

FAQ on Work-Based Learning (WBL), Individualized Education Programs (IEPs), and 504 Plans

This document clarifies how Work-Based Learning (WBL) experiences align with Individualized Education Programs (IEPs), Section 504 Plans, State and Federal career and workforce laws, and Iowa Career and Technical Education (CTE) policy. It is intended to provide consistent guidance to schools, employers, and families regarding the appropriate design, documentation, and implementation of WBL for students with disabilities.

1. What is the Individuals with Disabilities Education Act (IDEA) and Transition Services?

The Individuals with Disabilities Education Act (IDEA) is a federal law designed with the congressional purpose of furthering the living, learning, and working outcomes of students with disabilities by ensuring access to a free appropriate public education (FAPE). It requires public schools to provide special education and related services through an Individualized Education Program (IEP) tailored to the unique needs of each student. The law also requires that students with disabilities be educated with their nondisabled peers to the maximum extent appropriate, a requirement known as the least restrictive environment (LRE).

Under the Individuals with Disabilities Education Act (IDEA), secondary transition services are a coordinated set of activities, designed within a results-oriented process that is focused on improving the academic and functional achievement of the student with a disability to assist the individual's movement from school to post-school living, learning, and working environments. In Iowa, secondary transition planning must begin no later than age 14.

IEPs must include comprehensive, age-appropriate transition assessment that is used to develop:

- Measurable postsecondary goals or "expectations";
- The necessary courses and activities needed to address the expectations, and
- Transition services aligned to those goals.

WBL is a key component of transition planning that can be addressed through courses and activities or special education and related services. WBL must always be considered and designed in alignment with the student's identified strengths, interests, preferences, and expectations.

2. What is Section 504 of the Rehabilitation Act?

Section 504 of the Rehabilitation Act is a federal civil rights law that prohibits disability discrimination in programs or activities that receive federal financial assistance. As such, schools must provide the accommodations and/or services necessary to ensure that students with disabilities have equal access and an equal opportunity to participate in work-based learning opportunities offered by the school.

The requirement to provide equal access and equal opportunity to extracurricular and nonacademic services, including work-based learning opportunities, is present regardless of whether the activity is necessary for FAPE.

3. What does it mean to provide an equal opportunity to participate?

Both the IDEA and Section 504 require schools to ensure students with disabilities have an equal opportunity to participate in nonacademic services, including outside employment. 34 CFR 300.107 (IDEA); 34 CFR 104.37 (Rehabilitation Act)

Schools may apply neutral eligibility or performance criteria. When a student with a disability can meet those criteria with appropriate support, those supports must be provided and the school may not exclude the student on the basis of their disability. In practice, this means:

- Individualized inquiry and decision-making is required
- Identify and remove disability-related barriers
- Ensure access is comparable in quality and effectiveness as that provided to nondisabled students

4. How does federal workforce and CTE law support Work-Based Learning (WBL)?

The Strengthening Career and Technical Education for the 21st Century Act (Perkins V) requires states to:

- Provide access to high-quality CTE programs, including work-based learning opportunities.
- Ensure equitable participation for special populations, including students with disabilities.
- Report performance outcomes related to program completion, credential attainment, and post-program employment.

Under Perkins V, WBL must involve sustained interaction with industry professionals and meaningful application of academic and technical skills in real or simulated workplace settings. Students with disabilities must have equal access to CTE programs and WBL opportunities supported with appropriate accommodations.

The Workforce Innovation and Opportunity Act (WIOA) aligns education with workforce systems and prioritizes:

- Competitive integrated employment for individuals with disabilities
- Pre-employment transition services (Pre-ETS)
- WBL experiences in integrated community settings

WIOA and the IDEA require coordination between schools, vocational rehabilitation agencies, employers, and workforce partners to support student transitions to employment (see 34 CFR 300.154 and 34 CFR 361.22).

WBL placements for students with disabilities should support movement toward competitive integrated employment and be coordinated, as appropriate, with vocational rehabilitation and workforce partners. In Iowa, this coordination is supported through existing interagency agreements and collaborative frameworks, including partnerships among the Iowa Department of Education, Iowa Vocational Rehabilitation Services, Iowa Workforce Development, and the Iowa Department for the Blind, as well as through Local Service Plan (LSP) coordination at the community level.

The Fair Labor Standards Act (FLSA) governs whether WBL experiences must be paid and establishes protections for student workers.

