

Vocational Training Services Chapter 13

13.00 Definition: Vocational and Other Training Services including personal and vocational adjustment training, advanced training in, but not limited to, a field of science, technology, engineering, mathematics (including computer science), medicine, law or business; books, tools, and other training materials.

13.01 Authorization: Training shall be provided only when necessary for attainment of the counselor/individual agreed upon employment goal. [Reference: WIOA, the Florida REACH Act and the Field Services Operating Procedure (FSOP) – Postsecondary Education and Training.]

1. VR shall not continue payment for training or educational programs for eligible individuals who fail to maintain institutional standards for both satisfactory academic performance and a full academic load [Reference: 6A-25.014(4)and (5)] unless such failure is due to:
 - a. circumstances beyond the eligible individual’s control such as personal illness, physical, or mental limitations;
 - b. a need for part-time employment;
 - c. caring for children or other family members; or
 - d. other similar circumstances.

2. The awarding of a degree or certificate shall be within a timeframe based on the individual’s needs and abilities.

13.02 Exclusion: No training services provided at a public postsecondary educational institution (e.g., universities, colleges, state/community colleges, vocational schools, technical colleges, or schools of nursing) can be paid for with VR funds unless maximum efforts have been made by the counselor/contractor and the individual to secure grant assistance, in whole or in part, from other sources to pay for such training. Such efforts shall be documented in the individual's case records. [Reference: Chapter 9.03, Comparable Services and Benefits.]

1. Pell Grants - Pell Grants may only be used for expenses related to an individual’s participation in an educational program. Such expenses include, but are not limited to, tuition fees, room and board (or living expenses for a student who does not contract with the school for room and board), transportation, books, supplies, and rental or purchase of a computer. [Reference: 6A-25.014(2)(a-c.)]
 - a. The individual must provide VR/contractor with Pell Grant award or denial letters. A Financial Aid Officer must verify that the individual is not eligible to apply for a Pell Grant when that is the case.
 - b. VR may sponsor tuition, fees, books and supplies for the initial term while the individual's Pell Grant application is processed. VR may not sponsor subsequent terms unless the individual's Pell Grant application was denied or the Financial Aid Officer verifies the application has not been awarded.
 - c. Contact with the Financial Aid Officer shall be documented in the case record.
 - d. In the event that an individual is awarded the Pell Grant for a semester in which tuition, fees, books, and/or supplies have been sponsored by VR, that individual shall reimburse VR for the full amount of the expenditures up to the amount of the Pell Grant. Pell Grants in excess of this amount must be used by the individual for related educational expenses.

13.03 Training for or of Family Members. Training services may be provided to the family of an individual with a disability if such training is necessary to enable the individual to achieve an employment outcome.

13.04 Training Materials. Training materials may be provided to the individual by VR if required by the training institution.

1. Such training materials shall be for the use of the individual during the period of training.
2. If the aggregate cost of such training materials purchased by VR is less than or equal to \$1,000, such training materials shall become the property of the individual immediately upon purchase. [Reference: 6A-25.014(1).]
3. If the aggregate cost of such training materials purchased by VR exceeds \$1,000, such training materials shall become the property of the individual upon purchase. However, title and ownership to such training materials shall revert back to VR upon written demand by VR/Contractor provided circumstances exist justifying the closure of the individual's case for reasons other than a successful completion of the employment outcome. [Reference: 6A-25.014(1)(a).]
4. When title to such training materials reverts to VR, the individual who received such training materials shall immediately make the training materials available to be secured by VR/Contractor. [Reference: 6A-25.014(1)(b).]

13.05 Florida Public Postsecondary Educational Institutions. It is strongly advised that individuals attend Florida local public postsecondary educational institutions - universities, colleges, state/community colleges, vocational schools, technical colleges, or schools of nursing for academic, vocational, and technical training services. Florida local public postsecondary educational institutions are herein referred to as the least-cost accredited institution (Reference: FSOP – Postsecondary Education and Training.)

13.06 Private and Out-of-State Schools.

1. The individual may choose to attend a private school or out-of-state college or university. [Reference: 6A-25.014(3).]
 - a. If the individual selects a private or out-of-state institution, such institution must be fully accredited and in compliance with the 1964 Civil Rights Act, Title IX of the Education Amendments of 1972, and Title V of the Rehabilitation Act of 1973, as amended, in order to consider payment from VR.
 - b. If a private or out-of-state institution is used on the basis of individual preferences, costs shall be paid by VR at the same rate as that for a Florida public postsecondary educational institution after comparable benefits and financial participation has been applied. The individual will be responsible for paying any cost differences.
 - c. Under such circumstances, costs of ancillary services such as interpreters for the deaf, note takers, and other accommodations shall be covered by VR only if such services are not provided by similar Florida public postsecondary educational institutions or by the private or out-of-state institution chosen by the individual.
 - d. When providing training or education services, VR shall pay only the amount charged by Florida's public postsecondary educational institutions, least-cost, (less the amount the

individual is eligible to receive in grants and the percentage of required financial participation), unless attendance at an out-of-state or private institution is:

- i. necessary due to its unduplicated educational resources to prepare for, retain or regain the employment outcome; or
 - ii. the most cost effective option when taking into account transportation and maintenance due to location or when taking into account available grant and scholarship funds (except scholarships based on merit, such as Bright Futures and MacKay Scholarships); or
 - iii. necessary due to circumstances beyond the eligible individual's control such as personal illness, physical limitation(s), the need for part-time employment, or to care for children or other family members, and other similar circumstances; or
 - iv. paid by grant, award or scholarship monies (except those based on merit) sufficient to offset increased cost to VR.
2. The rationale for use of private or out-of-state educational institutions must be documented by the counselor/contractor in the individual's case record.
 3. Out-of-state college/university or vocational training must be approved by the Area Office prior to attendance. [Reference: Chapter 15.02 and FSOP Casework Process – Request for Approval.]
 4. Out-of-state postsecondary educational institutions or training programs paid for by VR must meet VR's standards for vendor qualifications to provide training.

