

# CHAPTER 19

## TRAINING SERVICES

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## 19.1 Authority: PL113-128 SEC 414, 34 CFR 361.48(b)(6)

### 19.2 Policy

The Utah State Office of Rehabilitation (VR) Vocational Rehabilitation (VR) program supports eligible individuals in approved training activities that are required for the client to obtain the employment goal agreed upon by both client and VR Counselor in the IPE. Approval levels for training programs, including out-of-state training programs is located in CSM Chapter 12 Appendix A and B.

### 19.3 Comprehensive Assessment of Rehabilitation Needs and Training Specific Considerations

The Comprehensive Assessment of Rehabilitation Needs (see also CSM Chapter 10-IPE development) should include a discussion of training services that may be needed by the client to achieve an employment goal. Prior to approving an employment goal that may require training services, VR Counselors and clients should discuss factors in the client's past, current and future circumstances that may impact the ability to successfully engage in training services. Factors to consider may include:

a. Status of Restoration/Stability

The VR counselor should determine how a client's disability(s) and impediments will impact participation in training. A client's restoration needs should be addressed prior to or concurrently with the start of a training program. In either case, the VR Counselor should monitor restoration progress in addition to the client's training activities.

b. Review of Basic Living Expenses

While VR does not typically/directly support daily living expenses, the VR Counselor should assess the client's current financial situation to determine the client's ability to reasonably sustain basic living requirements while in training. If a client is not able to provide for basic living expenses then the VR Counselor and client should discuss employment goals and training approaches that provide income such as an OJT or apprenticeship.

The review of basic living expenses may take into consideration the following:

- i. Current living situation (independent, with family, etc)
- ii. Transportation needs and access
- iii. Ability to sustain housing and associated costs
- iv. Overall stability of client's financial circumstances
- v. Availability of additional living supports from comparable benefits

c. Academic Testing and Training Preparation

The VR Counselor and client should review the client's academic history and current academic abilities based on available testing measures. This can include sending the client for academic testing, reviewing records, or sending the client for a vocational evaluation. When appropriate, the VR Counselor and client may explore remedial training to prepare the client for the training program associated with the identified employment goal.

d. Past Employment, Training History and Transferable Skills

The VR counselor and client should identify transferable skills and/or training the client may have in order to inform the process of employment goal and training program selection. VR Counselors should also review the client's academic history to assess the client's basic academic skills. Barriers to past academic achievement should be assessed and, when appropriate, plans to address the barriers should be planned for in the IPE.

e. Level of Education Required for the Employment Goal

VR has additional approval levels for training programs above the level of an associate's degree. The approval levels for different degree types may be found in Appendix A of Chapter 12. Approval for the anticipated degree level and employment goals that require training at that degree level should be obtained prior to its addition to the IPE. To determine the level of education required for the client to obtain employment in a particular field, the VR Counselor and client should research and assess labor market information from at least one source. Sources of labor market information include but are not limited to:

- i. Publications
- ii. Online Resources such as ONET, DWS economic information, and Career Index +
- iii. Informational interviews

f. Licensure and Certification

VR Counselors need to make sure they are examining specific licensure or certification requirements and any barriers to these including criminal background and history. VR does not support an IPE employment goal or related training services if the client cannot meet the legal requirements of the associated employment outcome.

g. Other Considerations

- i. Career Pathways

Career pathways that may be available in the client's field of study. Career pathways provide clients with the opportunity to create a long term training goal that includes multiple credentials that are stackable with employment options at each credential.

ii. Additional/Supplemental Training

VR Counselors and client should also discuss additional training, work, or supplemental skills that are likely to be required for successful placement in the employment goal. This includes basic academic remediation, professional licensing, and certifications.

## 19.4 Developing the Individual Plan for Employment (IPE)

After the VR Counselor completes the comprehensive assessment and obtains approval, as appropriate, to support the client's training then the training goal and associated employment goal can be added the IPE (see also CSM Chapter 10- IPE Development). The training plan should include the specific credential sought as well as other pertinent evaluation criteria. Establishing appropriate evaluation criteria may include the following considerations:

a. Minimum GPA

The minimum GPA required for continued VR training support should reflect the minimum GPA established by the training program for continued participation. However, in absence of program specific GPA requirements, the minimum GPA required by FAFSA should be used.

b. Attendance

The IPE attendance criteria should reflect the requirement established by the training facility or specific training program.

c. Timely Progress Goals

The IPE should include goals that indicate the client is making reasonable progress toward the completion of the training program. Clients who receive VR support for training should plan to complete training programs within 150% of the average completion time. As a general rule the timelines are as follows:

- i. 3 years for Associate Degrees
- ii. 6 years for Bachelor Degrees
- iii. 3 years for Graduate Degrees
- iv. 150% of training time for hourly certificate programs at the Technology Colleges

Progress toward IPE training goals should, at a minimum, be evaluated at the completion of each training period (semester, quarter, etc) by obtaining third party documentation (report card, degree audit report, etc).

