

How to Determine if a Post-Secondary Support Service Is the Responsibility of DVR or the School

(Reviewed July 2018)

Definition of Post Secondary Accommodations:

Accommodations refer to services or aids that are necessary to make a program, service, or activity, accessible to an individual with a disability.

Examples include, but are not limited to:

- Readers/taped texts
- Note takers
- Extended time on exams
- Alternate format for required materials
- Specialized equipment
- Interpreter/captioning

Rationale:

The 1998 amendments to the Rehabilitation Act specify that when obligated under Federal or State law, or assigned responsibility under State policy to provide or pay for any services that are also considered to be vocational rehabilitation services (other than those specified in paragraphs (1) through (4) and (14) of Section 103 (a) of the Rehabilitation Act of 1973 as amended in 1998), post-secondary institutions will fulfill that obligation either directly or by contract or other arrangement.

When it is not clear if DVR should or shouldn't pay for post-secondary accommodations, the following test can be applied:

Test 1 - Is there a cause-effect relationship between the consumer's disability and the need for the service being requested? If not, the service does not fall under this determination.

Test 2a - Is the service needed for the student to participate in a classroom or other official school-sponsored activity? If yes, the responsibility lies with the school to make the program activity accessible. The possible exception to test 2a is covered under test 2b.

An example of a service that is not specifically linked to classroom and other official activities is transportation around campus. If a student needs help getting to and from classes around campus, DVR can assist with the cost of that service.

Test 2b - Does the school charge students for the service needed for the student to participate in a classroom or other school-sponsored activity? If yes, DVR can assist the student in meeting the cost of the service.

An example is tutoring. Free group tutoring may be offered to students who need the service, but individual tutoring is provided at a charge to the student. If the student needs individual tutoring because of his/her disability and there is a charge for this service, DVR can assist the student in meeting the cost.

Test 3 - What is the most cost-effective method for meeting the student's service need? This determines a maximum amount for possible DVR participation. These service costs may also be limited by availability of similar benefits and grants. It is also possible that the most cost-effective method of providing the service is not to purchase the service from the school but from a third party.

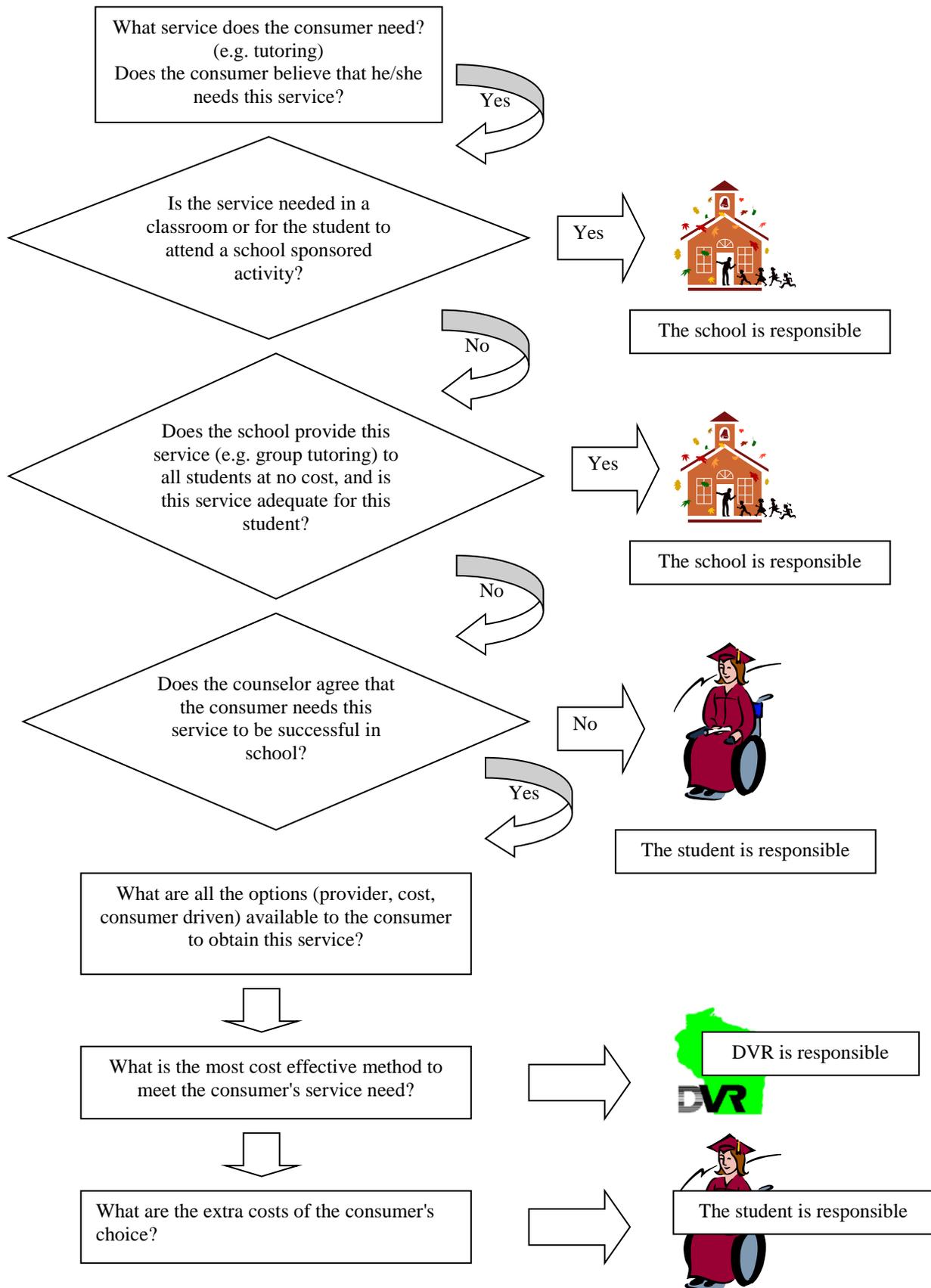
Test 4 - How would the student like the service to be provided, and is the consumer willing to shoulder any additional costs created by his/her decision? The consumer ultimately has the choice of how the service is provided, but if his/her choice is not the most cost-effective method, the consumer must pay any additional costs.

