

**County of Orange Social Services Agency
Family Self-Sufficiency**

Program/Area: CalWORKs/Welfare-To-Work

Title: Learning Disability Screening and Evaluations

Number: 210-A

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Approved:

PURPOSE

The purpose of this policy is to provide guidelines to be used when screening and working with participants who have a diagnosed or suspected learning disability or developmental disability (LD/DD). The intent of regulation is to ensure that participants with learning disabilities are screened, and where there is evidence of LD, obtain a professional learning disability evaluation (LDE) and appropriate assistance to help them participate in Welfare- to-Work (WTW) to become employed and self-sufficient.

The assigned IEES or Case Manager (CM) administers the screening tool.

The Assessment contractor administers the evaluation.

The participant has the option of declining the screening and/or evaluation, with no WTW penalties.

**REFERRAL
CRITERIA**

An IEES/CM may become aware of a participant's diagnosed or suspected learning disability or Limited English Proficiency (LEP) through:

A participant's self-disclosure, no further screening is necessary;

Medical records;

Information received during administration of the LD Screen in Initial Services, or at other times;

Information received during an assessment;

Reports received from SSA WTW partners and other service

agencies and organizations;

The participant's failure to make satisfactory progress in an assigned activity.

All LEP individuals should be offered the option to receive a LDE.

When the IEES/CM becomes aware of or suspects a learning disability or LEP issues, a referral to the Assessment contractor will be made, with the participant's consent, for an LDE to determine whether the participant is able to successfully complete or benefit from participation in a WTW assignment. Prior to offering a LDE, the reasons for the referral must be discussed with the participant and his/her cooperation in the LDE process should be encouraged.

When a participant is hesitant to be screened/evaluated or declines the screening/evaluation, the IEES/CM should explain the advantages to cooperating at the FIRST WTW contact with the participant and should emphasize:

The opportunity for a professional evaluation of a potential disability.

The benefits of an LDE (e.g., the right to reasonable accommodations in WTW activities and employment).

[Attachment 1](#) provides characteristics and manifestations of individuals with possible LD.

The IEES/CM is required to offer a learning disability screening to a participant and all LEP individuals who were not previously offered a screening or previously declined a screening, when certain events occur. The offer must be presented both orally and in writing. These events include:

The participant is in the good cause determination, compliance, or sanction process; or

The participant is failing to maintain satisfactory progress in his/her WTW activities, including employment, or is failing to progress in the assigned activities.

[Attachment 2](#) is a prepared script about the availability of LD

screening. This must be given to the participant and the WTW and CalWIN case comments should reflect that a copy was provided to the participant. (Refer to [Case Comments Resource Guide.](#)) A dated copy is to be imaged in the WTW case as well. Providing the participant with a copy of this script satisfies the requirement to present the offer of LD screening and evaluation in writing. The IEES/CM must still request that the participant sign the WTW 17 – Waiver of the CalWORKs LD Screening and/or Evaluation [\(Attachment 6\)](#) if the participant declines to be screened and/or evaluated.

The IEES/CM will telephone the Assessment contractor to schedule an appointment and specify that the referral is for an LDE. The CM will also complete the [Assessment Referral/Response Form \(F063-41-162 E\)](#) to be faxed or emailed in addition to the phone contact. Refer to CalWORKs Policy 210 – Assessment.

**ADMINISTERING
THE LD
SCREENING**

At the first WTW contact/Appraisal, the IEES/CM is required to offer the LD Screening via the WTW 18 – Learning Needs Screening-County Copy & WTW 19 – Learning Needs Screening-Client Copy ([Attachment 3](#) & [Attachment 4](#)), to those English-speaking participants not previously evaluated for LD. The IEES/CM will also offer the LD Screening to:

Exempt participants who volunteer to participate in WTW

Participants who lose their exempt status and become mandatory participants

WTW participants who are working

16 and 17-year old non-parenting teens who are required to participate in WTW because they lost their student exemption

The LD Screening Tool referenced in this procedure is only to be administered to participants whose primary language is English. The State is currently developing a Spanish LD screening tool.

If the screening results indicate evidence of LD, the IEES/CM will offer to refer the participant for further evaluation as outlined

above. The participant has the option to volunteer or decline the LDE.

Upon referral, the IEES/CM will update the activity status and attendance in WTW activities in CalWIN per the [Participation Tracking Resource Guide](#) and enter CalWIN Case Comments per the [Case Comments Resource Guide](#).

If a participant identifies behavioral health issues or physical health issues during the screening process, the IEES/CM will suggest to the participant that they obtain an appropriate medical or other examination before a referral to an LDE to minimize the likelihood of false LD indicators.

The LD Screening will be imaged in the WTW case and retained permanently.