## 19.5 Selecting the Training Facility

- a. The VR counselor and client should research and discuss viable training providers in accordance with the client's informed choice and VR policy. Considerations for training providers can include:

- i. An institution of higher education's employment rate for graduates
- ii. Program formats that accommodate specific disabilities
- iii. Total client cost including

- A. Program Cost
- B. Availability of grants
- C. Cost allowed by VR
- D. Potential cost remaining for the client

- iv. The client's ability to meet entrance requirements for both the institution and training program
- v. Credentials resulting from the program and how the credentials pertain to the proposed and/or approved employment goal.
- vi. Accreditation of the institution and training program.

VR supports training at programs and institutions that are accredited to ensure that the program credentials and curriculum are accepted by the industry related to the client's employment goal. Programs that are not accredited may or may not provide the skills or credentials required for employment. Accrediting entities vary by the credential awarded and should be verified as follows:

- A. Undergraduate and graduate degrees should be verified with the Council on Higher Education Accreditation (chea.org)
- B. Certificates at technology colleges should be verified with the Council on Occupational Education.
- C. Institutions and programs not accredited by the accrediting bodies in A and B above are approved by exception. Prior to requesting an exception, the VR Counselor and client should have a discussion about the impact a non-accredited program will have on the client's ability to obtain employment. The exception request should include the following:

- 1. Expected employment outcome
- 2. How the training supports the employment goal
- 3. The cost of the program
- 4. Availability of accredited programs

5. Why a non-accredited program is being requested
6. How the non-accredited program will help the client achieve the employment goal

## 19.6 Utah Public Institutions of Higher Education

### a. Credentialing Public Programs

VR will support training costs for credentialing programs at public institutions at the Utah public institution rate (see appendix 12\_\_\_\_) for tuition and fees. Credentialing programs available at public colleges and universities are assumed to have met accreditation requirements.

### b. Non-credentialing public programs

Training programs at public colleges and universities, including continuing education classes that do not result in a credential are approved by exception.

The Client Service Recommendation should include:

- i. Proposed or expected employment outcome
- ii. How the training supports the employment goal
- iii. The cost of the program
- iv. Availability of credentialed, accredited programs
- v. Why a non-credentialed, non-accredited program is being requested
- vi. How the non-accredited program will help the client achieve the employment goal

### c. Online Training from a Utah Public Institution of Higher Education

Online training received from a Utah Public Institution of Higher Education should be examined to determine if the program provides a credential or if the program is non-credentialing. If the program results in a credential, the VR Counselors should follow the instructions in 19.6.a. If the program does not result in a credential, the VR Counselor will need to request an exception as per 19.6.b.

## 19.7 Utah Private training providers and Online Training

Private training providers include both for-profit and non-profit educational institutions. Examples of private non-profit training providers in Utah include but are not limited to: Brigham Young University, Western Governor's University, and Westminster College. Private or out-of-state online training refers to any training program at a private or out-of-state institution that is conducted 100% via distance learning.

Private training and online training providers and their associated programs may be approved by VR administration with consideration given to:

- i. Credentials
- ii. Industry recognized and approved curriculum
- iii. Accreditation
- iv. Compliance with the ADA and Section 504 of the Rehabilitation Act of 1973 as amended.
- v. Employment placement rate

Private training programs that have been approved by VR administration are listed as approved in AWARE. If a private training program is not approved in AWARE, it can be submitted for approval through the facility approval process or submitted for approval by exception. Approval by exception should be obtained prior to inclusion of the training program in the IPE. Requests for VR facility approval of a private training program shall be directed through supervisory channels to administration.

## 19.8 Out of State Training

All out-of-state training is approved by exception regardless of the institution's public, private, or non-profit status. VR Counselors should encourage clients to pursue training programs within the state of Utah whenever practicable. If a client requests attendance at a training facility that is not located within the state of Utah, the VR Counselor can explore the proposed training program with the client. The exploration should include research and documented comparisons with similar training programs offered in Utah with consideration given to:

- a. Program Cost

VR will support out-of-state training costs at a rate no greater than the established in-state rate for programs with comparable credentialing. If the program cost is higher than the in-state rate, the VR Counselor and client should discuss the client's ability to pay for the extra cost. VR is not responsible for costs in excess of the cost of similar training available at an in-state institution. This includes, but is not limited to, costs for transportation, maintenance, non-resident tuition, etc.

