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Committee on Human Services
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**Performance Oversight Hearing
Department on Disability Services**

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Introduction

Good morning Chairwoman Nadeau and members of the Committee on Human Services. My name is Aubrey Edwards-Luce and I am a policy attorney at Children's Law Center.¹ I am testifying today on behalf of Children's Law Center, which fights so every DC child can grow up with a loving family, good health and a quality education. With 100 staff and hundreds of pro bono lawyers, Children's Law Center reaches 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year. Many of the children we represent have disabilities, and we fight alongside them and their families to make sure that they receive every opportunity to reach their fullest potential.

I appreciate this opportunity to testify regarding the performance of the Department of Disability Services (DDS), because the District's children and young adults with disabilities have benefited greatly from the dedicated work of the Department. As DDS prepares to celebrate its tenth anniversary, its staff and leadership have some significant achievements to commemorate from this past fiscal year. A few notable examples include:

- Exiting the *Evans'* case in January 2017.
- Increasing the number of students with disabilities that RSA supports to participate in the Marion Barry Summer Youth Employment Program.²

- Increasing the provision of employment counseling services as show by an increase in the average caseload for RSA Vocational Rehabilitation counselors.³

These accomplishments demonstrate DDS' commitment to its mission—to provide quality services that empower people with disabilities to lead fully integrated, self-directed lives as valuable members of the District. However, there remains much more work to be done to prepare DC's children with disabilities to enter adulthood ready to pursue their dreams and make positive marks on the community.

Earlier, Efficacious Secondary Transition Planning

As the committee is aware, the Department on Disability Services is comprised of two administrations: (1) the Developmental Disabilities Administration (DDA); and (2) the Rehabilitation Services Administration (RSA). RSA houses the Youth in Transition Services Unit, which provides services for students with disabilities that prepare them to transition to life after secondary education. Specifically, the unit coordinates activities to prepare students with disabilities for unique challenges that they face as they pursue post-secondary education, integrated employment, independent living, or vocational training. Students are connected with Vocational Rehabilitation (VR) Specialists from the Youth in Transition Services Unit after RSA determines that the student is eligible for its services. The VR Specialists help students with disabilities

create Individualized Plans for Employment (IPEs) and connect students to services and work experiences needed to attain their post-school goals.

Research has shown that secondary transition services are crucial for youth with disabilities.⁴ In preparing for adulthood, students with disabilities have to learn how to navigate the adult medical and social services systems, what civil and educational rights they attain as an adult with disabilities, and when and how to disclose their disability to their employer or school. The National Collaborative on Workforce and Disability for Youth has developed research-based guideposts to direct successful secondary transition planning. The guideposts are:

- Access to high quality standards-based education, regardless of the setting;
- Information about career options and exposure to the world of work, including structured internships;
- Opportunities to develop social, civic, and leadership skills;
- Strong connections to caring adults;
- Access to safe places to interact with their peers; and
- Support services and specific accommodations to allow them to become independent adults.⁵

Federal special education law requires that students with disabilities receive transition services between ages 16 and 22.⁶ Recognizing the importance of these transition activities, the *Enhanced Special Education Services Act of 2014* planned to lower

the age at which transition planning must begin to age 14, subject to a small amount of funding.⁷ This local law change will allow eighth graders to initiate the secondary transition planning process prior to entering high school. While the funding was not included in the FY2017 budget, we expect that it will be included in the FY2018 budget. The Office of the State Superintendent of Education (OSSE) has already begun offering training on transition planning to middle schools.⁸

DDS has been working with stakeholders to prepare for this change. DDS and CLC are both members of a local group of secondary transition experts and stakeholders that began meeting monthly in 2013 to improve outcomes for transition-aged students. This group, known as the Post-Secondary Transition Community of Practice (CoP), has formed a Middle School Transition Subcommittee to aid in the development of earlier, high-quality transition plans in anticipation of lowering the transition planning age to 14. RSA has expanded its transition capacity and expertise in the last year.⁹ Based on our experience, further expansion will be necessary to effectively monitor the creation of high-quality secondary transition plans.

As schools and DDS prepare for earlier planning, RSA will need to improve its process of initially connecting to youth at the beginning of transition planning. Through CLC's representation of students with disabilities, we have seen that students and their families often have a difficult time forging the initial connection with RSA staff. The difficulty appears to stem from a lack of coordination of planning meetings

and services between schools and RSA. CLC attorneys have found that RSA staff are not known to the special education staff at our clients' schools. Additionally, RSA staff are habitually absent from transitioning students' special education meetings. Without better meeting coordination and RSA staff participation at the school-level, students with disabilities will not have access to the transition services that are necessary under the law and necessary for their success.

