

410.00 Non-Degree Training at Trade, Business and Other Schools Policy

December 2000 (Amended April 2009)

See corresponding procedure: 410.00P Non-Degree Training Procedures: Trade Business and Other Schools Procedure

See corresponding related memo: POL-09-04; Purchase of Clothing

See corresponding related memo: POL-09-05; Funding Limits for Vocational Training Programs

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Description

This policy applies to training provided by trade and business schools licensed or registered under Article 101 of the Education Law and Part 126 of the Regulations of the Commissioner of Education and other similar programs which provide vocational training. The State Education Department's (SED) Bureau of Proprietary School Supervision (BPSS) as required by Article 101 of the Education Law and Part 126 of the Regulations of the Commissioner of Education oversees and monitors all non-degree granting proprietary schools in New York State.

Training includes formal instruction, which provides specific occupational knowledge and skills for any professional, semiprofessional, technical, clerical, agricultural occupation or for any skilled or semi-skilled trade. Training at these programs may also include academic coursework that provides knowledge for success in the vocational training and/or for employment.

Policy

The training received at these schools must provide the individual with the occupational knowledge and skills necessary for employment directly upon completion of the program. Training received at trade, business and other schools should also prepare an

individual to take appropriate exams/licensure tests. Before beginning the training course, the individual must possess the minimum skills and personal ability to complete the course requirements. Training must lead directly to the individual's employment goal consistent with his or her strengths, resources, priorities, concerns, abilities, capabilities, and informed choice. ACCES-VR will support the most cost-effective program including comparable programs at New York State public colleges and universities where the available courses and programs meet the training needs of the individual.

Approved Vendors

Schools must comply with all appropriate aspects of this policy to be approved as ACCES-VR vendors. Schools in New York State must comply with the appropriate State laws, regulations and governing bodies as follow:

1. For programs overseen by the State Education Department:
 - A. The State Education Department's (SED) Bureau of Proprietary School Supervision (BPSS) as required by Article 101 of the Education Law and Part 126 of the Regulations of the Commissioner of Education oversees and monitors all non-degree granting proprietary schools in New York State. All **Business Schools, Trade Schools and Computer Training Facilities** must be licensed or registered by BPSS to ensure that appropriate standards are met.
 - B. **BOCES** are established under Education Law and approved by the New York State Education Department's Office of Elementary, Middle, Secondary and Continuing Education.
 - C. **Correspondence Schools** physically located in New York State must be approved by BPSS. If they are physically located outside of New York State, the program must be approved by the vocational rehabilitation agency or appropriate state regulatory agency of the state where the program is located.
 - D. **Schools of Acupuncture** must be approved by the Office of the Professions.
2. For programs overseen by other State or Federal Agencies:
 - A. **Flight schools** must be approved by the Federal Aviation Administration (FAA).
 - B. **Driver training schools** must be approved by the Department of Motor Vehicles.
 - C. **Truck driver training schools** must be approved by the Department of Motor Vehicles.
 - D. **Security Guard Training Schools** must be certified by the Division of Criminal Justice Services.
 - E. **Insurance Agent Training Schools** are to be licensed by the Department of Insurance.
3. Other programs:
 - A. Schools that do not have a New York State license or certificate must be approved by ACCES-VR's Provider Review Unit prior to authorizing services.
 - B. Trade, business and other schools not located in New York State must be approved by the vocational rehabilitation agency or appropriate state regulatory agency of the state where the program is located.

Information Needed

Schools approved to provide ACCES-VR training services must have the following information available and provided upon request, where applicable (Note: Schools licensed by SED will have an SED approved catalog, enrollment agreement, and placement statistics which should contain this information):

1. the name(s) of the trade, business or other school and its governing body, officials and faculty;
2. a calendar of the trade, business or other school showing legal holidays, beginning and ending dates of instruction such as each quarter, term, or semester, and other important dates;
3. the enrollment dates and designation of the program or course as diploma or certificate;
4. an attendance policy covering leaves, absences, class cuts, makeup work, tardiness and interruptions for unsatisfactory attendance;
5. a policy about standard of progress required of the student by the institution defining the grading system of the institution, the minimum grades considered satisfactory, conditions for interruption of training for unsatisfactory grades or progress, a description of the probationary period, if any, allowed by the institution, and conditions for reentrance for students dismissed for unsatisfactory progress. The institution will make progress records kept by the institution and furnished to the student available for review;
6. a policy about student conduct and conditions for dismissal for unsatisfactory conduct;
7. the schedule of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits and all other charges;
8. a description of the available space, facilities and equipment;
9. a brief description of each course showing entrance requirements, subjects or units and the approximate time and clock hours to be spent on each subject or unit;
10. a policy about granting credit for previous educational training;
11. financial assistance information to be disseminated to enrolled and prospective students, if appropriate;
12. facility and program accessibility information, including accommodations and support services available for students with disabilities; and
13. instruction methods including the availability of alternative teaching methods such as taking classes via the web, distance learning, etc.

