



*California's protection & advocacy system
Toll-Free (800) 776-5746*

Educational and Training Services through the California Department of Rehabilitation Fact Sheet

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1. Can the Department of Rehabilitation help me with educational or college training?

Yes. Educational training may be provided by the California Department of Rehabilitation (DOR) when it will lead to competitive employment and it is required as part of your Individual Plan of Employment (IPE). See Title 9 of the California Code of Regulations (tit. 9 C.C.R.) § 7006.3(a)(b).

An institution of higher education means a university, college, community college, or private proprietary school which provides academic or vocational education and/or training above the California secondary school level. tit. 9 CCR § 7197(a)(1). This can mean educational training at a four year university, community college, extended education courses, vocational training and certificate programs.

In general, the DOR will fund the least expensive option to achieve your employment goal. If the DOR has completed a financial assessment, and your income exceeds certain limits, the DOR may also ask you to contribute financially to the cost of your training services. tit. 9 CCR § 7190. See questions 7-13 for more information on how the DOR determines how much it will pay toward training services.

2. How does DOR determine what the appropriate level of education is for my employment goal?

DOR provides training services only to the extent necessary to accomplish one or both of the following:

- (1) Facilitate achievement of the vocational/employment goal;
- (2) Prepare a client with the skills and abilities necessary to be a competitive candidate for suitable employment at the entry level for the agreed upon employment goal. tit. 9 CCR § 7154(a)(1).

For example, if the vocational/employment goal is to become a teacher, the necessary educational training is a Bachelor's Degree and a teaching credential, not a Master's Degree. If the vocational/employment goal is becoming a lawyer, then training would consist of attaining a Juris Doctor Degree. Some vocational goals, such as medical assistant, require certification. For these goals, DOR may fund the certification program, but not a college degree.

The entry level requirement can be waived in writing by the Rehabilitation Supervisor upon a determination by the Supervisor, Counselor and client that such an action is necessary for the client to achieve a goal of suitable employment." tit. 9 CCR §7154(a)(2)(b).

The following factors can be considered in granting such a waiver:

- the nature and severity of the client's disability;
- the client's age;
- the client's past employment experience, or lack thereof; and
- the financial need of the client.

Training services, in general, are based on the needs of the client, as well as the timeliness, availability, and cost of the training. 9 CCR § 7154 (c).

3. Can I choose an employment goal that is NOT “entry-level” employment?

Yes. The entry level requirement discussed above means that the DOR will fund necessary services for you to achieve your employment goal at the entry level *of your selected field* (i.e. this could be an entry level teaching position, or an entry level nursing position, etc.). This does not mean that you are limited to choosing “entry-level” jobs (i.e. jobs that usually require less training, and often pay the minimum wage).

You have the right to have an Individualized Plan for Employment (IPE) that is designed so that you can achieve a specific vocational or employment goal in an integrated setting that you choose, and is consistent with your unique strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice. tit. 9 CCR §§ 7128(d); 7011; 7018.4. DOR will evaluate your request to ensure the employment goal is consistent with the areas listed above. To evaluate the chosen goal, DOR may ask you to participate in a performance-based, comprehensive assessment, or it may establish a series of short-term objectives in your IPE. See Rehabilitation Services Administration (RSA) Policy Directive No. 97-04.

The RSA Policy Directive (PD) 97-04 is clear that “entry-level” employment is an appropriate employment goal if the eligible individual is only able to perform “entry-level work”, or if the individual chooses an “entry-level” job as his or her employment goal.

RSA PD 97-04 also states that the cost or extent of services should not be considered in identifying the employment goal in the IPE. For example, the fact that an employment goal may require an advanced degree, for instance a Master’s or Ph.D., whereas another employment goal may only require job retraining or placement assistance, should not affect the determination of an employment objective that is appropriate for the particular DOR client.

4. I obtained a degree and job development services from DOR but I cannot find a job. Can DOR assist me with obtaining an advanced degree?