Another area of concern is the quality and coordination of transition services provided by RSA after a student is found eligible for services. We know through our work with the Post-Secondary Transition CoP that there are students who receive high-quality transition services and creative and personalized IPEs that combine occupational and academic instruction. Some students have transition plans that have been positively influenced by DDS' "person-centered thinking" philosophy.¹⁰ Other students have IPEs that have benefited directly from the input of the VR counselors that are located at their school every two weeks.¹¹

Unfortunately, many of CLC's clients are not receiving coordinated, high-quality transition services. It is essential that DDS take primary responsibility for ensuring that all students with disabilities receive quality IPEs. DDS can take primary responsibility by making VR counselors available to attend each of the special education meetings they are invited to.¹² Further, DDS does not currently assess the quality of IPEs.¹³ It should create a procedure for monitoring quality.

Expanding Access to the Summer Youth Employment Program

Work experience is an important part of a successful transition to adulthood. DDS has been expanding those opportunities for students with disabilities by successfully integrating students with disabilities into the Department of Employment Services' (DOES) Summer Youth Employment Program (SYEP), which provides students with paid work experience during the summer. DDS has a Memorandum of Understanding (MOU) with DOES and DC Public Schools (DCPS), to ensure that students with disabilities have opportunities to participate in SYEP. In 2016, DDS collaborated with the nonprofit organization, School Talk, to host the DC Summer Youth Employment Institute, which provided students and their families an opportunity to learn about the options for summer jobs in inclusive workplaces.

This effort should be expanded, so students with disabilities have access to a broader set of summer employment opportunities. Additionally, students with disabilities would benefit from summer employment experiences with employers who are educated on the strengths and needs of students with physical and developmental disabilities. DDS should offer an orientation and ongoing supports for the employers that hire students with disabilities. Lastly, DDS should initiate a practice of tracking the involvement of students with disabilities in the SYEP. Without basic data, DDS will not be able to quantify the impact that its SYEP efforts have on the successful transition of students with disabilities.

Providing Proportionate Services to Students in Public Charter Schools

CLC applauds the collaboration between RSA and the DC Special Education Cooperative to provide transition services to students with disabilities who attend DC Public Charter Schools.¹⁴ By contracting with the DC Special Education Cooperative, RSA has both broadened and deepened the educational and employment resources available for public charter school students with disabilities.¹⁵

However, DC Public Charter School students do not have access to a proportionate number of employment-focused transition services. DDS reported that they received 823 referrals for RSA transition-related services in fiscal year 2016.¹⁶ Based on our calculations, approximately 228 (27.7%) of those referrals were made for DC Public Charter Schools students and 432 (52.5%) of those referrals were made for DCPS students. There are currently six Workforce Development Coordinators assisting DCPS students,¹⁷ while the DC Special Education Cooperative only has one transition specialist serving all DC Public Charter School students.¹⁸ Furthermore, while the number of RSA referrals for DCPS students only double those for DC Public Charter School students, RSA reports that of the 2,189 students that received pre-employment transition services during the 2015-2016 school year, only 217 (9.9%) were DC Public Charter School students.¹⁹

DDS' Pre-Hearing Responses indicate that it is planning to invest in transition services for DC Public Charter School students in the near future. Included in the

responses is a list of MOAs to be executed during fiscal year 2017 for RSA services with 20 DC Public Charter Schools.²⁰ CLC urges DDS to invest in transition planning services for DC Public Charter School students, so that all DC students with disabilities can receive access to quality transition services.

Expanding Career and Education Services for Older, Under-credited Youth

Youth with disabilities, who are over the age of 18 and do not have a high school diploma or GED certificate, are an especially vulnerable group. To help them further their education and attain secure employment, they need re-engagement services and assistance with career and education planning. DDS has been reaching out to this group by holding individual planning meetings with adult students upon request.²¹ DDS should continue to invest resources and energy into providing employment and education opportunities to these students. One suggestion from the Post-Secondary Transition CoP is that DDS explore the possibility of having a VR specialist assigned to the Re-Engagement Center and other adult education programs that serve older, under-credited DC students. This specialist could help develop and refine the IPEs of adult students with disabilities who are seeking additional education or employment.