- b. Program Length

The length of the out-of-state training program should be compared to the average training program length for similarly credentialed training programs available from both public and approved private training facilities in Utah.

- c. Employment Outcomes

Most training facilities retain data on employment outcomes. If the training facility does not provide this information, VR Counselors should consult with the VR Facilities Coordinator and/or the VR program in the corresponding state to obtain their professional assessment of the training program and employment outcomes.

d. Accommodation Services

Training programs supported by VR must provide academic accommodations as required by section 504 of the rehabilitation act and the ADA.

If the information gathered supports out-of-state training as the most appropriate means to for the client to obtain the identified employment goal, the VR Counselor should educate the client about the approval process and associated timelines. The approval for out-of-state training and any associate out-of-state travel must be requested by exception through a client service recommendation. The client service recommendation should include information and justification in areas a through f above. Once approved the VR Counselor must also obtain approval for any required out-of-state travel from the Executive Director's Office. See the Client Out-of-State Guidance Document for more information about the out-of-state travel approval process. VR Counselors should inform clients the process for out-of-state travel approval can take up to 4 weeks.

## 19.9 VR support for graduate degree programs Effective 05/1/2019

Graduate training and employment goals that require graduate training must be approved at the Field Service Director level through a client service recommendation. In order to adequately assess the appropriateness of graduate level assistance, prior to granting VR approval for graduate training and/or an employment goal that requires a graduate degree, the client must:

- a. Successfully complete a bachelor's degree program
- b. Be accepted by an institution and graduate program that corresponds to the proposed employment goal.\*
- c. Require the advanced degree in order to obtain the proposed employment goal. Documentation of need must be supported by labor market information and acceptable forms of documentation include:
  - i. O\*NET Utah specific information for the proposed employment goal. This means that the education held by the majority of incumbents in the employment goal is at the graduate level.
  - ii. Local economic information (jobs.utah.gov) indicating that the majority of jobs in the client's proposed employment goal require a graduate degree.

If the VR Counselor and client determine that O\*NET and local economic information does not reflect the current labor market for the client's proposed employment goal then additional information shall be used to document the requirement. This information shall include documentation such as informational interviews indicating that although the minimum educational requirement for the employment goal is an undergraduate degree, all viable, competitive candidates must have a graduate degree.

- d. Require specific VR assistance for graduate school training. This means that the client does not have access to the resources and support to pursue graduate training without VR assistance.

In cases where a client wishes to pursue an employment goal that requires graduate level training but they do not yet meet the criteria above, the VR Counselor and client should explore the request and discuss career pathways that may lead to the graduate level goal. During the discussion about career pathways the VR Counselor and client should identify an undergraduate level employment goal that may serve as an interim goal until the client meets the criteria listed above. The career pathway exploration, identification of an interim goal, and the preliminary request for graduate level education should be documented in the client record.

When a client and VR Counselor are considering support for graduate level employment and training, VR may support the client in activities to assess the client's ability to succeed at the graduate level. This can include payment for entrance fees, graduate entrance exams, and graduate entrance exam prep courses.

\* If the client chooses to attend an out-of-state training program or a private training program that is greater than the cost of an in state public institution, the client is responsible for all costs above what VR would pay for a resident to attend an in- state public institution. (see CSM 19.8)

## 19.10 Comparable Benefits

For the purposes of training, comparable benefits mean any resource available to the client that may be utilized to offset the VR supported training related services. Such benefits include, but are not limited to workforce development training programs, grants, scholarships, and family support. Documentation of comparable benefit availability and use is required prior to the provision of services for each training period (quarter, semester, etc).

### a. Pell and other grants

Prior to determining VR financial support for training services, the VR Counselor and client should determine if the selected program and training facility qualify for use of student grants.

34 CFR 361.48(b)(6) states "no training or training services in an institution of higher education may be paid for with funds under this part unless maximum efforts have been made by the state unit (VR) and the individual to secure grant assistance in whole or in part from other sources to pay for the training."

If a training program qualifies for grants the client is required to apply for grant assistance for each quarter, semester, or otherwise defined training unit. If the client selects a programs and/or training facility that does not qualify for grant

assistance, the VR Counselor should document this in a case note and/or client service recommendation.

