

112TH CONGRESS  
1ST SESSION

# H. R. 603

To amend the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to provide assistance to States for development and implementation of an individual transition plan for each individual with a developmental disability in the State who is making the transition from the secondary school system into adulthood, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2011

Mr. HARPER (for himself and Mrs. MCMORRIS RODGERS) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to provide assistance to States for development and implementation of an individual transition plan for each individual with a developmental disability in the State who is making the transition from the secondary school system into adulthood, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Transition toward Excellence, Achievement, and Mobility

1 through Empowerment Act of 2011” or the “TEAM–Em-  
2 powerment Act of 2011”.

3 (b) TABLE OF CONTENTS.—The table of contents of  
4 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purposes.

Sec. 3. Individualized transition plans; transition planning and services admin-  
istrative units.

5 **SEC. 2. FINDINGS AND PURPOSES.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) Evidence-based research has conclusively  
8 documented that youth with significant disabilities  
9 who were educated in inclusive settings, were ex-  
10 posed to work experience and career exploration, and  
11 participated in a paid work experience while in  
12 school had better postsecondary outcomes and high-  
13 er rates of sustainable employment.

14 (2) Higher rates of self-determination, in which  
15 individuals with significant disabilities and their  
16 families have direct control over the decisionmaking  
17 process in order to ensure an appropriate individual-  
18 ized transition strategy, lead to better outcomes.

19 (3) Regulations and processes allowing for flexi-  
20 bility in the blending and braiding of government  
21 funds to ensure seamless, collaborative strategies  
22 during the transition process lead to better outcomes  
23 for individuals with significant disabilities.

1           (4) Agency officials involved directly in the pro-  
2 vision of supports and services during a youth's  
3 transition into adulthood and beyond must be pro-  
4 vided additional training to become properly pre-  
5 pared to adequately address the individual transition  
6 needs of students with significant disabilities.

7           (b) PURPOSES.—The purposes of this Act are the fol-  
8 lowing:

9           (1) Create a holistic system across multiple  
10 partners focused on successful transition of youth  
11 with significant disabilities into adulthood.

12           (2) Create a systemic focus on achieving high  
13 expectations for all youth, through equality of oppor-  
14 tunity, full participation through self-determination  
15 and informed choice, outcomes related to post-sec-  
16 ondary options that lead to competitive integrated  
17 employment and economic self-sufficiency.

18           (3) Promote innovative strategies to foster aca-  
19 demic, professional, and social inclusion, and the so-  
20 lidification of long-term supports and services re-  
21 quired to ensure full integration into the community  
22 setting.

23           (4) Better define and coordinate specific serv-  
24 ices related to the effective transition of youth with  
25 significant disabilities.

1           (5) Eliminate barriers and promote incentives  
 2           for multiple stakeholders to collaborate and improve  
 3           transition opportunities for youth with significant  
 4           disabilities.

5 **SEC. 3. INDIVIDUALIZED TRANSITION PLANS; TRANSITION**  
 6                   **PLANNING AND SERVICES ADMINISTRATIVE**  
 7                   **UNITS.**

8           Title I of the Developmental Disabilities Assistance  
 9           and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.)  
 10          is amended by adding at the end the following:

11                   **“Subtitle F—Adult Transition**  
 12                                   **System**

13 **“SEC. 171. DEFINITIONS.**

14           “In this subtitle:

15                   “(1) The term ‘asset development’ means a  
 16                   strategy to assist low-income workers and job seek-  
 17                   ers, including individuals with disabilities, move to-  
 18                   ward economic security and greater financial self-  
 19                   sufficiency through income preservation, effective  
 20                   money and credit management, the pursuit of post-  
 21                   secondary education, the purchase of a home, busi-  
 22                   ness startup and growth, and the setting aside of re-  
 23                   sources for longer-term needs and retirement.

24                   “(2) The term ‘individualized education pro-  
 25                   gram’ has the meaning given such term in section

1       602 of the Individuals with Disabilities Education  
2       Act.

3           “(3) The term ‘integrated employment’ means  
4       work compensated at the greater of minimum wage  
5       or competitive wages with related employment bene-  
6       fits, occurring in a typical work setting where the  
7       employee with the disability—

8           “(A) interacts or has the opportunity to  
9       interact continuously with nondisabled co-work-  
10      ers;

11          “(B) has an opportunity for advancement  
12      and mobility; and

13          “(C) is preferably engaged in full-time em-  
14      ployment.

15          “(4) The term ‘ITP’ means an individual tran-  
16      sition plan developed under section 173.

17          “(5) The term ‘local educational agency’ has  
18      the meaning given to such term in section 9101 of  
19      the Elementary and Secondary Education Act of  
20      1965.

21          “(6) The term ‘secondary school’ has the mean-  
22      ing given to such term in section 9101 of the Ele-  
23      mentary and Secondary Education Act of 1965.

24          “(7) The term ‘State intellectual and develop-  
25      mental disabilities agency’ means the primary State

1 agency or subdivision with administrative, pro-  
2 grammatic, and operational responsibility for the full  
3 range of services and supports furnished to individ-  
4 uals with intellectual and developmental disabilities.