LANGUAGES OTHER THAN ENGLISH & LIMITED ENGLISH PROFICIENCY (LEP)

All LEP participants are to be offered an LDE.

Actual LD evaluations are currently available for Spanish speakers. Participants whose primary language is other than English (LEP) may be referred to an LDE based on the IEES/CM's initial evaluation of a LD or from the participants' self-disclosure. The same referral process is to be used for referrals in other languages. Contact Program for issues related to LDE for languages other than English and Spanish.

IEES ACTIONS

ISWs will offer and administer the LD screen upfront at Appraisal and offer a referral for an LDE for those participants and any LEP participant screening positive for LD. The participant has the option to decline or accept the referral. The ISW will retain the case in Initial Services until the LDE Report is received and take appropriate action based on the results of the report. The participant may follow a regular WTW flow and be referred to JSR, or the participant may need to be sent to Assessment and the case transferred to Ongoing Services/Case Management.

REVIEW OF THE

Upon completion of the evaluation, the LD evaluator will discuss

LDE REPORT

the evaluation results with the participant. The contractor will send an LDE Report via an email attachment directly to the IEES/CM, and include any necessary documentation. A password will be required to open the email attachment. This will ensure confidentiality for participants when sending the documents via e-mail. The password will be established by Program and will be universal for all LDE Reports.

If the case is no longer assigned to the IEES/CM receiving the LDE Report, that IEES/CM will then forward the LDE Report to the appropriate IEES/CM.

The IEES/CM will print the LDE Report and image it into the case, and delete the email and attachment.

If the IEES/CM needs a hard copy of the original LDE Report the IEES/CM should contact Program through the chain of command.

Upon receipt of the LDE Report, the IEES/CM will update the activity status and attendance in WTW activities in CalWIN per the [Participation Tracking Resource Guide](#) and enter CalWIN Case Comments per the [Case Comments Resource Guide](#).

The IEES/CM is to schedule an appointment and see the participant within seven days.

At the appointment, the IEES/CM should discuss the LDE results with the participant; determine which WTW activities would be most appropriate, and discuss any changes needed to an existing WTW Plan. This includes providing examples and discussing any accommodations that are needed to participate. (Refer to CalWORKs Policy 211 – Welfare- to- Work Plan).

Note: Existing WTW assignments may not need to be changed as a result of the LDE.

The LDE may be shared with or copied for the participant, but caution must be exercised to maintain the participant's self-esteem.

With the appropriate authorization from the participant for release of information, the LDE may be shared with WTW activity providers to assist them in providing needed accommodations.

(Refer to Attachment 5, [WTW 20 – Permission to Release LD Information](#))

WTW ACTIVITIES If the CM determines that the participant can continue to participate in WTW, the participant may be referred to the following activities, as appropriate:

Any allowable WTW activity, including the participant's previous activities;

Existing special programs that meet the specific needs of the participant. Hours spent in these special programs will count towards meeting participation requirements.

**CLIENT REFUSAL
TO PARTICIPATE/
CLIENT APPEAL**

Participation in the LD screening and evaluation is voluntary. At the point of screening, if the participant refuses to take the screening, they must be provided with and asked to sign the WTW 17 – Waiver of CalWORKs LD Screening and/or Evaluation ([Attachment 6](#)). The CM will provide a copy of the signed waiver to the participant and inform the participant that:

His/hers WTW Plan activities, if any, will not reflect any accommodations for a learning disability; and

She/he may ask for a learning disability screening or evaluation at a later time.

If the participant refuses to sign the WTW 17, a case narration of the refusal to sign is considered the same as a signed waiver.

Pursuant to MPP Section 42-711.582, a participant has the right to appeal the LDE through the state (fair) hearing process. The CM will inform a client who wishes to appeal a LDE of the filing process.

The appropriate Regional Manager or the Case Management contractor's manager will notify WTW Program of a client wishing to appeal an LDE. Notification should be via an e-mail containing identifying information for the participant and a description of the participant's issue.

PARTICIPANTS IN AN EDUCATIONAL COMPONENT

WTW participants needing training through an education activity provided at a Community College with a Disabled Student Center will receive Learning Disability Evaluations from the Community College, which has funding specifically for this purpose. If the College cannot evaluate the participant timely, the County shall make the referral to conduct the LDE.

The college LDE has an educational focus that is more appropriate for the education/training participant. Where evidence of LD/DD is identified the CM will communicate with the school counselor and arrange to have the participant attend an LDE through the college. The accommodations to be provided will be written into the participant's new or modified WTW Plan if appropriate, and notated in a prominent place in the case record. The college LDE will be considered to fully meet the LDE requirements. .