Key considerations include:

- Paid vs. Unpaid WBL
 - WBL experiences are generally paid when the student's work primarily benefits the employer.
 - Unpaid experiences may be permissible when they meet federal "training" criteria (i.e., the experience is primarily educational, does not displace workers, and provides limited immediate advantage to the employer).
- Student Learner Exception
 - In certain credit-bearing CTE programs, students may be classified as student learners.

- This allows for structured training experiences that may include modified wage provisions when specific federal criteria are met (e.g., formal training agreement, school oversight, limited duration).
- Subminimum Wage (Section 14(c))
 - The FLSA allows, under limited circumstances, payment of subminimum wage to individuals with disabilities through special certificates.
 - However, under the WIOA, youth must first receive:
 - Pre-employment transition services
 - Opportunities for competitive integrated employment
 - Policy Direction: Federal workforce policy strongly prioritizes competitive integrated employment at or above minimum wage as the preferred outcome.
- Schools must carefully determine whether a WBL placement is educational (unpaid) or employment (paid).
- Employers must comply with wage and hour laws when students perform productive work.
- Documentation (e.g., training agreements, IEP transition services, 504 accommodations) should clearly reflect the nature of the placement.
- The FLSA ensures that WBL experiences are structured fairly and legally. When combined with Perkins V and WIOA, it reinforces a system where students - including those with disabilities - gain meaningful, lawful work experience that leads toward competitive, integrated employment.

5. What is WBL at the federal level?

Federal policy defines WBL broadly as structured learning that connects education to real work environments or high-quality simulated workplace experiences. It requires sustained engagement with industry or community professionals - either in workplace settings or simulated environments - where students meaningfully apply academic, technical, and employability skills. This definition is used in federal career and technical education funding and accountability systems. Sec. 3 [20 U.S.C. 2302] 55.

Additionally, under the WIOA and Pre-ETS for students with disabilities, WBL includes classroom or after-school opportunities or experiences outside the traditional school setting (including internships) provided in integrated community environments - all designed to support movement toward competitive, integrated employment.

6. How is WBL defined in Iowa state law and guidance?

In Iowa, we use a specific, updated state definition that distinguishes career exploration from WBL. Under Iowa's current definition, [WBL](#) includes the following types of experiences:

- Sustained project-based learning in partnership with an employer.
- Simulated work experiences aligned with industry-recognized credentials
- High-quality pre-apprenticeships aligned to registered apprenticeships
- Student-learner programs
- Internships
- Apprenticeships

These experiences must involve active application of classroom learning and meaningful interaction with workplace professionals - not just observation.

Note: Some activities do not count as WBL under the current Iowa definition - e.g., job shadows, career fairs, business tours, and employability skills courses - which are now categorized as career exploration instead of WBL.

7. Do simulated or classroom-based experiences count as WBL?

Yes - but only when there is substantial employer engagement and, in Iowa, when the experience is aligned to an industry-recognized credential (IRC).

Under the Strengthening CTE for the 21st Century Act and guidance from the Iowa Department of Education, simulated experiences may qualify as WBL only if they:

- Include sustained and meaningful engagement with an employer or industry partner
- Reflect real workplace expectations and tasks
- Require application of technical and employability skills
- Are aligned to an IRC in Iowa

Examples that may qualify:

- Employer-partnered project-based learning tied to real business needs
- Simulated work experiences aligned to an IRC
- Technical labs or classroom-based enterprises with active employer involvement and credential alignment

Important Consideration: Understanding IDEA and Credentialing Requirements

- Under the IDEA, students with IEPs are entitled to a FAPE, which includes access to the general education curriculum and transition services.
- Key distinctions:
 - Coursework and instructional activities (e.g., labs, simulations, CTE coursework)
 - Must be accessible to students with IEPs with appropriate supports and services under IDEA
- IRC attainment requirements
 - May be governed by external or third-party standards that do not allow modification
 - In these cases, access and accommodations may fall under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA), rather than IDEA modification requirements.
- Key Clarification
 - Students with IEPs can participate in WBL-aligned coursework or simulated experiences that are part of the general curriculum.
 - However, specific IRC requirements (e.g., standardized assessments or performance criteria) may have limitations on modification.
 - Schools must ensure:
 - Access to instruction and experiences (IDEA/FAPE)
 - Nondiscrimination and reasonable accommodations (504/ADA)
- Key Takeaway
 - In Iowa, simulated WBL must be both employer-engaged and aligned to an IRC. While credential requirements may have constraints, students with IEPs must still have meaningful access to the underlying instruction and work-based learning experiences.
- However, simple classroom career lessons or career awareness activities without meaningful application or employer partnership (e.g., generic workplace skills instruction unconnected to employer standards) are not generally considered WBL.

