

Recently the U.S. Department of Education Office of Special Education Programs (OSEP) issued a guidance letter related to postsecondary transition planning for students with disabilities (<http://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/062212workplacelre2q2012.pdf>). Such letters constitute informal guidance and are not legally binding, representing instead an interpretation by OSEP of the IDEA in the context of the specific facts presented. The Department of Public Instruction recommends all local educational agencies (LEAs) carefully review their current postsecondary transition planning practices in light of OSEP's guidance. Following is a summary of the significant aspects of OSEP's guidance.

### **Are Work Placements Required?**

Work placement may be an appropriate transition service, depending on the individual needs of a student, but is not a required component of all IEPs that address transition services.

### **Work Placements Must be in the Least Restrictive Environment (LRE)**

When an IEP team determines work placement is an appropriate transition service for a student, the particular work placement should be based on LRE principles contained in 34 CFR §§300.114-300.118. Integrated employment settings should be considered before a student is placed in segregated employment. The IEP team must consider whether supplementary aids and services could be provided that would enable the student to participate in integrated employment satisfactorily. Only if the IEP team determines the student cannot be satisfactorily educated in an integrated employment setting, even with the provision of appropriate supplementary aids and services, should the IEP team consider segregated employment.

### **Work Placement Assessment**

Assessment of the student's needs, strengths, preferences, and interests in various work placements may be an appropriate component of age appropriate transition assessment, but is not a required component of all IEPs that address transition services.

### **Notice of Placement**

Initiating or changing a student's work placement when it is part of the student's IEP requires prior written notice as outlined in 34 CFR §300.503. In Wisconsin this generally includes providing the parent a notice of placement (P-1 or P-2), and a copy of the student's updated IEP.

### **Reporting Work Placement**

Educational time spent in an age-appropriate community-based work placement that includes individuals with and without disabilities should be counted as time inside the regular classroom when calculating the percentage of time spent inside the regular classroom. This is true regardless of whether special education support is provided to the student in this setting. Specific guidance on accurate reporting for IDEA is at:

<http://dpi.wi.gov/lbstat/dataenvir.html>

### **Monitoring of LRE in work placements**

DPI is required to carry out activities to ensure the LRE requirements in 34 CFR 300.114 are implemented by each public agency. If there is evidence that a school district is making placements that are inconsistent with LRE, DPI will conduct a review, if a violation is found DPI will require the LEA to carry out necessary corrective action.

For questions about this summary please contact the Wisconsin Department of Public Instruction: Wendi Dawson [wendi.dawson@dpi.wi.gov](mailto:wendi.dawson@dpi.wi.gov) 608-266-1146 or Paul Sherman [paul.sherman@dpi.wi.gov](mailto:paul.sherman@dpi.wi.gov) 608-267-9157