Improving Guidance to DDA Applicants

Lastly, our teenaged and adult clients with disabilities also experience difficulty in becoming eligible for DDA services. One common problem we see is a breakdown in communication regarding the evaluations required in order to determine an applicant's

eligibility for DDA services. In order to be eligible for services, an application has to contain evaluations that were completed within the last year. Many of our clients wait for months without being told that the barrier to their application's success is the age of the evaluations. Obtaining the evaluations can be a difficult process for an applicant, even with the assistance of lawyer. In addition, language access issues can further complicate an applicant's ability to navigate the eligibility process. Assistance with the application is not consistently provided by DDA. When it is offered, some of our clients are unable to access the assistance that DDA offers due to their disabilities. This delay in the eligibility determination leads to delays in our clients' ability to access critical housing, continuing-education and employment-related services. We urge DDA to improve the evaluation acquisition processes and policies, as well as its communication with applicants in order to improve the speed and efficiency of eligibility determinations.

Conclusion

Thank you again for the opportunity to testify. I welcome any questions.

¹ Children's Law Center fights so every child in DC can grow up with a loving family, good health and a quality education. Judges, pediatricians and families turn to us to be the voice for children who are abused or neglected, who aren't learning in school, or who have health problems that can't be solved by medicine alone. With 100 staff and hundreds of pro bono lawyers, we reach 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year. And, we multiply this impact by advocating for city-wide solutions that benefit all children.

² DDS FY16 Performance Oversight Responses, Q46.

³ Compare DDS FY16 Performance Oversight Responses, Q58 to DDS FY15 Performance Oversight Responses, Q15c.

⁴ Test, D., Mazzotti, V.L., et. al., “Evidence-based Secondary Transition Predictors for Improving Post-school Outcomes for Students with Disabilities.” *Career Development for Exceptional Individuals*. Vol. 32(3). Dec. 2009. <http://sites.bu.edu/miccr/files/2015/03/Evidence-based-secondary-transition-predictors-for-improving-post-school-outcomes-for-students-with-disabilities.pdf>.

⁵ National Collaborative on Workforce and Disability for Youth. “Guideposts for Success” <http://www.ncwd-youth.info/guideposts>

⁶ 34 C.F.R. § 300.320(b)(2).

⁷ See, *Enhanced Special Education Services Act of 2014– DC Act 20-487*. The Act contemplated the change would be made in July 2016.

⁸ See, e.g., OSSE LEA Look Forward Newsletter for October 26-November 1, 2016, publicizing a free half-day training, Introduction to Secondary Transition for Middle Schools.

⁹ DDS has entered in MOU with DCPS to expand pre-employment transition services. See, DDS FY16 Performance Oversight Responses, Q14 Attachment – List of MOUs. DDS also devoted an employment specialist from the business relations unit to the transition unit during FY 2016. See, DDS FY16 Performance Oversight Responses, Q19b.

¹⁰ See, <https://dds.dc.gov/page/person-centered-thinking-philosophy>.

¹¹ DDS has 13 VR counselors that are assigned to approximately seven schools each and hold office hours at their assigned schools approximately every two weeks. See, DDS FY16 Performance Oversight Responses, Q61d.

¹² DDS FY16 Performance Oversight Responses, Q61e.

¹³ In last year’s performance oversight answers, DDS explained that it could not confidently address the quality of IPEs without doing a thorough review of all 1400 transition cases. DDS FY15 Performance Oversight Responses, Q15d.

¹⁴ The DC Special Education Cooperative works “with teachers, school leaders, and across charter schools to improve educational services for students with disabilities.” <http://specialedcoop.org/coop/>

¹⁵ RSA has also entered into a contract with the DC Special Education Cooperative to provide Pre-Employment Transition Services to DC Public Charter Schools. See, DDS FY16 Performance Oversight Responses, 19b.

¹⁶ DDS FY16 Performance Oversight Responses, Q61.

¹⁷ DDS FY16 Performance Oversight Responses, Q60b.

¹⁸ See, <http://specialedcoop.org/coop/about/staff/>.

¹⁹ DDS FY16 Performance Oversight Responses, Q46.

²⁰ DDS FY16 Performance Oversight Responses, Attachment - List of MOAs Planned MOAs.

²¹ DDS FY16 Performance Oversight Responses, Q46.