Making authorizations for payment:

- 1 - If the service is the responsibility of the school, DVR does not pay for those services.
- 2 - If the service is the responsibility of DVR, the service should be listed in the IPE and approved prior to purchasing.

Questions about specific situations related to how a determination of responsibility is made should be directed to the Policy Analysts at dvrpolicyanalysts@dwd.wisconsin.gov.

Who is Responsible for Paying for the Service?



Post-Secondary Education: Questions and Answers

June 2017

Introduction

The situations described below assume:

1. That the student has been found eligible as a DVR consumer; **and**
2. That the student has been found eligible as a qualified student with a disability at the school; **and**
3. That the school, the student, and the DVR counselor all agree that the service discussed is needed by the student and that it is not available from another source.

If these three conditions are not met, the student will not be able to receive funding for the service. The Disability Services office can explain the eligibility requirements of their program, and a DVR counselor can explain the eligibility requirements for DVR.

There is no intention in this analysis to cover every possible situation which may arise for students with disabilities or to govern the legal liability issues contained in these situations. The specific purpose of this document is to provide guidance to DVR counselors and consumers in answering questions related to the development of plans for employment. Exceptional circumstances warranting deviation from these guidelines should be brought to the attention of DVR Bureau of Consumer Services management.

Both private and public schools are covered by these responsibilities if they receive federal financial aids.

Who will pay for the services I need in school?

First, you need to determine what support services you will need to be successful in your post-secondary training. Your DVR counselor and the Student Services office at the school you are attending can help you with this. But, if someone recommends a service, find out about the service and decide for yourself whether you think it will really help you.

Additionally, it is equally important that your DVR counselor agree that you need a particular service if DVR will be paying for any part of the service. It is important that you get your counselor's permission in advance of receiving the service. If you do not get your counselor's agreement and permission before you receive a service, you may need to pay for it yourself.

If I pay the extra costs, can I select any provider I want?

Yes. For example, if the most cost effective way for you to get to and from classes is to take the bus (which costs \$20 per month) but you would prefer to pay a friend to drive you back and forth and the friend insists on being paid \$30 per month, DVR would pay the \$20 and you would need to pay the extra \$10 each month. But, the choice is yours.

