

13. Learning Disability Screenings

13.1 Introduction

On January 19, 2001, The United States Department of Health and Human Services (HHS), Office for Civil Rights (OCR), issued policy guidelines on the prohibition of discrimination on the basis of disability in the administration of the Temporary Assistance for Needy Families (TANF) program. Title II of the Americans with Disabilities Act (ADA) and Section 504 defines a “disability,” with respect to an individual, to mean “a physical or mental impairment that substantially limits one or more of the major life activities of such individual.”

Counties are responsible for identifying disabled clients, including those with learning disabilities, and when necessary removing any barriers that may prevent the individual from becoming self-sufficient. OCR has found that a large percentage of the population may have learning disabilities (LDs) that are never diagnosed.

In order to comply with federal civil rights laws, our agency does the following to identify and accommodate those individuals with learning disabilities:

- Offer screenings of all new and existing CalWORKs Employment Services (CWES) clients for potential LDs by trained staff using a validated LD screening tool.
- At client option, refer CWES clients with potential LDs to in-house Assessment.
- Refer clients with potential LD to available LD evaluation resources in the community.
- Consider LD screening indicator and evaluations when developing or amending a client’s Welfare-to-Work (WTW) plan.
- Include the results from the LD screener on inter-county transfers (ICTs) ONLY if permission is granted by the client.

13.2 Definitions

The following sections contain a brief description of definitions used in the Learning Disability Screening process:

13.2.1 Learning Disability

Learning disability (LD) is a generic term that refers to a diverse “group of disorders manifested by significant difficulties in the acquisition and use of listening, speaking, reading, writing, reasoning, or mathematical abilities.” Individuals with learning disabilities usually have average or above average intelligence levels, but have a problem processing information. LDs interfere with a client’s ability to obtain or retain employment, maintain self-sufficiency or enter and participate in the CWES program.

13.2.2 Screening

Screening is the first step in identifying individuals with suspected learning disabilities. Screening involves the use of a recognized and validated LD screening tool that is administered by staff who have been properly trained on how to administer it. Clients who receive a score of 12 or more on the screening tool is an indicator that client may have a LD.

13.2.3 Evaluation

An evaluation is the process to determine if an individual has learning disabilities. The evaluation is performed by a trained professional who is qualified to conduct tests that identify LDs, as well as determine the appropriate accommodations a client may need.

13.2.4 Diagnosis

For CWES purposes, a diagnosis is made by a trained licensed professional. This person is able to provide verification of a disability exemption if the LD is so severe that the client cannot participate in CWES activities. [Refer to “A client has been identified as having an LD and is attending a computer class. The client experiences problems with visual input. Oral presentations have been recommended as the best method of learning. An appropriate accommodation could be text reading software, which can be approved as an ancillary expense.” page 13-7].]

13.2.5 Reasonable Accommodations

If the client has a documented LD diagnosis/certification, then reasonable accommodations such as modifications and adjustments are made to make it possible for the client with a disability to apply for or perform in a job or CWES activity. The county or any service provider contracted by the county must provide free of cost, accommodations specific to the individual’s need

13.2.6 Forms Used In LD Screening and Evaluation

The state has made available six forms to be used in the learning disabilities screening process. These forms are:

- “Waiver of CalWORKs Learning Disabilities Screening and/or Evaluation” (WTW 17)
- “Learning Needs Screening (County Copy)” (WTW 18)
- “Learning Needs Screening (Client Copy)” (WTW 19)
- “Permission to Release Learning Disabilities Information” (WTW 20)
- “Learning Needs Screening (Evaluación Preliminar de Necesidades Relacionadas al Aprendizaje)(County Copy - Spanish)” (WTW 48). This form is similar to the WTW 18.
- “Learning Needs Screening (Evaluación Preliminar de Necesidades Relacionadas al Aprendizaje – Copia del Cliente.)(Client Copy - Spanish)” (WTW 49). This form is similar to the WTW 19.

13.2.7 “Waiver of CalWORKs Learning Disabilities Screening and/or Evaluation” (WTW 17)

The “Waiver of CalWORKs Learning Disabilities Screening and/or Evaluation” (WTW 17) must be read aloud by the Employment Counselor (EC) to the client whenever the client wishes to decline to be screened or evaluated for learning disabilities. If the client still declines the screening or evaluation after the WTW 17 has been read and explained, the EC will have the client sign the form and give him/her a copy and file a copy in the case.

13.2.8 “Learning Needs Screening (County Copy)” (WTW 18)

The “Learning Needs Screening (County Copy)” (WTW 18) is the LD screening tool. The WTW 18 is to be completed by the EC. The EC must read the form aloud to the client and complete the questions. Form WTW 48 must be used for Spanish speaking clients.

Note:

DO NOT ALLOW THE CLIENT TO COMPLETE THE WTW 18 BY HIMSELF/HERSELF.

13.2.9 “Learning Needs Screening (Client Copy)” (WTW 19)

The questions on the “Learning Needs Screening (Client Copy)” (WTW 19) are identical to the WTW 18 but are in a larger size print with additional white space. The WTW 19 must be provided to the client to read along during the learning disabilities screening process. Form WTW 49 must be used for Spanish speaking clients.

13.2.10 “Permission to Release Learning Disabilities Information” (WTW 20)

The “Permission to Release Learning Disabilities Information” (WTW 20) must be signed by the client to grant permission before an EC can obtain or release a written learning disabilities evaluation. The top portion of the WTW 20 allows the EC to obtain a copy of the evaluation or tests from the evaluator.

