

# Memorandum

**TO:** Vocational Rehabilitation Counselors and Job Placement Specialists  
**CC:** Vocational Rehabilitation Specialists, Kris Peterson  
**FROM:** Glenn Morton  
**DATE:** December 1, 2008  
**SUBJECT:** Meeting Announcement & Results of July 25, 2008 Meeting

The next informal meeting between court staff and certified vocational rehabilitation service providers is now scheduled for Friday, December 12, 2008, at 2:00 pm. The meeting originally set for October 17, 2008 was rescheduled to this date. The meeting will be held at the court's administrative offices at 1221 "N" Street, Suite 402, in Lincoln (TierOne Center). Meetings are held on a quarterly basis, and the meeting schedule for 2009 will be discussed at the December 12, 2008 meeting.

The following are the results from the July 25, 2008 meeting. If you have questions or concerns about any of the discussions or decisions at this meeting please notify the court's Vocational Rehabilitation Section prior to the next meeting and they will be considered at that time.

**1. ESL Classes:** An overview was presented of a meeting between the court staff and adult education representatives from the state Department of Education, Omaha Public Schools, and Metropolitan Community College on improving access to ESL classes. Both sides agreed on the importance of opening the lines of communication and exploring opportunities for collaboration. Particular areas discussed included availability of classes outside of Omaha, possible court payment for ESL classes, and reluctance of ESL teachers and language lab peer mentors to complete the court's monthly progress report form. ESL teachers are not paid to complete the progress report, and peer mentors are concerned that the form does not properly address what occurs in language labs.

After consideration by the counselors and court specialists, it was decided that the court will require quarterly, rather than monthly, progress reports for ESL classes, and will explore the possibility of paying instructors to complete the form. While not discussed at the meeting, the court will also implement the quarterly reporting system for ABE and GED classes. In addition, the court will explore the use of a portable card, rather than the progress report form, to verify attendance at classes and language labs.

Regarding the availability of ESL classes, it was suggested that the federal NAFTA program in Hastings could be a good resource in expanding availability of classes. The program is reportedly highly organized and effective, and its classes are free and approved by the Department of Education. The court will contact the NAFTA program, and will also continue to work with the Department of Education in expanding access to classes. One possibility includes

court payment for ESL classes, given that the Department has experienced recent cuts in federal funding. However, the legality of such payments would need to be considered.

**2. Case Closure Form:** Discussions continued on possible revisions to the case closure form. It has been recognized that the form is not an ideal vehicle for collecting data regarding the cost of the vocational rehabilitation program and the outcome of vocational rehabilitation plans. Nevertheless, it is also agreed that the form can be improved to provide better data than is currently available.

General suggestions for improvement included the need to identify successful plan outcomes other than return to work, and renaming the form as the “plan completion form” rather than the “case closure form.” It was recognized that the goal of many plans can be completed even without return to work, and that the employee is usually more likely to succeed following a plan, even in the absence of immediate return to work. Renaming the form as the “plan completion form” would take into account that a “case” may involve more than one plan. Other general suggestions were to identify costs for each plan type, to use a web based form, and to consider the VR 42 form and the completion form together (since one deals with the beginning of the process and the other with the end).

More specific suggestions were to add to the form the date the case was opened, the date of referral to the counselor, the date the plan was implemented, and the date the plan was completed. Including these elements along with others already on the form would allow the court to measure the amount of time between the various stages of the process.

The court specialists will prepare a draft of a revised form for consideration at a future meeting, taking into consideration the above suggestions and closure information collected by other vocational rehabilitation programs and nationwide companies.

### **3. Additional items.**

Counselors were reminded that a VR 42 form must be filed with the court even if the counselor is performing only a loss of earning power evaluation. This is true even though LOE reports must now to be sent to the court only if the counselor is also providing VR services.

Participants were advised that the CRCC has amended it’s Code of Professional Ethics. While the court’s ethical standards and responsibilities incorporate the CRCC code by reference, it may be advisable to review the specific items listed in the court’s standards to insure that no conflict exists.

**4. Next meeting agenda items.** At the next meeting on December 12, 2008 we will address the following as time permits:

- a. Meeting Schedule: Set tentative meeting schedule for 2009.
- b. New Court Specialist: Introduction of Joyce Van Patten.

- c. VR Rule Changes: Discussion of proposed changes to Rules 36 and 44 to be considered at the court's public hearing on December 18, 2008, together with any other changes the counselors may wish to propose to these rules. Changes to other rules are also open for discussion, but would need to await consideration at a future public hearing.
- d. General Issues: Discussion of a number of ongoing issues of concern to the court's specialists regarding plan submission, class schedules, mileage forms, etcetera.

**5. Future meeting agenda items.** The following topics will likely be addressed at future meetings. Any suggestions for additional agenda items are welcome.

- a. Case Closure Form: Continuing discussion of possible changes to the form, including a review of information collected by other vocational rehabilitation programs and nationwide companies on case closure.
- b. LOE Training & Fact Sheet: It was decided at the September 14, 2007 meeting that the court staff and counselors will partner in LOE evaluation training efforts and in development of a court "fact sheet" on LOE evaluations. The court's staff will prepare a draft fact sheet for consideration at a future counselor/specialist meeting, and training efforts will be considered after development of the fact sheet.