Will I be responsible for any of the costs myself?

Discuss this with your counselor. If you select a type of service that is not the most cost-effective available, you will need to pay the extra costs.

Who pays for alternative testing?

Some disabilities require that the student take tests in separate rooms, that tests are read to the student by another person, or that extra time be allowed. These alternative methods of test taking sometimes require a special proctor be present. If you require alternative testing methods, the school is responsible for paying for this as taking tests is an intrinsic function of attending a class.

Who pays for personal attendant services?

If you need someone to help you periodically through the day (including in the classroom) with toileting and eating, DVR is responsible for paying for that service.

If you need someone in the evening and in the morning before school to help you with self-care and dressing at home, that may be the responsibility of the county or medical assistance. If it is a service which was performed for you prior to you attending school, you will have to pay for it yourself if you do not have other resources. If prior to attending school your parents did this for you, but now you need an attendant, then DVR is responsible for paying for this service.

Who will pay for interpreter services?

If you require sign language interpreter services to attend school, the school is responsible for paying for those services for your classes and school activities.

What if I use a white cane and I need help getting oriented to the campus prior to starting school?

DVR will pay for this service.

Who will pay if I need another student to take notes for me in my classes?

The school will pay for this, as long as it has been determined that it is an appropriate accommodation based on your disability. This is often handled through the use of volunteers.

Who will pay if I need a mentor?

If you need a mentor, you will need to check whether the school provides this service free of cost to students with disabilities who are not DVR consumers. If it is provided free to other students, the school will pay for it for you. If other students have to pay for it, then, DVR can help pay for it for you.

What if I need accommodations on a work study, internship site, or a traineeship site?

If the school sets up work sites for other students as a part of their training, the school will also find a work site for you. If you need worksite accommodations at one of these sites, the school will provide those accommodations.

If you have not worked before and need work experience as part of your training, but this service is not provided for students by the school, DVR will assist in finding a work site and paying for the experience.

Who pays if I need help with specialized transportation back and forth to and around campus?

If the school provides this service at no cost to students with disabilities who are not DVR consumers, then the school will also provide it for you without a cost.

If not, DVR will pay for specialized transportation, but your counselor will ask you to explore different options. Would you prefer traveling by bus, by cab, or having a friend, neighbor, or relative drive you? Once you have explored all your options, DVR will pay the amount of the most cost-effective method available that meets your needs. You can pick which method you would like to use. If the method you choose is not the most cost-effective method, you will need to pay the extra cost.

If I need a computer, who will pay for it?

This answer will depend on which school you are attending, whether they require all students to have computers, whether they have a computer lab available for students to use, and whether you require specialized hardware or software because of your disability. If you are concerned about this, discuss your particular situation with your DVR counselor.

What if I need assistive devices, like a communications board, a scooter, or other technology device?

This answer depends on whether you need the technology in the classroom to attend classes, or it is needed to get around campus. If you need it in the classroom or in order to participate in a school-sponsored activity (for instance, an adjustable table in the classroom), the school would be responsible. In this case, the device would remain in the classroom and would be the property of the school.

If you need it to get back and forth to campus, to get around campus, or in other situations outside of the classroom, DVR will pay for it.

Who pays if I need my texts taped or Brailled?

If the text is required by a class, the school must pay to have it taped or Brailled. Likewise, the school must make class handouts and other required readings available to you in a format you can use. In these situations, however, you are responsible for buying the book which is being translated to another format.

If a book is recommended but not required, you will be required to explain to your DVR counselor why you feel you need it. If you and your counselor both agree that you should have it, DVR may pay for the cost of an alternative format.

Who will pay if I need a tutor?

Schools provide tutoring services free of charge to students who need them. Sometimes these services are only available a limited number of hours per week. Some schools provide group tutoring only. If the tutoring the school provides for other students meets your needs, then the school will pay for it.

However, if you need a form of tutoring the school does not provide free of charge to other students, DVR will pay for it.

DWD is an equal opportunity employer and service provider. If you have a disability and need assistance with this information, please dial 7-1-1 for Wisconsin Relay Service. Please contact the Division of Vocational Rehabilitation at 608-261-0050 or 800-442-3477 to request information in an alternate format, including translated to another language.

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