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Job Corps Disability Support Newsletter

Communicating with Individuals with Disabilities (Appendix 201)

Ensuring Effective Communication

Ensuring effective communication is a legal requirement and it exists so that communication with people with disabilities (whether those people are students, staff, applicants for admission/employment, parents, guardians, or members of the public) is **as effective as** communication with others without disabilities. This obligation applies to all stages of the Job Corps process.

The obligation to communicate effectively with people with disabilities is **separate** from the obligation to provide reasonable accommodation or reasonable modification in policies, practices, or procedures for qualified individuals with disabilities. The Workforce Innovation and Opportunity Act (WIOA) nondiscrimination regulations distinguish between these two obligations for a simple reason: Without clear, accurate, effective communication, any encounter between a person with a disability and a program from which that person is seeking services, such as Job Corps, will be literally meaningless. Specific factors that determine the type of auxiliary aid or service necessary to ensure effective communication:

> The method of communication used by the person.
> The nature, length, and complexity of the communication.
> The context in which the communication is taking place.

See PRH Appendix 201, *Communicating with Individuals with Disabilities*.

Who is Responsible for Ensuring Effective Communication?

Under the law, the burden is on Job Corps to provide the auxiliary aids and services (communication aids) that are needed for equally effective communication with a particular person with a disability.

APPENDIX 201
COMMUNICATING WITH INDIVIDUALS WITH DISABILITIES

Section 188 of the Workforce Innovation and Opportunity Act (WIOA) and its implementing regulations at 29 C.F.R. § 38.15 require Job Corps[9] to take appropriate steps to ensure that communications with individuals with disabilities are as effective as communications with others. This requirement applies at all stages of the Job Corps process, including providing information about the program to members of the public who have disabilities. The obligation to communicate effectively with people with disabilities is separate from the obligation to provide reasonable accommodation or reasonable modification in policies, practices, or procedures for qualified individuals with disabilities.

The WIOA Section 188 nondiscrimination regulations, which apply to Job Corps, distinguish between these two obligations for a very simple reason: without clear, accurate, effective communication, any encounter between an individual with a disability and a program from which they are seeking services, such as Job Corps, will be meaningless.

1. **Effective communication**

   A. Job Corps must take appropriate steps to ensure communications with individuals with disabilities, such as applicants, students, applicants for employment, employees, members of the public, and their companions[10] are as effective as communications with others.

   B. Under the law, it is Job Corps' obligation to provide appropriate auxiliary aids and services[11] where necessary to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of the Job Corps program. This means Job Corps cannot and must not require an individual with a disability to supply, or pay for, the auxiliary aids and services necessary for effective communication between them and Job Corps.

   C. In deciding what type of auxiliary aid or service is appropriate and necessary for Job Corps to communicate effectively with a particular individual with a disability, Job Corps must give primary consideration to the requests of that individual. Why? Because:

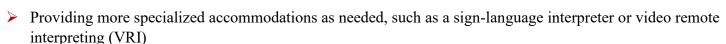   • They are the best source of information about how they can most effectively communicate.

Communicating with Individuals with Disabilities (cont'd)

What are Communication-related Accommodations?

Any adjustment or modification, support, and so forth that enables the individual to be able to both receive and express information that is meaningful to them. Examples might include such things as:

➢ Simplifying language to include rephrasing statements or questions and providing them in either oral or written formats as needed

➢ Slowing the rate of speech and/or repeating phrases and giving extra time for processing

➢ Interviewing face-to-face instead of by phone

➢ Providing picture-related support/other symbols to convey meaning

➢ Securing interpreters or using hearing assisted devices/text to speech technology

➢ Allowing written communication such as e-mails, texts, or other types of written responses

➢ Asking the recipient to repeat back information to confirm understanding

➢ Providing more specialized accommodations as needed, such as a sign-language interpreter or video remote interpreting (VRI)

Determining Effective Communication

When a person has a specific disability that affects their ability to communicate applies to Job Corps, **first determine how to communicate as effectively with that person** as you would with a person without a disability. This requires *engaging the individual in an interactive disability accommodation (DA) process* to determine the communication methods the person can genuinely understand. It is important to give primary consideration to the communication requests of the individual with a disability as they are the best source of information about their own needs. Individuals who have the "same" diagnosis or disability may not be able to use and understand the same communication method and some communication methods/needs are more obvious than others. Be mindful of the different communication preferences and approaches and do not attempt to apply a "one type fits all" strategy. For example, a person with a hearing impairment may prefer to use Computer Assisted Real Time Transcription (CART) instead of a sign language interpreter. Finally, **remember to consider communication accommodation needs for all aspects of the program** (i.e., completing the center file review process, participating in center tours or the interactive disability process, after hours or during trips into the community, etc.).