VR Counselors will collect third party documentation of the financial aid award or denial, save a copy of this documentation in AWARE, and outline training costs and funding sources in a case note prior to authorizing VR support for training services. Funds awarded through state or federal grants should be used to offset the cost of training and training support services. Training support services include expenses which are directly incurred by participation in VR training. This does not typically include daily living expenses.

i. FAFSA Application

Clients pursuing training at a grant eligible program must apply for grant assistance through the FAFSA prior to starting the first semester/quarter of training and each academic year thereafter. If a client elects to attend summer semester, VR Counselors should ensure that the client record contains grant award information for summer and how the award will be used to offset the cost of training.

b. Clients Denied Grants for Defaulting

If a client is denied access to financial aid due to student loan defaults, the client will need to take the steps necessary to remedy the default status. The department of education has flexible loan repayment options. Therefore, a default status may indicate that the client has not attempted to make arrangements to repay their student loans, which would make them eligible for additional student financial aid under Title IV of the Higher Education Act. Consequently, these clients are not considered to have made the maximum efforts required by 34 CFR 361.48(b)(6) to secure grant assistance from non-VR sources to pay for their training.

“Under Title IV of the Higher Education Act, in order to receive a grant, loan, or work assistance, a student must not owe a refund on grants previously received or be in default on any student loan (20 U.S.C. Section 1091(a)(3)). Therefore, a client who has defaulted on a student loan should proceed to clear his default status.” RSA PAC 88-05

In cases where a client has defaulted, the VR Counselor needs to obtain documentation that:

- i. All past due amounts have been repaid,
- ii. The client’s loan has been discharged in bankruptcy, or

iii. The client has entered into a new repayment agreement for the loan.

If the client has limited or no financial resources available and cannot work out a satisfactory repayment agreement with the lender, the VR Counselor may determine that all available methods to clear the default status have been made. In this case, the VR Counselor will obtain documentation of the client's efforts to clear the default and financial information that demonstrates the lack of resources. The VR Counselor will then document that a responsible repayment effort was made in light of all available resources and therefore maximum efforts have been made to secure grant assistance and that comparable benefits and services are not available. Such a determination can only be made by a VR counselor on an individual basis after carefully examining all of the circumstances involving an individual's default status and financial situation and must be consistent with the intent that VR resources be used as a last resort to pay for training in institutions of higher education.

### C. Guidance for Scholarships

VR does not require clients to apply for scholarships as a prerequisite to VR training support, however, the VR Counselor may suggest applying for scholarships in order to supplement VR support. If a client is awarded a scholarship, the award may be considered as part of a client's overall financial resource for training and training support expenses. Because scholarships and scholarship dispersal is controlled by the scholarship provider, the manner in which scholarship is received and applied varies widely. Therefore VR Counselors should use professional judgement when considering how a scholarship may be leveraged to support the client's training activities.

## 19.11 Residency Status

The Utah State Office of Higher Education (USHE) grants resident status to individuals attending a USHE governed institution who are receiving training support funding through the vocational rehabilitation program (R512-4.7). VR Counselors should inform clients of this benefit and direct clients with non-resident status to apply for residency under this rule. If a client chooses not to apply for residency status, the VR Counselor may choose fund VR training at the level of in-state tuition rates.

## 19.12 Extra Classes and Electives

### a. Extra classes

Extra classes at no extra cost to VR may be approved by the VR Counselor if it is determined that the additional coursework will not jeopardize the client's performance in required classes.

b. Electives with High Fees

Electives that are not necessary for program or degree completion and come with higher costs for fees and supplies should be discussed by the VR Counselor and client. These extra costs should be assessed in terms of whether the class is necessary and appropriate to achieve the employment goal.

### 19.13 Evaluation of Ongoing Support for Training Assistance

The VR Counselor and client should discuss the client's progress in training activities and success toward meeting the evaluation criteria at the Annual Review and at the conclusion of each training period (semester, quarter, etc). The VR counselor should do a thorough review of the clients most recently completed training period and consider the following information prior to supporting additional training:

- a. The client's success as per IPE evaluation criteria  
The VR Counselor and client shall assess if the client is meeting the evaluation criteria outlined in the IPE including meeting minimum academic standards and progress requirements for the specific program of study. It is also helpful to consider disability related impediments and any accommodations that may have affected training progress.

If a client does not meet all of the evaluation criteria, the VR Counselor should evaluate if continued training support is appropriate or if a new Comprehensive Assessment of Rehabilitation Needs is required to identify a new, more appropriate, employment goal. If the VR Counselor determines that further support of training is appropriate, District Director approval is required through a basic client service recommendation prior to VR support of a retake (also see CSM 12.5).

Questions to consider prior to supporting or discontinuing training may include:

- i. What barrier prevented the client from being successful?
  - ii. Can the barrier be remediated?
  - iii. Is this the first time the client did not meet evaluation criteria?
  - iv. Did client have appropriate accommodations and support in place? Did the client have adequate support from the VR Counselor and training program including necessary accommodations?
- b. Comparable benefits (grants, etc) that are available to the client for the next training period.