5 “(8) The term ‘TPS administrative unit’ refers  
6 to the transition planning and services administra-  
7 tive unit of a State established in accordance with  
8 section 174.

9 “(9)(A) The term ‘transition services’ means a  
10 coordinated set of activities for a student, designed  
11 within an outcome-oriented process, that promotes  
12 movement from school to post school activities, in-  
13 cluding postsecondary education, vocational training,  
14 integrated employment (including supported employ-  
15 ment and customized employment), continuing and  
16 adult education, adult services, asset development  
17 services, independent living, or community participa-  
18 tion.

19 “(B) The coordinated set of activities shall be  
20 based upon the individual student’s needs, taking  
21 into account the student’s preferences and interests,  
22 and shall include instruction, community experi-  
23 ences, the development of employment and other  
24 post school adult living objectives; school-based pre-  
25 paratory experiences, career preparation, and inte-

1       grated work-based learning experiences (inclusive of  
2       in-school, after school and work experiences outside  
3       the traditional school setting where other youth  
4       without disabilities are engaged in similar activities);  
5       youth development and leadership; connecting activi-  
6       ties; training in self-advocacy, self-determination  
7       skills, and peer mentoring; family involvement and  
8       supports; and, when appropriate, acquisition of daily  
9       living skills and functional vocational evaluation.

10           “(C) Such term does not include the use of fa-  
11       cility-based employment and activity settings, such  
12       as sheltered workshops, day habilitation centers, and  
13       enclave work settings. Additionally, the coordinated  
14       set of activities should lead to the attainment of at  
15       least one of the following outcomes: post-secondary  
16       education, long-term integrated employment (includ-  
17       ing supported employment or customized employ-  
18       ment), asset development, independent living, and  
19       community participation.

20       **“SEC. 172. STATE ASSISTANCE.**

21           “For each fiscal year, the Secretary, acting through  
22       the Commissioner of the Administration on Developmental  
23       Disabilities, shall—

1           “(1) make grants on a competitive basis to  
2 States that agree to carry out the activities required  
3 of States under this subtitle; and

4           “(2) among the States receiving grants under  
5 paragraph (1), allocate payments pursuant to a for-  
6 mula that—

7                   “(A) is established by the Secretary, acting  
8 through the Commissioner; and

9                   “(B) takes into consideration an estimate  
10 of the number of individuals to be served under  
11 this subtitle in each State.

12 **“SEC. 173. INDIVIDUALIZED TRANSITION PLANS.**

13           “(a) IN GENERAL.—Each State that receives assist-  
14 ance under this subtitle shall, with respect to each indi-  
15 vidual with a developmental disability in the State who is  
16 making the transition from the secondary school system  
17 into adulthood, develop, and assist in the implementation  
18 of, an individual transition plan to coordinate transition  
19 services intended to assist the individual in achieving the  
20 outcomes of integrated employment, postsecondary edu-  
21 cation, independent living, and community engagement.

22           “(b) FORMULATION.—An ITP shall be—

23                   “(1) coordinated with any pre-existing transi-  
24 tion services being provided to the individual as a re-  
25 sult of an individualized education program devel-



1 oped for the individual prior to exiting secondary  
2 school pursuant to the Individuals with Disabilities  
3 Education Act;

4 “(2) developed not later than 30 days after the  
5 date on which the individual graduates from or oth-  
6 erwise exits the State’s secondary school system; and

7 “(3) applicable through the date on which the  
8 individual attains 26 years of age;

9 “(4) reviewed annually and updated as needed;  
10 and

11 “(5) developed during in-person meetings  
12 that—

13 “(A) are led by the TPS administrative  
14 unit of the State intellectual and developmental  
15 disabilities agency established under section  
16 174; and

17 “(B) at a minimum, include the following  
18 stakeholders: the individual, the individual’s  
19 family, a transition broker (as described in sec-  
20 tion 174), a representative of the State voca-  
21 tional rehabilitation agency, relevant service  
22 providers that are contracted by the State or  
23 chosen by the individual and the individual’s  
24 family or guardian to provide transition serv-  
25 ices, the transition coordinator of the local edu-

1           cational agency (where available, during the  
2           first year the individual exits the secondary  
3           school system), assistive technology experts (as  
4           appropriate), and representatives of the work-  
5           force development sector.

6           “(c) CONTENTS.—An ITP shall include strategies for  
7           the implementation of service models and practices with  
8           documented effectiveness that—

9                   “(1) address and emphasize the 5 areas of post-  
10           secondary educational experiences, career prepara-  
11           tion and work-based learning experiences, develop-  
12           ment and leadership, connecting activities, and fam-  
13           ily involvement and supports;

14                   “(2) identify the needs of the individual in each  
15           of these 5 areas and articulate how the State and  
16           its agencies will meet those needs; and

17                   “(3) will advance economic self-sufficiency with  
18           specific asset development goals and identify specific  
19           tools for advancing economic self-sufficiency, such as  
20           favorable tax benefits, work incentives, matched sav-  
21           ings plans, education financing, and effective strate-  
22           gies to manage a budget, money, and credit.