Communicating with Individuals with Disabilities (cont'd)

How Do You Document Communication-related Accommodations within Applicant File Review?

Qualified Health Professionals (QHPs) or QHPs in collaboration with Disability Coordinators (DCs) **must** provide appropriate communication-related accommodations during the clinical and interactive DA process interviews/meetings for a person with a disability. QHPs must document their observations and assessment of the applicant's ability to understand the questions being asked, the information provided, and their ability to respond to the questions. If approving the applicant for enrollment, this information can be documented by the DC in the Accommodation Plan (AP) with Notes within CIS if the applicant

> **List/explain any reasonable accommodation, reasonable modification to policies, practices, or procedures and auxiliary aids and services to include effective communication supports/accommodations offered and/or provided during the applicant file review process (applicants), and/or completion of the health care needs assessment process (applicants/students). If not provided, please explain below.** See Form 2-03, Procedures for Providing Reasonable Accommodation, Reasonable Modification in Policies, Practices or Procedures and Auxiliary Aids and Services for Participation in the Job Corps Program.
>
> **PRH Form 2-05 HCNA**

agrees to an AP or in the Student Health Record (SHR) if there is no agreement on the need for an AP. If completing either a Health Care Needs (Form 2-05) or Direct Threat (Form 2-04) Assessment, the QHP must document this information in the corresponding section on the first page of the assessment (see HCNA excerpt above). One example of documenting communication-related details:

Example 1: "To minimize the effect of any communication barriers, the Center Mental Health Consultant used a slow rate of speech when speaking with the applicant. Questions or statements were repeated or simplified as needed."

It should also be documented if the individual does not demonstrate any difficulties or challenges in participating in or understanding the content of the interview:

Example 2: "Applicant did not exhibit any noticeable difficulties with comprehension or social communication during the interview. They were able to engage in a reciprocal conversation and answer questions."

Reminder: Being deaf or having a hearing impairment is not a basis for recommending denial of enrollment.

What Do You Do to Prepare for the Arrival of an Enrollee Who Requires Communication-related Accommodations to Participate in the Job Corps Program?

Once an applicant with a disability is approved for enrollment, the DC contacts the applicant to discuss and determine the need for disability accommodations and initiates the interactive disability accommodation process, as appropriate.

Upon contact, the DC **first** identifies the preferred communication needs of the individual, if any. Once the necessary and preferred (whenever possible) communication needs are identified, the DC enters them into the individual's accommodation plan and implements as needed (for those who agree to an AP). See also *What Are Communication-related Accommodations?* Any Job Corps staff responsible for completing a pre-arrival process must ensure that communication accommodations are implemented before initiating the specific pre-arrival process/discussion. DCs ensure that communication accommodations are ready for implementation upon arrival to the center.

Disability Accommodation Requests for SLIs Snapshot

New Resource!

A new Disability Accommodation (DA) resource, the *Disability Accommodation Requests for Sign Language Interpreters (SLIs)* Snapshot has been developed to assist centers with the information needed to process funding requests for SLIs.

The SLI Snapshot contains the following information/resources:

➤ Understanding Effective Communication

➤ Determining Effective Communication

➤ Requesting National Office Funding for High-Cost DA Process (step-by-step guidance)

➤ Gathering Required Information

➤ How to Secure a SLI

➤ Collecting SLI Information

➤ Other Potential Communication Options

➤ Important Reminders (what not to do related to SLI requests)

Important Reminders!

Disability Accommodation Requests for Sign Language Interpreters (SLIs)

Understanding Effective Communication

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> Keep in mind that the individual may need communication accommodations to participate in the admissions process, center tours, the disability interactive process, etc.

➤ Do not tell an applicant that Job Corps does not provide SLIs.