13.07 Community Colleges/Universities. It is strongly advised that the first two (2) years of college training be provided at the local state/community college level. Florida state/community colleges are committed to making all programs, services and facilities accessible to and usable by individuals with disabilities in order for students to obtain maximum benefit from the educational experience and to effectively transition to the university environment.

13.08 Student Requirements

1. Unless students in training programs maintain institution standards of satisfactory academic performance, VR shall have no obligation to continue payment for or sponsor such training. However, VR shall consider continuing such payment and sponsorship where failure to maintain passing grades is due to circumstances created by the individual's disability or circumstances beyond the individual's control. [Reference: 6A-25.014(4) and (5).]
 - a. The public postsecondary educational institution is required to provide appropriate academic accommodations deemed necessary to accommodate individuals with disabilities. The public postsecondary educational institution may require the student to follow reasonable procedures to request an academic accommodation, which may be found in the institution's student handbook, website, student disability services office or admissions office.
 - b. The appropriate academic accommodation must be determined based on the student's disability and needs. Academic accommodations include modifications to academic requirements and auxiliary aids and services.

Examples include: arranging for priority registration; reducing a course load; substituting one course for another; providing note takers, recording devices, sign language

interpreters, extended time for testing and, if telephones are provided in dorm rooms, a TTY in the dorm room; and equipping school computers with screen-reading, voice recognition or other adaptive software or hardware.

- c. In providing an academic accommodation, the public postsecondary educational institution is not required to lower or modify essential requirements. For example, although the institution may be required to provide extended testing time, it is not required to change the substantive content of the test.
2. If a student has to retake a course due to a failing grade or fails to attend the appropriate number of classes (and the failure to attend was within the student's control), VR shall have no obligation to pay for his or her retake of the course.
 3. Students in training programs shall maintain a full academic load as defined by the postsecondary educational institution except when there are substantial mitigating circumstances documented in the individual's case record.
 - a. Mitigating circumstances are physical or mental limitations, family responsibilities, availability of transportation, and financial considerations.
 - b. Reports will be accepted as documentation of maintenance of a full academic load.
 - c. Satisfactory grade reports, training progress reports, certificates of completion, or diploma copies are acceptable documentation of attendance and satisfactory performance.

13.09 Graduate Training

1. Graduate training shall be provided when necessary for the attainment of the identified and agreed upon employment goal of the individual.
2. A Request for Approval – Area Level must be obtained prior to attendance. [Reference: Chapter 15.]

13.10 On-The-Job Training

1. Individuals who make an informed choice to participate in an adult or youth (including student) work experience activity (WEA) under VR will be deemed an employee of the state for the purposes of workers' compensation coverage only [Reference: Florida Statute 413.209; FSOP Casework Process – Workers' Compensation.]
2. A non-contracted on-the-job training (OJT) initiated by the counselor may be provided for an individual if the counselor and individual determine that training for employment or skill acquisition can be learned on the job.
 - a. A Non-Contracted OJT Agreement for Employers (RIMS form DOE/VCMT014) must be completed prior to the start of the OJT. This agreement must include:
 - i. the wages, taxes, and benefits (including the employer's share of FICA, Medicare and other charges to the employer) for the employee/trainee,
 - ii. the type of training the employer/trainer will provide,
 - iii. the specific skills the employee/trainee will receive,
 - iv. the anticipated length and duration of the OJT,
 - v. the signature of the employer/trainer representative, the employee/trainee and counselor, and
 - vi. the Workers' Compensation coverage information.

- b. The individual shall be paid no less than the minimum wage if the employer is engaged in a business that is regulated by the Fair Labor Standards Act.
 - c. The employer providing the OJT must agree that an employment relationship shall exist between the employer and the individual during this training. The employer must agree to accept the basic responsibilities of employment as defined under all applicable laws, VR contracts, or agreements.
3. The employer/trainer must submit the Non-Contracted OJT Monthly Progress Report form to the counselor indicating the dates and hours worked for calculation of payment. The report shall be maintained in the individual's case record. The counselor/contractor shall verify this information prior to providing approval for payment.

13.11 Tutorial Training

1. Tutorial training (one-on-one instruction outside a classroom or other training setting) may be provided when it is determined by the counselor/contractor to be necessary for the individual to achieve an employment outcome.
2. Prior to VR's payment, the counselor/contractor shall contact the training provider to determine if they can provide the tutoring as required by the Americans with Disabilities Act (ADA). Documentation of the provider's agreement to provide tutorial training or the need for VR to pay for training shall be contained in the individual's case record.

13.12 Personal Adjustment and Work Adjustment Training

1. Personal adjustment training and work adjustment training may be provided to an individual to identify personal or social behavior patterns or work habits which are necessary to prepare for, secure, retain, or regain employment.