8. What is “Work Experience” and does it count as WBL?

Iowa IDEA Information (i3) explains that “Work Experience” is a special education service that is to be provided by a properly endorsed Work Experience Coordinator (WEC) or Teacher. Work Experience services, like all special education services, must be designed to meet the unique needs of a learner, as determined by the IEP team and as a component of that student’s IEP. Work experience services may encompass career exploration, work-based learning, and the development of work-related skills. Work experience services may or may not generate credit towards graduation.

As is true for the provision of all special education and related services, IEP teams must consider and provide Career-Connected Learning courses, activities, and experiences in the LRE appropriate for each student. Schools must ensure the availability of a full continuum of alternate services and placements is available to meet the special education related service needs of their students.

9. Who can provide Career-Connected Learning courses, activities, and experiences?

The Department has developed a [Career-Connected Learning Education Credential List](#) that helps clarify credentials, credit earning, oversight, and content delivery. There is nothing that precludes a student with an IEP from participating in Career-Connected Learning courses and activities through general education offerings. If the services needed are available and appropriate to be provided alongside nondisabled peers, schools are obligated to do so.

IEP teams must also consider and account for the activities and experiences that may be embedded into coursework for which the student has been removed.

10. How does Career-Connected Learning relate to FAPE?

Students with disabilities (IEPs and 504 plans) must have equal access to WBL opportunities offered by a school district. Participation cannot be denied solely because a student has a disability. If necessary, the district must provide special education services, supports, or accommodations to allow the student to participate.

The IDEA’s definition of FAPE specifies that special education and related services, including an appropriate elementary and secondary school education in the state. The State of Iowa’s requirements for secondary school education particularly relevant to Career-Connected Learning include the following:

- Iowa Code section 256.11 requires districts to include career exploration related activities within their curriculum beginning in grade 5, ensuring that career exploration activities are a key component of FAPE for each student in the middle grades.
- Iowa Code section 279.51 requires districts to develop an Individualized Career and Academic Plan (ICAP), that includes a timeline, addressing the essential components and identifies the coursework and WBL each student needs to support their postsecondary goals.
- Iowa Administrative Code 281—49.4(279) schools must engage each student in the following activities (essential components) which support the development and refinement of the ICAP: self-understanding, career information, career exploration, postsecondary exploration and career and postsecondary decision.

The IDEA requires specially designed instruction be provided, as needed and appropriate to the needs of an eligible child. This means adapting, as appropriate, to the unique needs of the student, the content, methodology, and delivery of instruction to ensure access of the child to the general curriculum, so that the child can meet the educational standards within the jurisdiction of the public agency that apply to all children. This standard is expected to be applied to the state’s requirements for Career and Academic Planning.

The IDEA further requires travel training and vocational education services be provided in order to enable the student to develop an awareness of the environment in which they live; learn the skills necessary to move effectively and safely from place to place within that environment (school, home, work, community); and prepare them for paid or unpaid employment. At times, a student's needs for transition service may not be able to be addressed through existing general curriculum, however, that does not preclude that district from their obligation to address the need through special education and related services. It's important to remember that a service that may be benefit enhancing for one, may be absolutely necessary for FAPE for another.

11. What is competitive integrated employment and supported employment?

Competitive integrated employment is defined under the WIOA:

- Compensated at or above minimum wage and comparable to the customary rate paid by the employer to employees without disabilities performing similar duties and with similar training and experience;
- Receiving the same level of benefits provided to other employees without disabilities in similar positions;
- At a location where the employee interacts with other individuals without disabilities; and
- Presented opportunities for advancement similar to other employees without disabilities in similar positions.

Supported employment is defined under WIOA as: competitive integrated employment that is individualized and customized for an individual with a most significant disability, consistent with the unique strengths, abilities, interests, and informed choice of the individual. It includes ongoing support services for those whom competitive integrated employment has not historically occurred; or has been interrupted or intermittent as a result of a significant disability; and who, because of the nature and severity of the disability, need intensive supported employment services, and extended services after the transition from support provided by the vocational rehabilitation program.

