehabilitation shall review and approve the policies
22 and procedures. The Pennsylvania Rehabilitation Council shall be
23 afforded an opportunity to comment on the policies and
24 procedures prior to their consideration by the State Board of
25 Vocational Rehabilitation.

26 Section 5. Construction.

27 This act may not be construed to reduce the obligation under
28 the Individuals with Disabilities Education Act (Public Law 91-
29 230, 20 U.S.C. § 1400 et seq.) of a local education agency or
30 another agency to provide or pay for a transition service that

1 is also considered special education or related services and
2 that is necessary for ensuring a free, appropriate public
3 education to children with disabilities.

4 Section 6. Appropriations.

5 For fiscal year 2015-2016, sufficient State funds shall be
6 appropriated to ensure that all Federal funds available to the
7 Commonwealth through the Office of Vocational Rehabilitation
8 under the provisions of the Rehabilitation Act of 1973 (Public
9 Law 93-112, 29 U.S.C. § 701 et seq.) are matched by the Federal
10 Government. In subsequent fiscal years, sufficient State funds
11 shall be appropriated to ensure that the Federal funds available
12 to the Commonwealth under the Rehabilitation Act of 1973 are
13 matched by the Commonwealth. The difference between the funding
14 for fiscal year 2015-2016 and the amounts appropriated during
15 fiscal year 2014-2015 to the Office of Vocational Rehabilitation
16 and the Federal funds matched by the State funds shall be
17 earmarked and utilized by the Office of Vocational
18 Rehabilitation exclusively to carry out the purposes of this
19 act. This section shall not apply to a future one-time increase
20 in the State appropriation and the matching Federal funds.

21 Section 7. Effective date.

22 This act shall take effect July 1, 2015.