If you are a current DOR client, you may request an amendment to your IPE and/or additional services to help you find employment. The employment should be consistent with your strengths, resources, priorities, concerns, abilities, and capabilities. You will need to demonstrate that you need additional education and a degree to be a competitive candidate for suitable employment at the entry level, meaning the level of education you are requesting is consistent with what is needed for your employment goal. tit. 9 CCR § 7154(a)(2).

It may be helpful to provide DOR with documentation that shows you are not employable with your current degree and/or that you have exhausted a search in the job market in your field. For example, you may provide job descriptions of occupations you have applied for that require additional education. You may also want to consider keeping a log that includes the following: job postings; dates and copies of applications sent to employers; interview dates; and participation in job clubs or other employment-related activities.

5. Can I attend training on a part-time basis?

Yes. If you need a modification of a training program or additional supports to participate due to your disability, you can ask that this be made part of your IPE.

6. What services and supports are available to me while I am in school?

While receiving educational training, DOR may provide you with supports and services necessary for you to reach your employment goal and complete your educational training. Examples of these supports include, but are not limited to, the following:

- assessments for determining vocational rehabilitation needs;
- physical and mental restoration services;

- referral and other services necessary to assist you in securing
- services from other agencies;
- supported employment services;
- personal assistance services;
- counseling and guidance;
- books and other school-related supplies;
- transportation, such as a bus pass or gas money;
- Assistive Technology (AT), such as computers, software programs, text readers, calculators, magnifiers, AT training, etc.;
- post-employment services;
- job-related services;
- internet access;
- other goods and services that are determined necessary for you to achieve your employment goal; and
- maintenance costs such as school uniforms, short-term shelter and one-time security deposits for utilities. tit. 9 CCR §§ 7149; 7174(a-b); 7019.

When attending a publicly-funded college or university, you will be required to obtain services from that institution, including readers, interpreters and note takers, which are considered a comparable service and benefit under state law. tit. 9 CCR § 7174(c)(1). DOR is also not responsible for on-going or long-term support of a client's everyday living expenses, similar to welfare or other social service programs. tit. 9 CCR §§ 7019(c); 7174(b)

7. If I'm on Social Security Income (SSI) or Social Security Disability Income (SSDI) am I expected to pay for training services?

No. If you receive any of the following benefits, you are exempt from financial participation requirements, and do not have to participate in the cost of any DOR services, including training:

- SSI
- SSDI/SPA

- Public assistance including General Relief (GR), General Assistance, or Aid for Dependent Children.

tit. 9 CCR § 7191(a).

8. Do I need to use my financial aid grants and scholarships towards the cost of educational-related training expenses?

Yes. DOR will not authorize training or training services provided by an institution of higher education unless you make a *maximum effort* to secure grant assistance from other sources to pay in whole or in part the cost of such services. *Maximum effort* requires that clients receiving training services from DOR apply for grants and financial aid and use these funds towards the cost of their educational-related expenses. There are a few exceptions to this rule, including awards and scholarships based on merit, Plans for Achieving Self-Support (PASS), and a Ticket to Work assigned to DOR. tit. 9 CCR § 7006(b).

DOR will determine its level of funding by subtracting the total amount of your educational grants and/or awards, as reported by the financial aid office, from the costs of your tuition, books and supplies, maintenance and transportation. The remainder is the amount to be authorized and funded by DOR. tit. 9 CCR §7197(c).

9. When and how does DOR pay for the cost of my educational training?

DOR will only pay for your educational training if it is written into your IPE. For tuition and fee payments, your college or university must accept an “authorization/promise to pay” from DOR. The authorization is customarily accepted by training facilities who invoice DOR at the close of each semester. DOR does not pay for classes until services are rendered, for instance, you complete courses for that semester. It is important that you provide DOR with information as to dates and costs in advance of the

semester so that DOR can issue an authorization, which in turn allows you to register with the school or college.

A written authorization shall be made prior to the payment of goods and services, i.e., school tuition and fees, as documented in your case record. Under state law, DOR is not required to provide payment for goods and services that are not authorized by a DOR employee. tit. 9 CCR § 7311.