➤ Do not refer an applicant who may need a SLI to another center.

➤ Do not enroll an applicant who needs a SLI prior to completing the process for requesting National Office funding for high-cost disability accommodations.

Note: Nearly all requests for National Office funding for high-cost disability accommodations are for SLIs. For any other requests, the center should email their RDIC to determine the documentation that will be needed to support the request.

Partnership Highlight: Center for Independent Living (CIL)

Centers for Independent Living (CILs) are non-residential places of action and coalition designed and operated by people with disabilities. CILs work with individuals to promote leadership and independence as well as with local communities to remove barriers to independence. CILs provide services including transition to community living support, information and referrals to services and practical resources, and training on independent living skills such as personal care, budgeting, household management in addition to transportation assistance and assistive technology access, training, and support.

There are over 400 CILs nationwide; center staff can locate their local CIL at http://www.virtualcil.net/cils/.

Gary Job Corps Center and Center for Independent Living Collaboration

The Gary Job Corps Wellness Center collaborated with two local community resources to obtain a much-needed motorized wheelchair for one of their Carpentry students, Tea Goodall. The Disability team at Gary collaborated with ARCIL (a Center for Independent Living) to assist with the application and approval process through Medicaid insurance and Rehab Medical who was able to custom design a motorized wheelchair for the student. The wheelchair is valued at over $30,000 with high end trim, lights, motion blinkers, horn, cup holder and other accessories. The wheelchair can lift to various heights and recline. Tea and fellow carpentry students built a ramp to assist her in accessing the work area. Tea's instructor, Mr. Touchstone can picture Tea "running her own construction company one day" and reports she has a can-do attitude and exhibits a strong work ethic.

Have a topic idea or want to highlight your center activity? Submit content or suggestions to Alyssa Purificacion Olivas (purificacion.alyssa@jobcorps.org).

Pictured (L to R) Chris Roff, Deputy Director; Stephanie Soileau, Wellness Director (former); Angela Rackley-Meadows, Center Director; Tea Goodall, Carpentry Student; Torren Morrison, Rehab Medical; Roy Yarbrough, Rehab Medical; and Juan Zea, ARCIL Project Director.

Regional Disability Coordinators

- Boston: Kristen Philbrook (philbrook.kristen@jobcorps.org)
- Philadelphia: Angela Jenkins (jenkins.angelak@jobcorps.org)
- Atlanta and San Francisco: Stephanie Karras (karras.stephanie@jobcorps.org)
- Dallas: Alyssa Purificacion Olivas (purificacion.alyssa@jobcorps.org)
- Chicago: Sharon Hong (hong.sharon@jobcorps.org)

Disability Resources

Mental Health Awareness Month

May is Mental Health Awareness Month. This year's theme is "**Where to Start: Mental Health in a Changing World.**" Mental Health America offers a wealth of resources and a comprehensive toolkit to guide staff in supporting and advocating for awareness.

Bookshare

Bookshare is the world's largest online library of copyrighted content for people with qualified print disabilities. Bookshare provides access to a large and diverse collection of titles for school or pleasure reading and has a dedicated Job Corps library with commonly used textbooks. If you are new to the Disability Coordinator role or simply need a refresher, **register for the Bookshare webinars to be held on March 12 and 14** to learn how your center can access FREE online books. To register go to https://jobcorps.webex.com. *Please note: if there is a change in the staff member who is on the Bookshare account (almost every Job Corps Center has an account), please email Lara Rondberg at larar@benetech.org with the updated contact information.*

The Disability Information and Access Line

The Disability Information and Access Line (DIAL) helps people with disabilities get connected to information about local community resources that support independent living. DIAL was first launched in 2021 to provide information about essential services such as transportation, housing support, disability rights, and more.

Spotlight on Assistive Technology

SoundingBoard

SoundingBoard by AbleNet is a free augmentative and alternative communication (AAC) app to assist individuals communicate with others. This customizable communication board allows you to create your own symbols, image boards, and record your own voice for each picture.

CaptionCall

CaptionCall Mobile allows deaf and hard-of-hearing individuals to make and receive phone calls with instant live captions in real-time. This easy-to-use mobile app ensures accessibility at no cost to qualified users, fostering enhanced connections at work and in personal relationships.