Iowa is an Employment First state, in alignment with WIOA, competitive integrated employment must always be the first and preferred option for individuals receiving public assistance.

12. What are the school's responsibilities when the need for supported employment or other on-going supports beyond high school are identified?

The IDEA is the primary legislative authority for district responsibility to prepare students with IEPs for employment. IEP teams are required to determine whether an individual student with an IEP needs employment preparation as a result of the individual's disability. If the student has a need, the IEP team must identify and provide the services that meet that need. Nothing precludes the district from partnering with another agency to provide services, but if the agency is unable to provide the service, the IEP team must reconvene to consider alternate strategies. Ultimately, the responsibility always remains with the district.

Referrals to vocational rehabilitation, waiver services, supported employment services, etc. must be made and included as part of transition planning. The referrals should occur early in the transition planning process as waitlists for services are multiple years long. These service providers must be included as members of the IEP team given the consent of the parent or student to whom rights have transferred, is provided. Further, any consultative and direct services relevant to the provision of FAPE and provided by the vocational rehabilitation program, or any other community agency, must also be included in the student's IEP.

The determination of need for supported employment services specifically should be made by the IEP team; however, the vocational rehabilitation agency is the lead agency for determining the appropriate services

provided through the vocational rehabilitation program. Schools must work collaboratively with these partners to ensure each student's plans and goals for transition are coordinated.

13. What are the school's responsibilities in a WBL placement?

If the position is credit-bearing, the school likely assumes some level of responsibility because it is part of the student's educational program. In that scenario, the placement could be considered part of the school's institutional function, and coordination with the employer under the student's IEP or 504 plan would be appropriate. Any concerns with the Family Educational Rights and Privacy Act (FERPA) would likely not be implicated to the extent the disclosure is tied to the implementation of the school plan. If the position is non-credit-bearing, or not a component of the student's FAPE, the school's responsibility is significantly reduced.

If the employment is supported or otherwise connected to the student's IEP/504 plan and not credit bearing, it would still be considered a component of the student's educational program. If the employment is not a component of the student's educational program, the responsibility to disclose the accommodation needs would generally fall to the student.

14. What are the employer's responsibilities?

If the position is not a component of the student's educational program, the primary obligation would shift more toward the employer. The employer would then have a duty to engage in the interactive process with the student/employee.

If the employment is a component of the student's educational program, the employer may have some obligation to coordinate with the school to ensure the plan is implemented appropriately. Any required accommodations would still be subject to the usual standards - LRE considerations, and whether the accommodation would impose an undue hardship or constitute a fundamental alteration.

15. What are the student's responsibilities?

If the placement is not a component of the student's IEP/504 plan, the primary obligation would shift more toward the student and employer.

If the employment is paid and a component of the educational program, the responsibility to disclose accommodation needs would generally fall to the student.

16. What is the difference between credit and non-credit WBL?

Credit-Bearing WBL:

- Students earn academic or CTE credit.
- Requires a documented training agreement.
- Must align to curriculum standards.
- The school maintains formal supervision and grading.
- Often tied to Perkins reporting.

WBL that is not for credit:

- No academic credit awarded.
- Must include a bonafide training plan if a student is not being compensated at fair wages (see above under FLSA - subminimum wages).
- May still require agreements for liability and clarity.
- Often exploratory or arranged outside the master schedule.
- Still subject to disability nondiscrimination requirements.

17. Consideration of Hazardous Occupations/Waivers

There are no special provisions, requirements, or expectations for students with disabilities as it pertains to [hazardous occupations and waivers](#). Consideration of an individual student's circumstances must be addressed on an individualized basis. If there are potential concerns, the IEP team should take into consideration: the student's current level of performance in skills relevant to the workplace environment, the presence of any specific health related concerns relevant to the workplace environment, and what reasonable accommodations or supports can be provided in the workplace environment.

If the student's current level of performance or health-related needs are not able to be reasonably addressed through appropriate accommodations and supports, the IEP team will need to reconvene to determine alternate strategies and/or settings that will provide for the necessary instruction and/or supports.

NOTE: For more information regarding WBL, please visit the [Career-Connected Learning page](#). For more information regarding special education and secondary transition services, visit the [Secondary Transition webpage](#).

Contact Information

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