

1 **Use of Pre-Employment Transition Services Funds to Provide Support Goods and Services**
2 **for Eligible Students with Disabilities**
3 **Discussion Paper**
4

5 **Background**

6 The Workforce Innovation and Opportunity Act (WIOA) requires states to reserve and expend
7 15 percent of the federal portion of the Vocational Rehabilitation (VR) Basic Grant allotment for
8 the provision of pre-employment transition services (Pre-ETS) to students with disabilities who
9 are eligible or potentially eligible for the VR program. A student with a disability is defined as an
10 individual with a disability, age 14–22, who is in school.

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12 WIOA defines three types of Pre-ETS services: required, authorized, and coordinated. This
13 discussion paper focuses on proposed strategies to expand Texas’ provision of the required five
14 services, which are the following:

- 15 1. Job exploration counseling
 - 16 2. Work-based learning experiences
 - 17 3. Counseling for postsecondary educational programs
 - 18 4. Workplace readiness training to develop social skills and independent living
 - 19 5. Instruction in self-advocacy
- 20

21 **Issue**

22 On February 28, 2020, the Rehabilitation Services Administration (RSA) issued a new
23 interpretation to clarify current policy and announce a change in the allowable use of federal VR
24 funds reserved for Pre-ETS. The changes addressed the provision of support goods and services
25 for students with disabilities that have been determined eligible for the VR program and need
26 support good and services to participate in Pre-ETS activities.

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28 The RSA policy interpretation provides increased flexibility for states to expend Pre-ETS funds
29 on supporting goods and services in several broad categories that were previously not allowed;
30 including assessment services, counseling and guidance, referral services, maintenance,
31 transportation, personal assistance services, rehabilitation teaching and orientation and mobility
32 services, rehabilitation technology, family services and coaching services. Each category
33 contains a list of services that may now be purchased with Pre-ETS funds when the conditions
34 stated above are met.

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36 To implement the additional flexibility afforded by the RSA clarifications, the VR Division must
37 make conforming changes to current policy and procedures in the Vocational Rehabilitation
38 Services Manual (VRSM). In addition, the VRSM chapters addressing customer participation in
39 the cost of goods and services and Basic Living Requirements do not apply to students with
40 disabilities receiving Pre-ETS, consistent with the intent of WIOA that Pre-ETS services must be
41 made available to all students with disabilities. These VRSM chapters must therefore also be
42 updated to exempt the directly supporting goods and services purchased for an eligible student
43 with a disability who needs them to participate in a Pre-ETS activity.

1 It is important to note that the increased flexibility to expend Pre-ETS funds for directly
2 supporting goods and services is limited to students with disabilities who have applied and been
3 determined eligible for the VR program. WIOA allows provision of Pre-ETS services to
4 students with disabilities who are potentially eligible for VR, but those students may only receive
5 the required five Pre-ETS services listed above in the background section, along with services
6 provided as accommodations (e.g. sign language interpreter or reader services) if necessary, to
7 participate in a Pre-ETS activity.

8 9 **Decision Points**

10 Staff seeks direction on updating the Vocational Rehabilitation Services Manual (VRSM) to
11 conform to the RSA clarifications as follows:

- 12 • Section C-1300: Revise policy to allow VR staff to purchase the following directly
13 supporting goods and services with Pre-ETS funds, provided that they are purchased only for
14 a student who is an eligible VR participant and that they are necessary for that student's
15 participation in the required Pre-ETS activity:
 - 16 ○ transportation
 - 17 ○ maintenance
 - 18 ○ assistive technology
 - 19 ○ job skills training
 - 20 ○ personal attendant services, and
 - 21 ○ assessments.
- 22 • Section C-1300: Revise to clarify that the cost of travel, lodging and food may be purchased
23 with Pre-ETS funds if it is necessary for an eligible student to participate in a residential
24 program that provides Pre-ETS.
- 25 • Section C-204-2: Add a statement that when considering a vehicle modification for a student
26 with a disability, specific stipulations must be met.
- 27 • Section D-203-4: Amend the list of services exempted from a customer's cost participation
28 and add support goods and services that are funded with Pre-ETS funds.
- 29 • Section E-400: Add a statement to include the allowable support goods and services to the
30 table of services exempted from the Basic Living Requirement.

31 32 **Rehabilitation Council of Texas**

33 The Rehabilitation Council of Texas (RCT) received and reviewed the proposed VRSM updates.
34 Staff responded to one clarifying question regarding potentially eligible students.