Standards

1. **General** - ACCES-VR-sponsored individuals must meet the same standards for enrollment, admission, attendance, academic progress and completion as outlined by the school for all students.
2. **Entrance Requirements** - Waivers will not be allowed to reduce the minimum entrance requirements for students sponsored by ACCES-VR. If the school's entrance requirements include administration of aptitude tests, individuals sponsored by ACCES-VR are required to take and achieve satisfactory grades on such tests, with the schools providing reasonable accommodation, as appropriate.

- 3. Instructional Requirements** - The individual must maintain the academic performance standards of the school, including remaining in good academic standing and finishing incomplete courses. ACCES-VR will generally allow sponsorship for up to 150% of expected duration to complete a program.

Books and Related Materials

ACCES-VR may provide required textbooks and related course materials, learning aids and other items needed to participate in a specific course or program. In addition, related materials may include provision of special equipment to facilitate the individual's participation in a regular class. ACCES-VR will not provide expendable supplies such as paper, pencils and notebooks, unless they are uniquely related and required for participation in a specific course, or required because of the limitations resulting from a disability.

ACCES-VR's maximum for books and related materials is \$500 a year. Alternative funding sources and used books should be sought, where appropriate, to assure that consumers will have sufficient funding for books needed for training.

Round Trip Transportation

ACCES-VR can authorize only up to two round trips per academic year for consumers who attend trade, business or other schools away from their primary residence. This transportation assistance can only be used to travel to and from the non-degree program the consumer is attending.

Determination of Economic Need

Tuition, related fees and required textbooks & materials at trade, business, and other schools are subject to ACCES-VR's economic need policy.

Comparable Benefits

Maximum efforts must be made to secure comparable benefits (e.g., TAP, Pell) available to a consumer before ACCES-VR funds can be used for non-degree training at trade, business and other schools. This maximum effort means that ACCES-VR staff should guide students to information about grants and eligibility requirements, assist the student in completing applications where necessary and work with the appropriate Financial Aid Officer to resolve funding problems. It also means that consumers must seek out and apply for all available benefits and inform ACCES-VR staff about awards and changes to awards throughout their ACCES-VR sponsorship.

Comparable benefits must be secured for all required services including economic need and non-economic need services, such as special transportation, attendant care and other support services.

TAP may be available to eligible individuals enrolled in programs of at least 1,440 instructional hours duration that are offered at private business schools registered under Part 126 of the Regulations of the Commissioner.

Pell may also be available to eligible individuals enrolled in programs that are accredited by the: Association of Independent Colleges and Schools; National Association of Trade and Technical Schools; Accrediting Commission of Career Schools and Colleges of Technology; and Accrediting Council for Continuing Education and Training and licensed by SED.

If a consumer is in default of a student loan, financial aid including Pell and TAP will not be available to the consumer. ACCES-VR is prohibited from paying for any training or related services for a course of instruction at trade, business or other schools that receive TAP and Pell for an individual who owes a refund on a grant or is in default of a student loan.

Payment

Program tuition will be paid in accordance with published rates as established in enrollment agreements, catalogues or brochures, or at a program rate negotiated with ACCES-VR up to a maximum of \$10,000. Necessary fees will be paid up to a \$300 limit per year. Required tools, books, uniforms and supplies will be provided at the lowest possible cost and should be itemized separately. These should not be included in tuition costs. ACCES-VR reserves the right to purchase any or all of these items from other vendors if it is deemed cost effective.

Community Rehabilitation Provider training programs that were previously BPSS approved (prior to 04/27/2009) at rates exceeding \$10,000 may still be authorized but must be reviewed and approved by the District Office Manager or designee.

Refund Policy

For programs regulated by the State Education Department (SED), such as Part 126 schools, the refund policy will be determined by the methodology established by SED through enrollment agreements or other similar documents. For programs not licensed by SED, the guidelines for consumer withdrawal, dismissal or interruption, and refunds should be clearly established prior to authorization.

Reference:

Rehabilitation Act:

- Section 103 Scope of Vocational Rehabilitation Services

Federal Regulations:

- §361.48 Scope of Vocational Rehabilitation Services
- 8NYCRR Part 126
- §247.13 Requirements Relating to Specific Services

Policy:

- 100.00 Consumer Involvement
- 208.00 Comparable Rehabilitation Services 34CFR 341.48
- 405.00 Training at a College or University Leading to a Degree
- 430.00 Out-of-State Services
- 1125.00 Consumer Participation in the Cost of Services