- c. The client's upcoming class schedule aligns with the training plan.
- d. The client provides an account summary for tuition and fees, books, and required supplies.
- e. The file reflects changes to training expenses and has an up to date Financial Needs Assessment. Changes to training expenses
- f. Updated FNA
- g. Restoration progress has been documented and academic accommodations are in place for the upcoming semester

## 19.13 Definitions and Types of Training Programs

### a. Accreditation

Accreditation is public recognition that an accrediting agency grants to an educational institution or training program that meets the U.S. Department of Education's agency's standards and requirements for quality.

### b. Associate Degree

The Federal Student Aid website under the Office of the U.S. Department of Education defines an associate's degree as "an undergraduate academic degree granted after completion of two years of study. Community colleges and career colleges generally award associate degrees."

### c. Award

Award letter refers to an offer of financial aid assistance. The letter may come from FAFSA at the U.S Department of Education or from the clients college or technical school. The letter usually states the type and amount of financial aid the client qualifies to receive during a specific academic year or period of time.

### d. Bachelor's Degree

The Federal Student Aid website under the Office of the U.S. Department of Education defines a Bachelor's degree as "an undergraduate academic degree awarded for a course of study that generally lasts four years. Colleges or universities generally award bachelor's degrees."

### e. Basic Academic Remedial or Literacy Training

Basic Academic Remedial Training is training or tutoring that is designed to remediate deficiencies in general basic academic areas (reading, math, language) and provide the individual with the skills necessary to pursue post secondary training or function in the competitive labor market. Examples include Adult High School Education Programs, English for Speaker of Other Languages (ESOL), and basic academic tutoring.

### f. Career Pathways

A career pathway is a training plan that includes progressive levels of credentialing with associated levels of employment advancement within that career field. Individuals following a career pathway may obtain employment at designated “step-off” points and/or continue along a progressive training pathway.

**g. Credential**

A credential is a qualification issued by an educational institution as proof of an individual’s qualification or competence in a specific area.

**h. Customized Training**

Customized training is a training program designed to meet a specific workforce need for a local employer. The employer usually agrees to hire individuals who complete the training program once they are trained to the employer’s specifications. The training may occur on the employer’s worksite or in a formal training facility such as a college or career and technical education institution. Customized training does not typically result in an industry-wide recognized credential. Instead, the training is limited to topics and proficiencies necessary to meet the knowledge, skills, and abilities required for a specific position in the employer’s business.

**i. Four-Year College or University Training**

Academic training leading to a baccalaureate degree, a certificate, or other recognized educational credential. Such training may be provided by a four-year college or university or technical college.

**j. Grant**

Financial aid that does not need to be repaid as long as performance criteria is met.

**k. Junior or Community College Training**

Academic training above the secondary school level leading to an Associate’s Degree, a certificate, or other recognized educational credential. Such training may be provided by a community college, junior college, or technical college.

**l. Labor Market Information**

Labor market information is data used to understand careers and the supply and demand for labor. Employees represent the supply and employers represent the demand.

**m. Miscellaneous Training**

Training that does not fit more appropriately into another training category. Miscellaneous training includes but is not limited to GED training, driver licensing training, high school diploma training, and college and university training that does not lead to a certificate or diploma.

**n. Post High**

Post High refers to training a secondary student may receive as part of a free and appropriate public education program. Post High programs are usually administered by a secondary school or school district.

**o. Occupational or Vocational Training**

Occupational, vocational, or job skill training provided by a community college and/or business, vocational/trade or technical school to prepare students for gainful employment in a recognized occupation, not leading to an academic degree. This would include selected courses or programs of study at a community college, four-year college, university, technical college or proprietary school or program.

**p. Post Secondary Training**

Post Secondary training includes training at colleges, universities and vocational, technology schools in which the student is working toward an associate's degree

**q. Registered Apprenticeship Training**

A registered apprenticeship is a highly structured training program that combines hands-on, on-the-job work experience in a skilled occupation with related classroom instruction. Registered Apprenticeships include supervision and structured mentoring, wage increases as an apprentice's skills increase, and an industry recognized certificate of completion from the program.

**r. Satisfactory Academic Progress**

A school's standards for satisfactory academic progress toward a degree or certificate offered by that institution.

**s. Scholarship**

Money awarded to students based on academic or other achievements to help pay for education expenses. Scholarships generally do not have to be repaid.

**t. Secondary Training**

Secondary training in Utah consists of grades 9-12. Special education post-high programs that serve students with disabilities through age 21 are considered part of secondary training.