

#### **10A NCAC 89C .0304 VOCATIONAL AND OTHER TRAINING**

(a) Vocational and other training may be provided only to those clients determined eligible for rehabilitation services or for extended evaluation. These services shall be provided only to extent necessary to achieve the job choice. Training shall be provided in licensed and approved public or private facilities as specified in 10 NCAC 20D .0207. The Division's funding for training expenses shall be as specified in Rule .0205 of this Subchapter.

(b) Vocational and other training may include on-the-job training; training at community rehabilitation programs; supported employment training; and postsecondary training. Postsecondary training may include:

- (1) vocational training at business schools, trade schools, community colleges, technical institutes, nonprofit schools, or proprietary schools, or
- (2) college or university training including college parallel programs at community colleges and graduate school.

(c) Vocational and other training services may be provided to clients who require these services in order to become employed and when direct job placement for a client with transferable work skills is not a suitable option due to disability-related issues. Specific criteria for sponsorship of all types of training include:

- (1) Clients with Prior Work Experience:
  - (A) If the client's disability creates impediments to performance in the client's current or previous occupation and the client does not possess transferable work skills that will match requirements of a new occupation, the client may be considered for sponsorship of training.
  - (B) If the client's disability is such that it does not interfere with satisfactory performance in the current or previous occupation, the client shall not be considered for sponsorship of training.
- (2) Clients with No Prior Work Experience:
  - (A) If the client's disability will place the client at a greater disadvantage in securing employment than peers who are not disabled, the client may be considered for sponsorship of training.
  - (B) If the client's disability is expected to prevent the client from holding employment compatible with the client's capabilities, the client may be considered for sponsorship of training.
- (3) Clients who were previously precluded from maximizing their potential for employment due to impediments caused by their disability may be considered for further training contingent upon the job choice.
- (4) Based on objective data and input from the client, the Division shall determine that the individual has the capacity to perform the essential functions of the job upon completion of training.
- (5) The client and counselor shall complete an Individualized Plan for Employment (IPE) in which the job choice requires the training.

(d) Postsecondary Training

- (1) In addition to meeting the general requirements for sponsorship of training specified in Paragraphs (b) and (c) of this Rule, a client shall meet the following requirements for the Division to sponsor postsecondary training:
  - (A) The Division shall obtain, analyze, and include in the client record objective data that ensures that the client is capable of successfully completing the training program. Sources of data may include, but not be limited to, SAT scores, placement test scores, secondary transcripts for those just out of high school, previous postsecondary transcripts, vocational evaluations and other psychometric assessments.
  - (B) Attendance Requirements:
    - (i) The client shall attend the training program on a full-time basis.
    - (ii) If there are factors related to the client's disability or need to work that may interfere with full-time attendance as defined by the training program, part-time attendance may be authorized if the counselor submits justification and the unit manager approves part-time attendance.
    - (iii) The unit manager may approve extension of a community college program from four to five semesters and extension of a college or university program from eight to ten semesters. The unit manager may approve attendance at summer school if such attendance will decrease the number of full-time semesters or quarters necessary to complete the training program. Exceptions regarding

- attendance beyond the limits set in this paragraph shall be approved by both the unit manager and the Chief of Operations.
- (iv) Clients attending postsecondary programs other than a college or university program shall meet the institution's requirements for full-time attendance or secure approval for an exception from the unit manager.
  - (v) If a student drops enough courses to change the course load from full-time to part-time without prior approval of the Division, sponsorship shall be discontinued after the counselor notifies the student at least one quarter or semester before termination. The student may have one grading period to return to full-time status unless an exception has been approved.
- (C) The Division may sponsor a client in a non-degreed curriculum on a limited basis. These courses must be completed as follows:
- (i) The Division may sponsor a client as a "special student" or a student in a "provisional status" when the client cannot be accepted into a degreed program and there is strong evidence that such a plan is feasible according to the postsecondary training policy in Paragraph (d) of this Rule. The Division shall limit the sponsorship to 24 semester hours. Semester hours for these courses shall also be considered part of the 10 semesters for postsecondary training that is the Division's maximum limit.
  - (ii) The Division may sponsor remedial training courses if the client is accepted into a degreed curriculum contingent upon completion of these courses or as a part of a comprehensive assessment as outlined in 34 C.F.R. 361.5(b)(6). The Division shall sponsor no more than three remedial courses over a period of two semesters over the life of the case. An exception may be granted if more courses are needed because the client has a most severe disability and the exception is approved in writing by the Chief of Operations.
- (D) The Division may sponsor clients enrolled in licensed or accredited distance learning programs as specified in 10 NCAC 20D .0207 when such programs are not available through traditional on-campus programs or when the client has special disability-related problems that prevent him or her from participating in an on-campus program. The client's participation in such a program shall be approved in writing by the unit manager. The Division shall not sponsor programs where the entire package or curriculum must be purchased initially. The Division may assist with required software for distance learning but shall purchase computer equipment only as permitted under Rule .0314 of this Section.
- (E) The client shall meet the academic standards imposed by the postsecondary school and demonstrate steady progress toward completion of the training program. If the school does not have specific academic standards for completion of the program, the Division shall require the client to have at a minimum a 2.00 grade point average at entry into the junior year for the agency to continue sponsorship. If the client is in the community college system, he or she shall have a 2.00 average at the end of the second semester or the average required by the school or particular curriculum in order to graduate from the program. In other programs such as proprietary schools, the client shall meet the requirements of each specified progress period that will enable the student to graduate or achieve the competency-based requirements at regular intervals set by the school. If the client's grades fall below the minimum grade point average or other requirements set in this Paragraph, the counselor shall notify the client of the pending loss of Division assistance at least one quarter or semester before terminating assistance. The client may then have one grading period to improve to an acceptable level. Failure to maintain the prescribed academic standards shall mean the loss of Division assistance with tuition, fees, books, interpreter services, maintenance, personal attendant services, and other authorized services directly related to the course of study.
- (F) Graduate training may be sponsored for those clients who require this level of training to reach the job choice. For those clients who are either in or entering undergraduate school, graduate training shall be included as part of the original or amended IPE and shall be indicated when the client generally declares his or her major in undergraduate

school. For those clients who have an undergraduate degree and require graduate training due to their disability, graduate training may be sponsored subject to the unit manager's approval.

- (2) Counselors shall review in-state opportunities and discuss them with the client prior to considering out-of-state vendors. The unit manager shall approve all out-of-state training. Exceptions regarding out-of-state training shall be approved by the Chief of Operations.
- (e) The Division shall not sponsor the following:
- (1) professional improvement courses (including computer certification courses) after a client has completed the level of training for the job outlined in the original or amended Individual Plan for Employment and secured a job that meets the requirements in the IPE;
  - (2) training at the preparatory school level;
  - (3) training when the client cannot demonstrate that sufficient funds are available from other resources to cover expenses that are not covered by the Division; or
  - (4) programs that decline authorization with semester or incremental payments in favor of purchase as a complete package.

*History Note: Authority G.S. 143-545.1; 143.546.1; 34 C.F.R. 361.5(b)(6); 34 C.F.R.; 361.48; 34 C.F.R.; 361.54; P.L. 105-220 s. 103(a); Eff. February 1, 1976; Amended Eff. March 1, 1990; Temporary Amendment Eff. July 3, 2001; Amended Eff. August 1, 2002; Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016.*