10. Is it a requirement that I attend a community college prior to enrolling in a four year college or university?

No. Whether or not you are required to attend a community college for two years prior to a four year college or university depends on overall cost, as DOR will require that the least costly plan be put in place. tit. 9 CCR § 7156(a). DOR prefers that clients receiving college level training first attend a community college and then transfer to a four-year state college or university, as that is typically the lower cost alternative. However, if you can show that attending a four year college or university will be equal to or less than attending community college for the first two years, then DOR may agree to the four year college. In the alternative, if the cost of a four year college or university exceeds that of the community college, you would be responsible for the balance of your education-related expenses for the first two years of school. After the first two years, DOR will fund up to the state college or university rate. tit. 9 CCR § 7156(a)-(c).

11. How is my higher education funded at a public college or university?

To determine the funding for **the first two years** at a public college or university in a four-year program, subtract the total amount of your financial aid award from the cost of the Community College rate. DOR will pay the difference of the community college rate including books, supplies, transportation and maintenance and your financial aid. See tit. 9 CCR § 7156(a). If your financial aid exceeds the cost of the community college rate, DOR will not contribute to the cost of your educational expenses for the first two years of your four-year program at a college or university. You

would be responsible for those costs which exceed the community college rate for attendance.

After the first two years, DOR can authorize funds up to the public California State University rate, including books, supplies, transportation and maintenance. tit. 9 CCR § 7156(c). If you are attending a public school, subtract the total amount of your financial aid award from the cost of the public California State University rate.

12. How is my higher education funded if I choose to attend a private college or university?

DOR may fund your attendance at a private institution if, as part of your informed choice, you have chosen a private university for your training in lieu of a public state university. See, generally, tit. 9 CCR § 7029.6(b)(1). If you choose to attend a private institution, you will be responsible for any remaining costs beyond the community college or public university rate so long as there is a public program that is sufficient to meet the client's training needs, regardless of whether a private program might be viewed as superior in some respects. See, *Hoitt v. DOR* (2012) 207 Cal. App. 4th 513, 525.

13. How is my educational training funded when only a private institution will meet my vocational needs?

DOR may authorize training at a private university if one or more of the following conditions exist:

- (1) It is clear that your training needs can be better met by a private, correspondence, on-the-job, tutorial, or other training institution or method; or
- (2) Overall cost to DOR will be less; or
- (3) The training is not available in a public institution; or
- (4) Attendance in a public training program would cause a significant delay in the client's preparation for suitable employment.9 CCR §7155 (a).

DOR would then fund the remaining cost of your attendance including tuition, books, supplies, transportation and maintenance at a private college or university after your financial aid grants and scholarships are applied. tit. 9 CCR § 7197(c).

14. Can I attend a college or university out-of-state?

Clients of DOR may obtain DOR support for out-of-state training if there are no suitable facilities or courses available within the state; or the client lives near an adjoining state and the out-of-state facilities are more readily available in the adjoining state; or attending a training program within the state would impose an undue hardship on the client. 9 CCR § 7158.8.

A client can also choose to attend a college out-of-state as part of his/her informed choice. If the program that the student chooses at an out-of-state college is available in-state, the DOR can provide funding up to the state rate. tit. 9 CCR § 7029.6(b)(1).

15. Can support from DOR for educational training costs be terminated?

Yes. When you have obtained the level of education required for your employment goal, DOR will no longer fund additional education under your current IPE. Training services may also be terminated if there is a lack of adequate performance by you or the training program. tit. 9 CCR § 7159. If the training program does not meet your vocational needs, you may consider talking with your DOR counselor about transferring to a more appropriate program or obtaining additional services and supports to help you maximize your success in the program.

If you disagree with DOR's decision to terminate or suspend funding your educational training program, you should immediately speak with your DOR counselor and/or supervisor. In the event you are unable to resolve your disagreement, you have the right to request an Administrative Review with the District Administrator, a Mediation and a Fair Hearing on the issue.

If you need assistance in resolving disputes with DOR related to educational training services or other DOR issues, you may contact the Client Assistance Program at (800) 776-5746.

Disability Rights California is funded by a variety of sources, for a complete list of funders, go to <http://www.disabilityrightsca.org/Documents/ListofGrantsAndContracts.html>.