# **Vocational Rehabilitation Services Manual C-1300: Transition Services for Students and Youth with Disabilities**

Revised June 26, 2023

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## **C-1305: Providing Transition Services**

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### C-1305-10: Working with Potentially Eligible Students

To receive Pre-ETS and be considered potentially eligible for VR services, an individual must meet only the definition of a student with a disability. The individual does not have to apply for VR services, unless the individual chooses to do so. The purpose of the potentially eligible designation is to give more students with disabilities the opportunity to participate in Pre-ETS. VR requirements are only applied for services provided to VR-eligible customers. The only VR requirements that are applied to potentially eligible individuals are informed choice, confidentiality, and access to the client assistance program (34 CFR §361.38, §361.52, and §361.56). Potentially eligible students are not subject to Basic Living Requirements or other cost sharing requirements.

Students who are potentially eligible may receive a single Pre-ETS or multiple Pre-ETS according to their need and desire to participate. Providing or purchasing Pre-ETS for potentially eligible students is not intended to be an avenue to circumvent the VR process, and at some point, a potentially eligible individual may need VR services that Pre-ETS cannot fund, such as durable medical equipment or tuition. Generally, and as a best practice after the provision or purchase of a Pre-ETS, the TVRC or VR counselor assigned to a potentially eligible case should counsel and provide the student with appropriate information related to the following options:

* The individual may continue as a student who is potentially eligible and able to access additional Pre-ETS;
* The student may apply for the full array of VR services, which include additional Pre-ETS and Transition services, as needed; or
* The VR counselor may close the case if the student does not wish to access additional Pre-ETS or to apply for additional VR services.

To access VR services, a potentially eligible individual must apply for VR, be determined eligible, and have an IPE for provision of the additional VR services.

As long as the individual meets the definition of a student with a disability, the individual will continue to be potentially eligible until the age requirements are exceeded or the individual applies for VR services and eligibility is determined. If a potentially eligible student has completed the VR application process and has been determined ineligible, the provision of Pre-ETS stops, and he or she is no longer considered potentially eligible.

WIOA requires VR to document specific data (listed below) for anyone receiving Pre-ETS. This requirement differs, depending on whether the customer has been determined to be potentially eligible or eligible for VR. The data required for a student with a disability who is requesting or participating in Pre-ETS activities and has not applied for VR services can be captured on the [VR1820, Request to Receive Pre-Employment Transition Services](https://twc.texas.gov/vocational-rehabilitation-service-forms) form, which includes fields for entering the student's:

* Social Security number (preferable if available) or another unique identifier such as a student school identification number, a state-issued identification card number, or driver's license number;
* date of birth;
* race (required if student is in secondary education);
* ethnicity (required if student is in secondary education); and
* student's disability (as indicated in supporting documentation listed below).

Applicable release forms must also be obtained to allow the exchange of information and establish parental permission to participate in services.

The completed VR1820 and release forms paired with verification of disability from the list below completes the paperwork needed to begin providing Pre-ETS. Supporting documentation that is required to verify the student's disability may include the following:

* Case notes documenting VR counselor observations, review of school records, and statements of education staff
* A signed statement from a school professional with the identification of a student's disability and school enrollment status (A template of the VR Disability Verification Letter is available to capture this information.)
* A copy of an IEP, Social Security Administration (SSA) beneficiary award letter, school psychological assessment, documentation of a diagnosis or disability determination, or documentation relating to Section 504 accommodations

Note: When a potentially eligible student is participating in a work placement as part of work-based learning, whether paid or unpaid, the requirements established in [B-204-2: Customer Identification and Authorization for Employment](https://twc.texas.gov/vr-services-manual/vrsm-b-200#b204-2) for documentation of legal status to work in the United States must be met. However, for all other Pre-ETS activities, only the information listed above and found on the VR1820 is required for potentially eligible students.

An activity is considered a work placement when it is treated as an employment relationship and when paperwork (for example, Form I-9, Employment Eligibility Verification (I-9)) becomes part of the process.