1 **“SEC. 174. TRANSITION PLANNING AND SERVICES ADMINIS-**  
2 **TRATIVE UNIT.**

3 “(a) **ESTABLISHMENT.**—Each State that receives as-  
4 sistance under this subtitle shall establish and maintain  
5 a transition planning and services (TPS) administrative  
6 unit within the State intellectual and developmental dis-  
7 abilities agency.

8 “(b) **RESPONSIBILITIES.**—The primary focus of a  
9 TPS administrative unit shall be to assist individuals with  
10 a developmental disability in the State to make the transi-  
11 tion from the secondary school system into adulthood. The  
12 responsibilities of the TPS administrative unit shall in-  
13 clude the following:

14 “(1) **INDIVIDUAL TRANSITION PLAN.**—The TPS  
15 administrative unit shall have responsibility for de-  
16 veloping and assisting in the implementation of  
17 ITPs.

18 “(2) **TRANSITION BROKERS.**—

19 “(A) **IN GENERAL.**—The TPS administra-  
20 tive unit shall employ or otherwise secure the  
21 services of transition brokers.

22 “(B) **ROLE.**—A transition broker of the  
23 TPS administrative unit shall—

24 “(i) facilitate coordination among  
25 State agencies in the development of ITPs;  
26 and

1           “(ii) provide assistance to individuals  
2           with developmental disabilities, consistent  
3           with the individual’s ITP, in navigating the  
4           complex system of supports and services  
5           available through Federal and State pro-  
6           grams.

7           “(C) QUALIFICATIONS.—To be eligible to  
8           serve as a transition broker of the TPS admin-  
9           istrative unit, an individual shall possess two or  
10          more of the following qualifications:

11           “(i) Expertise relating to individuals  
12           with developmental disabilities, benefits  
13           planning, the provision of transition serv-  
14           ices, employment and job development, and  
15           negotiating among various State stake-  
16           holders.

17           “(ii) Experience with and knowledge  
18           of the generic workforce development sec-  
19           tor, vocational rehabilitation, and job de-  
20           velopment.

21           “(iii) Knowledge and expertise in the  
22           use of tools to advance asset development  
23           and economic self-sufficiency, including fa-  
24           vorable tax benefits, work incentives,  
25           matched savings plans, education financ-

1 ing, and effective strategies to manage a  
2 budget, money, and credit.

3 “(iv) Knowledge about self-direction  
4 and person-centered planning processes.

5 “(D) ASSIGNMENT.—A transition broker  
6 of the TPS administrative unit shall be as-  
7 signed to an individual upon—

8 “(i) the individual or the individual’s  
9 family or guardian selecting the broker;  
10 and

11 “(ii) the State intellectual and devel-  
12 opmental disabilities agency approving the  
13 selection.

14 “(3) SELF-ADVOCACY, SELF-DETERMINATION  
15 SKILLS, AND PEER MENTORING.—The TPS adminis-  
16 trative unit shall offer strategies and training to in-  
17 dividuals with developmental disabilities and their  
18 families regarding self-advocacy, self-determination  
19 skills, and peer mentoring to improve the ability of  
20 such individuals to advocate and negotiate on their  
21 own behalf.

22 “(4) EFFECTIVE INFORMATION AND RE-  
23 SOURCES.—The TPS administrative unit shall pro-  
24 vide information to individuals with developmental  
25 disabilities and their families on Federal and State

1 services, supports, and regulations, including with  
2 respect to asset development, insurance and benefit  
3 programs, financial savings tools, and asset or in-  
4 come limits that affect eligibility for Federal and  
5 State means-tested services, supports, or programs.  
6 Such information shall be easily understood and up-  
7 dated on a quarterly basis each year.

8 “(c) FOSTERING MULTIAGENCY COLLABORATION.—  
9 The State intellectual and developmental disabilities agen-  
10 cy of each State that receives assistance under this subtitle  
11 shall facilitate memoranda of understanding among key  
12 State agencies for the purpose of coordinating and improv-  
13 ing the services and supports provided by such agencies  
14 to individuals with developmental disabilities during the  
15 transition into adulthood.

16 **“SEC. 175. ANNUAL REPORT.**

17 “Not later than the end of fiscal year 2012, and an-  
18 nually thereafter, the Secretary shall submit a report to  
19 the Congress containing an evaluation of the implementa-  
20 tion and effectiveness of this subtitle, including an evalua-  
21 tion of—

22 “(1) the number of individuals in each State  
23 who had an ITP developed on their behalf over the  
24 past fiscal year;

1           “(2) progress made at the individual level in  
2           implementing the objectives of ITPs developed since  
3           the date of enactment; and

4           “(3) with respect to individuals for whom an  
5           ITP is developed, their employment status, edu-  
6           cation status, income level, race, gender, and current  
7           residence.

8   **“SEC. 176. AUTHORIZATION OF APPROPRIATIONS.**

9           “To carry out this subtitle, there is authorized to be  
10          appropriated \$50,000,000 for each of fiscal years 2012  
11          through 2016.”.

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