If the college is not willing to release a copy of the LDE for the case record, the WTW Plan documentation is sufficient.

Concurrent participation in Work Study will not affect this procedure.

Should the participant leave the Education/Work Study activity or need to attend other WTW activities based on an Assessment, the CM would refer the participant to the County LDE if appropriate.

Participants may enroll in special classes or tutorials if they are evaluated as having learning disabilities. The hours of these classes and tutorials are to be allowed toward the hourly participation or other activity hour requirement if the educational institution determines them to be necessary.

ASSESSMENT AND OFFERING THE LDE SCREENING

Many participants who received an Assessment will already have received this LDE screening. These participants do not need to be re-screened.

Participants who have already received an Assessment will also be referred for an evaluation for a learning disability if the assessment mentions a need for follow-up on the LD or if the CM

becomes aware of new information regarding the participant's potential need for a LDE.

If an LDE is completed for a participant, and the participant is sent to Assessment, the CM must notify the Assessment Contractor of this and include a copy of the LDE with the Referral information.

WTW PLAN

Participants identified as having characteristics consistent with a disability, are entitled under the Americans With Disabilities Act (ADA) to reasonable accommodations in their WTW activities. The CM must discuss the results of the LDE with WTW activity providers, except for private employers, and document the accommodations that will be provided to the client.

These identified accommodations must be documented in the WTW Plan or in case comments for those clients not signing a WTW Plan. If a WTW 2 is already in place, then a new WTW 2 including the accommodations and any other changes must be signed. Refer to CalWORKs Policy 211 – Welfare- to- Work Plan.

When a participant's activity is unsubsidized employment, it is the participant's choice to notify his/her employer about Learning and/or Developmental Disability issues. The CM should encourage the participant to request reasonable accommodations in the workplace and provide information from Government websites on how to request them. The Americans with Disabilities Act (ADA) <http://www.ada.gov/> provides Questions and Answers as well as several sources of referral information.

If an employed participant is in a WTW Plan and the CM is aware of the accommodations provided at the participant's workplace, these must be included in the WTW Plan. If the accommodations are necessary for the activity, they must be provided.

[Attachment 7](#) provides strategies for reasonable accommodations.

Note: Ancillary supportive services may be able to pay for the purchase of accommodation needs.

COMPLIANCE

Should a participant refuse or fail to attend the LD evaluation or take the appropriate examinations, he/she will be expected to comply with all WTW program requirements, including the requirements to attend an Assessment (as distinguished from the LDE), make satisfactory progress in his/her assigned activity, and to participate the minimum number of required hours.

Failure to do so will result in cause determination, compliance, and sanction processes, as appropriate. Refer to [CalWORKs Policy 240](#) – Good Cause/Compliance/Sanction

The IEES/CM and other appropriate service providers should encourage participation and cooperation with the LD evaluation. A participant may be rescheduled if they do not show for a first appointment, but any and all barriers to attending must be addressed prior to re-referral.

CONFIDENTIALITY OF THE LDE

The LDE is highly confidential and is to be treated as any other medical record, and imaged accordingly. The signed authorizations to release information contained in most referrals to WTW activity providers are sufficient to share the LDE with those activity providers. The CM should provide information to the WTW activity provider about whether the LDE has been shared with the participant. In cases where there is not an authorization, the CM will use the WTW 20 – Permission to Release LD Information ([Attachment 5](#)) in order to be able to share the LDE.

GRANTING GOOD CAUSE AND EXEMPTION FOR LD

Temporary good cause and exemption from participation must always be explored, given the participant's circumstances and the severity of an identified disability.

DOCUMENTING THE CASE RECORD

The CM will thoroughly document any steps taken to obtain a learning disability evaluation for a participant, record the results of the evaluation, and thoroughly document any other related issues in the case narrative.

REFERENCE EAS 42-711.58, 582
[CalWORKs Policy 210](#) – Assessment
[CalWORKs Policy 211](#) – Welfare- to- Work Plan
[CalWORKs Policy 240](#) – Good Cause/Compliance/Sanction

ATTACHMENTS [Learning Needs Manifestations](#)
[Learning Disability Script \(English Version\)](#)
[WTW 18 - Learning Needs Screening - County Copy](#)
[WTW 19 - Learning Needs Screening - Client Copy](#)
[WTW 20 – Permission to Release LD Information](#)
[WTW 17 - Waiver of LD Screening and/or Evaluation](#)
[Strategies for Reasonable Accommodations](#)
[Americans with Disabilities Government Website Link-](#)
<http://www.ada.gov/>

RESOURCE [Participation Tracking Resource Guide](#)
GUIDES [Case Comments Resource Guide](#)

FORMS [Assessment Referral/Response Form \(F063-41-162 E\)](#)