

# Memorandum

**TO:** Vocational Rehabilitation Counselors and Job Placement Specialists  
**CC:** Vocational Rehabilitation Specialists, Kris Peterson  
**FROM:** Glenn Morton  
**DATE:** April 7, 2010  
**SUBJECT:** Meeting Announcement & Results of January 22, 2010 Meeting

The next informal meeting between court staff and certified vocational rehabilitation service providers is scheduled for Friday, April 16, 2010, at 2:00 pm. 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, with future meetings tentatively scheduled for July 30, 2010, and October 22, 2010.

The following are the results from the January 22, 2010 meeting. If you have questions or concerns about any of the discussions or decisions, please notify the court's Vocational Rehabilitation Section prior to the next meeting and they will be considered at that meeting.

- 1. Future Meeting Schedule:** The second quarterly meeting for 2010 was rescheduled from April 30, 2010 to April 16, 2010 due to the Arbor Day holiday for state government.
- 2. ESL Classes:** The court has made several attempts to arrange further discussions with the Department of Education regarding improving the availability of ESL classes, most recently on April 2, 2010. Further efforts will be placed on hold pending a response from the Department.

However, it was also recognized at this meeting that ESL training is being conducted by various different entities and at various locations across the state. It was suggested that an attempt be made to identify where such training is being conducted and by whom, with the goal of working more closely with those entities. This could include the availability of and funding for ESL classes, as well as broader ESL issues such as the likelihood of success, how much ESL is needed, and how to assess progress.

The court staff will first attempt to identify from its database where ESL training is currently being conducted and by whom. Further discussions will then follow about where to go from there. There was a suggestion that this should be cooperative effort between the court staff and the counselors.

- 3. LOE Fact Sheet:** The final draft of a court "fact sheet" on LOE evaluations was reviewed and approved at this meeting, and has now been submitted to the judges for their review and comment. Any input from the judges will be incorporated, and the final document will be posted to the court's web site. The document includes citations to the relevant statutes, case law, and rules, and is intended to serve as a reference for counselors and others. The document will be

kept current by the court's legal staff as new developments occur.

**4. Grades and Class Schedules:** There was discussion regarding the warning letters that are being sent out under the court's new policy on reporting of grades and class schedules. Concern was expressed that the tone of the letters is somewhat harsh and confrontational, and that the letters are going out to all of the parties.

In response, Glenn Morton first stated clearly and forcefully that a solution to this problem must be found, and that it is the counselor's responsibility to ensure that all of the reporting requirements for grades and class schedules are satisfied. Failure to do so can result in a cancellation or termination of a plan in accordance with rule 37, B, and can result in action against a counselor's certification under Rule 39, D. Nevertheless, he also indicated that revisions to the warning letter can be considered, and that he was not entirely comfortable with the policy as currently written. A follow-up memorandum on this issue was then sent to all counselors on March 2, 2010, and is attached.

Subsequent to the meeting the court staff reconsidered the policy on reporting of grades and class schedules, and changes are being proposed for consideration at the April 16, 2010 counselor/specialist meeting. Related changes are also being proposed to Rule 37, B, which will be considered by the judges at a public hearing scheduled for April 28, 2010. Copies of the proposed changes to the policy and rule are also attached.

**5. Student Information and Instructions Form:** There was a question regarding whether all clients in plans submitted before the November 2009 effective date of the new Student Instructions and Information form must sign the form. The answer was no, unless the counselor feels there is a need to have a particular client sign the form. All clients in plans submitted after November of 2009 must sign the form.

**6. Miscellaneous:** Counselors were reminded that effective January 20, 2010 all emails with attachments should be sent to <[vocrehab@wcc.ne.gov](mailto:vocrehab@wcc.ne.gov)>. Counselors were also asked to contact the VR Section's support specialists with questions regarding payment of a mileage request or to verify that a mileage request has been received by the court.

Counselors were asked to remember that the outcome memorandums from previous counselor/specialist meetings are posted on the court's web site, and that those memorandums reflect the administrative policy of the court.

**7. Next meeting agenda items.** At the next meeting on April 16, 2010 the following will be addressed as time permits:

- a. Policy on Grades and Class Schedules: Discussion regarding proposed changes to the court's Policy on Grades and Class Schedules (copy attached).
- b. Proposed VR Rule Change. Discussion regarding proposed changes to Rule 37, B relating to reporting of grades and class schedule (copy attached). A public hearing to

receive testimony on this and other rule changes is scheduled for April 28, 2010.

c. ESL Classes: Consideration of a report by the court on where ESL training is currently being conducted and by whom. Discussion regarding the possibility of working more closely with local service providers regarding availability of and funding for ESL classes, as well as broader issues relating to ESL (e.g., likelihood of success, how much ESL is needed, and how to assess progress).

d. General Issues: Discussion of any other issues of ongoing concern to the counselors or court specialists.

**9. 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 number of suggestions made at the meeting on July 25, 2008. The court staff will prepare a draft of a revised form for consideration at a future meeting.