The middle section of the WTW 20 allows the EC to release learning disabilities information or medical records to:

- Professionals who are involved in the learning disabilities evaluation
- Local employment or job training agencies who may provide employment related or job training services and who need to know about the LD to determine the appropriate activities or accommodations for the client, and
- Other agencies and/or states that need information on the individual’s learning disabilities in order to provide appropriate services and accommodations to the client.

The WTW 20 cannot be altered by the EC once it has been signed by the client. The authorization form expires one year from the date it is signed. The EC must inform the client that he/she may void the authorization at any time.

Note:

If the client refuses to complete and sign the WTW 20, a copy of any screening, evaluation, diagnosis, and/or accommodations information on the individual about possible learning disabilities will NOT be sent to the new county if they move, and their WTW plan in the new county may not include accommodations for their learning disability(ies).

Inter County Transfers (ICT)

A copy of the client’s LD screening and evaluation may be forwarded to the new county ONLY if the client has signed a WTW 20.

13.2.11 “Learning Needs Screening (County Copy - Spanish)” (WTW 48)

The “Learning Needs Screening (County Copy)” (WTW 48) is the LD screening tool for use with WTW participants whose primary language is Spanish. The WTW 48 is to be completed by an EC who is bilingual in English and Spanish, or administered with the assistance of a Spanish language interpreter. The EC must read the form aloud to the client and complete the questions. Form WTW 18 must be used for participants who primary language is English.

Note:

DO NOT ALLOW THE CLIENT TO COMPLETE THE WTW 48 BY HIMSELF/HERSELF.

13.2.12 Learning Needs Screening (Client Copy - Spanish)” (WTW 49)

The questions on the “Learning Needs Screening (Client Copy) - Spanish” (WTW 49) are identical to the WTW 48 but are in a larger size print with additional white space. This form must be provided to participants whose primary language is Spanish, to enable the client to read along during the learning disabilities screening process. Form WTW 19 must be used for participants whose primary language is English.

13.3 Learning Disability Screening

All CWES clients **MUST** be offered the screening for potential learning disabilities. In particular, clients must be offered the LD screening in the following situations:

- At Orientation/Appraisal
- If they are within 6 months of their 48-month time limit
- At Assessment.

In addition, staff must also screen clients for potential LDs when:

- The individual requests the screening
- In the good cause determination or noncompliance process, including clients who have agreed to a noncompliance plan
- The individual fails to maintain satisfactory progress in his/her CWES activity
- The EC suspects a client may have learning disabilities, or
- There are any other situations in which the client appears to have a suspected learning disability.

ECs must offer the LD screening to all their CWES clients.

Note:

Each client is only required to be screened for learning disabilities once. If the “Learning Needs Screening” (WTW 18 or WTW 48) has been completed the client is not to be screened again.

13.3.1 LD Screening Tool

Each client must be screened on an individual basis. The client must be given the “Learning Needs Screening - Client Copy” (WTW 19 or WTW 49 (Spanish)) so that he/she can read the questions silently as the screener reads them aloud from the “Learning Needs Screening -County Copy” (WTW 18 or WTW 48 (Spanish)). The screener must indicate the client’s responses on the WTW 18 or WTW 48. A client may refuse to be screened.

Reminder:

UNDER NO CIRCUMSTANCES IS THE CLIENT TO COMPLETE THE WTW 18 or WTW 48 THEMSELVES.

Clients who score a 12 or more on the screening tool may be referred to the appropriate activity based on their appraisal, including Supervised Job Search or at client’s option, may be referred to in-house Assessment who will develop a WTW Plan based on results from the assessment and LD screening indicator.

Screenings

The screening in our agency will be conducted by ECs, Assessment Counselors, and Community Education Partners. All individuals who will be administering the screening tool must receive mandatory training by Staff Development.

Note:

A client does not have to be referred to in-house Assessment if he/she was previously evaluated for and found to have a learning disability and the information has been incorporated into the client’s WTW plan. An existing Keys to Success (KTS) Plan may be restored if appropriate.

13.3.2 LD Evaluations

If a client is attending a community college or university, they may be tested and evaluated for learning disabilities by their school, or referred to other available resources in the community.

13.4 Clients with Verified Learning Disabilities (LDs)

If a client has a documented LD, the EC must review for the following:

Any additional supplies or tools that a client may need as a result of the accommodations defined by the evaluation may be covered by ancillary payments.

Ancillary expenses require a Supervisor and/or Manager approval and may be approved only if the service provider cannot accommodate and other available resources have been explored.

Example:

A client has been identified as having an LD and is attending a computer class. The client experiences problems with visual input. Oral presentations have been recommended as the best method of learning. An appropriate accommodation could be text reading software, which can be approved as an ancillary expense.

13.5 Modified WTW Plan

Once a client is found to have LDs and has a WTW plan developed by in-house Assessment or former Keys to Success Plan, any modifications of this WTW plan are done/approved by in-house Assessment.

13.6 Supportive Services

A client is eligible for any supportive services needed to attend the in-house Assessment appointment and the LD evaluation with the service provider.

13.7 Non-Compliance

If the Assessment Counselor refers the client out to Department of Rehabilitation or another service provider for an LD Evaluation, then they cannot be sanctioned for failing to attend the evaluation session because the LD evaluation session is optional.

13.8 Documentation

ECs must enter the LD screening results on the [Competencies] tab from the **Maintain Employment Services Information** window in CalWIN.

13.9 Scanning

The LD Screening tool and any other related material, such as evaluations, are to be scanned in IDM in Faster F2. The WTW Plan is to be filed in Fastener F6.