

## **1380.10 Work Study Programs at Rehabilitation Facilities Policy**

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### **Introduction**

The Office of Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR) provides work study programs with both rehabilitation facilities and employers in the community. This policy defines parameters for work study programs at rehabilitation facilities. Parameters for programs provided with employers in the community, including both government agencies and private business are described in the policy Work Study with Employers in the Community.

### **Philosophy**

To be successful, work study programs, whether at rehabilitation facilities or with employers in the community:

1. must combine in-school educational programming with exposure to a work environment so that the student will acquire the vocational education, work habits and skills needed to make the transition from school to work,
2. must be the product of genuine cooperation between ACCES-VR and local school districts as evidenced by joint ACCES-VR/school district development of work study plans, sharing of costs and sharing of monitoring responsibilities,
3. should not substitute ACCES-VR programming and funding for school district or BOCES pre-vocational or vocational programming and funding, especially for young adults over age 18.

Not all students will remain in the specific area they were placed in at the beginning of the work study program. However, work study should be whenever possible the culmination of an in-school process of developing work skills and attitudes and selecting preferred occupations, not the beginning of such a process.

Also, many of the students placed in work study programs in rehabilitation facilities may ultimately be placed in sheltered employment. However, special care should be taken to insure that students placed in work study programs at rehabilitation facilities are given every opportunity to "graduate" to work study programs with employers in the community if they demonstrate the ability to do so and to obtain competitive jobs at the end of their work study program whenever possible.

## **Policy**

### **Disability Groups and Age**

Work study programs at rehabilitation facilities should be available to students from all disability groups. Students must be within two years of expected exit from school.

### **Joint Planning**

### **School District Responsibilities**

The 1975 Education for All Handicapped Children Act (P.L. 94-142) requires school districts to provide all handicapped children with a free appropriate public education which emphasizes special education and related services designed to meet their unique needs.

Federal Regulations and Part 200 of Education Commissioner's Regulations require a local school district Committee on the Handicapped (renamed Committee on Special Education by Chapter 273 of the Laws of 1986) to determine whether a child has a handicapping condition. To make this determination, Part 200.4(b) of Commissioner's Regulations requires the Committee to insure that the child is assessed in all areas related to the suspected disability including, where appropriate, vocational skills. The program that is ultimately developed for the child is detailed in an Individualized Education Program (IEP).

Furthermore, Part 401.101 of the Federal Regulations implementing the Carl D. Perkins Vocational Education Act requires local school districts receiving funds under the Act to provide information to handicapped and disadvantaged students and their parents concerning the opportunities available in vocational education and the requirements for eligibility for enrollment in vocational education programs. This information must be provided at least one year before the students enter the grade level in which vocational education programs are first generally available in the State, but in no case later than the beginning of the ninth grade. Handicapped students who are enrolled in vocational education programs must also receive:

1. an assessment of their interests, abilities and special needs related to their vocational education program,

2. special services, including adaptation of curriculum, instruction, equipment and facilities,
3. guidance, counseling and career development activities, and
4. counseling services designed to facilitate the transition from school to post-school employment and career opportunities.

School districts thus are responsible for providing appropriate vocational education that can include work study and special services such as transportation to and from programs to students with handicapping conditions.

Even those disabled students whose disability does not constitute an educational handicap have the option of participating in work study, which can be described in a written training agreement. These agreements are described in the 1982 Cooperative Occupational Education Handbook published by the Office of Occupational and Continuing Education. The Handbook notes on page 47 that the training agreement "...is a written statement of the training commitment which is expected of each of the parties involved -- the employer, the school, the student, and the parents. Although it is not treated as a legal contract, it is a businesslike way of coming to an understanding on the responsibilities of the concerned individuals. The training agreement should be signed by each of the parties mentioned and a copy should be given to each of them when the student is placed on the job."