Examples of work-based learning placement include:

* internships
* apprenticeships
* volunteer opportunities where the employer requires paperwork
* placements through Paid Work Experience or Work Experience

Other activities that would normally be considered work-based learning but do not require that an employment relationship be established are allowable for potentially eligible students who do not have employment authorization documents. Some typical examples are:

* job shadowing;
* informational interviews; and
* tours of businesses.

For information about paper case file requirements for potentially eligible students, refer to [D-303-1: Two Sided or Six-Sided Case Files](https://twc.texas.gov/vr-services-manual/vrsm-d-300#d303-1).

The TVRC or VR counselor assigned to the potentially eligible case must enter case notes in RHW that document information about the student, justification for services, progress, and outcomes. This may be one case note or multiple as the counselor continues to work with the student. Topics that must be documented, when applicable, are:

* a description of the disability, functional limitations, and counselor observations;
* a record of the disability from the student’s perspective;
* counseling and guidance and other Pre-ETS provided directly by the VR counselor;
* a service justification case note that indicates the planned services, including the type of, and rationale for, Pre-ETS; and
* the skills gained, as well as other progress made by the student as a result of receiving Pre-ETS.

VR counselors can enter data for and track potentially eligible students as well as issue payment for purchased Pre-ETS in ReHabWorks (RHW). For additional assistance and guidance on purchasing for potentially eligible students, see the [Pre-ETS Desk Reference 2.](https://intra.twc.texas.gov/intranet/vrs/docs/pre-ets-deskaid-2-purchasing.docx)

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## **C-1306: Pathways to Careers Initiatives**

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### C-1306-5: Paid Work Experience

Paid Work Experience (PWE) is intended to increase work-based learning opportunities through Texas' integrated workforce system for VR participants who are students with disabilities.

TWC has executed fee-for-service contracts with the Boards to purchase wage payment services for students in PWE. PWE placements are for eligible or potentially eligible individuals who are students with disabilities. If the customer has been determined eligible, PWE is an identified service on the IPE. PWE, described in [Board VR Requirements Chapter 2: Wage Services for VR Participants in Paid Work Experience](https://twc.texas.gov/partners/board-vr-requirements/paid-work-experience), is a standalone service that is separate from the SEAL program.

PWE is available throughout the year and is authorized by VR counselors on an individual basis. Chapter 2 of the Board VR Requirements Manual describes the scope of work, responsibilities, deliverables, and payment structure for PWE services.

Through PWE services, Boards pay students' wages for time worked, thereby enabling students to be paid as they develop work skills that improve their career preparation and increase their employability.

Students are placed at the work site by TWS-VRS, which is responsible for monitoring each work site, providing case management, and providing counseling and guidance, as needed. TWS-VRS staff are responsible for ensuring completion of a work site agreement before the start of all PWE assignments. The work site agreement may be completed by TWS-VRS staff (or a contracted ESP, if applicable).

Form I-9 is used to verify the identity and authorization for employment of individuals who are hired in the United States. TWS-VRS staff may help students prepare the I-9. TWS-VRS staff members may sign the I-9 as a preparer or translator; however, they must be aware that they are attesting under oath that they have helped to complete the form and that, to the best of their knowledge, the information is true and correct. The Board or the Board contractor, whichever will be the employer of record, completes and signs the employer section of the I-9 before employment commences.

PWE assignments may not exceed 12 weeks per student per work site assignment (see [VRSM C-421: Work Experience Services](https://twc.texas.gov/vr-services-manual/vrsm-c-400#c421)). Paid work-experience assignments may not exceed 20 hours per week per student. A student may be either an eligible VR customer or a potentially eligible customer participating in the work experience service. If the VR counselor determines that additional assignments will help a student with career exploration and development of work readiness skills, the student may participate in more than one PWE assignments.

Participation in PWE and WIOA Title 1 programs such as WIOA youth program work experiences is permitted. VR and Workforce Solutions Office staff must ensure that the services that are provided are complementary and not duplicative, and that both sets of services are documented in the student's RHW case, indicating which are purchased and which are arranged.

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