### **ACCES-VR Responsibilities**

The ACCES-VR counselor is responsible for assuring that work study program descriptions are developed together with the student, facility staff, educational team, which may include the Committee on the Handicapped (Committee on Special Education), guidance counselors, occupational educators or other school personnel, and whenever possible, the student's family. The work study description should directly reference the student's IEP and should include at a minimum:

1. the occupational field the student is to be trained for,
2. the specific skills to be taught at the job site,
3. a description of the link with the student's classroom training and school-based related services,
4. a list of the tools and equipment the student will need and learn to use, and
5. the length of time the student will need to achieve job competence (See Length of Training).

Where possible, the counselor should insure that there is joint development of the IEP and the Individualized Written Rehabilitation Program (IWRP) as emphasized by the Rehabilitation Act of 1973, as amended.

The counselor must also insure that the facility selected for training is an approved ACCES-VR vendor.

## **Monitoring Facility Work Study Programs**

Counselors should visit facility work study programs and provide counseling and guidance to students as often as necessary, but at least once during a semester.

Cooperative monitoring plans should be developed with school district staff. Counselors should not agree to ACCES-VR sponsorship of work study programs at facilities if school district staff will not be actively involved in monitoring facility work study programs.

The counselor should instruct the facility, student and/or appropriate educational representative to immediately notify her/him of any problem at the work site.

## **Facility Programming**

### **Funding/Comparable Benefits**

As noted above, the 1975 Education for All Handicapped Children Act, the 1984 Carl D. Perkins Vocational Education Act, Federal Regulations implementing these laws and Education Commissioner's Part 100 and Part 200 Regulations require early planning for the vocational needs of students with disabilities and provision of appropriate services, including vocational education, throughout a student's career.

Consequently, the school district is responsible for providing appropriate vocational education that can include work study and for special services such as transportation to and from programs to students with handicapping conditions.

ACCES-VR may share the cost of work study programs at facilities when:

1. the work study is part of a program which is a genuine combination of classroom education and work skill development at a job site, not an attempt to remove special education students from the classroom, and
2. the school district is cooperating with ACCES-VR, as evidenced by inclusion of counselor recommendations in IEP's, systematic referral of students to ACCES-VR counselors, shared work study monitoring responsibilities, or similar actions.

Thus, for example, a local school district might provide a work study student with in-school morning vocational education classes, speech therapy two or three times a week, and afternoon transportation to and from a facility work site. ACCES-VR could fund the appropriate PAT/WAT costs of the facility.

Facilities that participate in work study programs may be reimbursed for appropriate (half-time) PAT or WAT costs via POSS contracts if they are within the POS System, or through the VES-301 voucher process if they are not covered by POSS.

Comparable benefits should be used whenever they are both an available and appropriate means of providing any part of a work study program with a rehabilitation facility. Comparable benefits within a school work study program may be school fees to purchase necessary tools and equipment, or pay other similar costs.

### **Length of Training**

A work study program at a rehabilitation facility may not exceed 1,040 hours in total, and the work component may not exceed 20 hours per week. Since this standard allows work study programs to occur during more than one academic year, records must be kept to insure that the 1,040 hour standard is not exceeded. The 20 hour work maximum should be written into the IEP or written training agreement.

Students can be shifted from a work study program with a rehabilitation facility to a work study program with an employer in the community, or vice versa, if the counselor and senior counselor decide that this is best for the student. If a student is shifted from one type of work study program to another, the 1,040 total hour standard and the 20 hour per week work maximum cannot be exceeded.

Sometimes the counselor, senior counselor and District Office Manager may conclude that additional training is required after the completion of 1,040 hours of work study training. In this case, one 65 unit block of WAT or PAT or up to 13 weeks of OJT training may be provided.

If a student is unable to complete 1,040 hours of work study then the counselor, senior counselor or District Office manager may allow additional OJT or PAT/WAT up to the approved maximums for these services, depending on the individual needs of the student.