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Chapter 1
REHABILITATION SERVICES AND RESOURCES

1.01 Introduction

This chapter focuses on the guidelines for providing rehabilitation services to Chapter 31 participants. It also defines the criteria for selecting appropriate service providers, describes the nature of the services and identifies the specific case statuses in which the rehabilitation services may be provided.

1.02 References and Resources

- Laws: 38 United States Code (U.S.C.) 3680
 29 U.S.C. 4C
 5 U.S.C. 81
 Public Law 101-508
- Regulations: 38 Code of Federal Regulations (CFR) 21.122
 38 CFR 21.123
 38 CFR 21.124
 38 CFR 21.126
 38 CFR 21.128
 38 CFR 21.129
 38 CFR 21.134
 38 CFR 21.140 through 21.156
 38 CFR 21.214
 38 CFR 21.219 through 21.224
 38 CFR 21.240
 38 CFR 21.260
 38 CFR 21.262
 38 CFR 21.264
 38 CFR 21.266
 38 CFR 21.270
 38 CFR 21.282
 38 CFR 21.290 through 21.299
 31 CFR 21.310
 38 CFR 21.322
 38 CFR 21.4235
 38 CFR 21.4250
 38 CFR 21.4260
 31 CFR 21.4264
 VA Acquisition Regulation (VAAR) 871.201-2
- Resources: Federal Personnel Manual (FPM) 315-B-1
 M22-4, Part IX, Chapter 2, Education Procedures

VA Forms (VAF): VAF 20-8206, VA Statement of Assurance of Compliance with Equal Employment Opportunity Laws
VAF 21-4138, Statement in Support of Claim
VAF 28-1902n, Counseling Record - Narrative Report (Supplemental Sheet)
VAF 28-1903, Contract for Training and Employment
VAF 28-1904, Agreement to Train on the Job Disabled Veterans
VAF 28-1905, Authorization and Certification to Entrance or Reentrance into Rehabilitation and Certification of Status
VAF 28-1905c, Monthly Record of Training and Wages
VAF 28-1905m, Request for and Receipt of Supplies (Chapter 31-Vocational Rehabilitation)
VAF 28-1905n, Farm Survey and Overall Farm and Home Plan Self-proprietor Manager
VAF 28-1905p, Annual Farm and Home Plan for Institutional On-Farm Course of Training
VAF 28-1917, Monthly Statement of Wages Paid to Trainee
VAF 2237, Request, Turn-In, and Receipt for Property or Services

Web Sites: www.acf.hhs.gov/programs/occ
www.childcareaware.org
www.opm.gov/policy-data-oversight/disability-employment/reasonable-accommodations/
www.faa.gov/pilots/training/atp/

1.03 Classification of Rehabilitation Services

Rehabilitation services are provided to assist the Veteran to pursue and achieve the goals of his/her rehabilitation program. These rehabilitation services are provided and coordinated by the case manager assigned to the Veteran. The rehabilitation services are classified into the following four categories:

- a. Special Rehabilitation services that are utilized to evaluate the feasibility of the Veteran's achievement of a vocational goal or to improve the Veteran's potential for rehabilitation.
- b. Education and Vocational Training services that are utilized to provide the Veteran necessary skills to prepare him/her for suitable employment.
- c. Independent Living services that are utilized to assist the Veteran in eliminating or lessening reliance on others or his/her family and community for daily living activities.

- d. Employment services that are utilized to assist the Veteran in obtaining and maintaining suitable employment.

1.04 Rehabilitation Services Based on Case Assignments

This section specifies the case statuses in which rehabilitation services may be provided to a Chapter 31 participant.

a. Active Cases

Rehabilitation services may be provided to a Veteran whose case is assigned to one of the following statuses:

- Extended Evaluation (EE) status
- Rehabilitation To the point of Employability (RTE)
- Independent Living (IL) status
- Job Ready (JR) status

b. Inactive Cases

Limited services may be provided to a Veteran whose case is assigned to one of the following statuses:

- Interrupted (INT) status
- Discontinued (DIS) status (if the discontinuance is because of illness or injury [38 CFR 21.240])

These limited services include medical services and are provided to the Veteran due to his/her illness or injury. The medical services include treatment and care for the Veteran. In addition, the Veteran may be also authorized for the following:

1. Prosthetic appliances, eyeglasses, and other corrective or assistive devices.
2. Services to a Veteran's family as necessary for the successful rehabilitation of the Veteran.
3. Special services, including services related to blindness and deafness such as:

- Language training, speech and voice correction, training in ambulation and one-hand typewriting
- Orientation, adjustment, mobility and related services
- Telecommunications, sensory and other technical aids and devices

c. Closed Cases

Services may not be provided to a Veteran determined ineligible for VR&E services, or whose case is assigned to one of the following statuses:

- Rehabilitated (REH) status
- Discontinued (DIS) status

1.05 Training Facility and Rehabilitation Resources

a. Providers for Training and Rehabilitation Services

Veterans who are participating under the Chapter 31 program may be provided services using the following:

1. VA facilities, staff and other VA resources.
2. Employment of additional personnel and experts.
3. Facilities and services of a federal agency, state agency, other public agency, or agency maintained by joint federal and state contributions.
4. Facilities and services of any public institution or establishment, private institution or establishment, or private individual.

b. Approving Courses and Facilities

The rehabilitation services proposed in a Veteran's rehabilitation plan must be approved by the case manager or the VR&E Officer as required prior to authorization of services. This approval ensures that only services that meet the needs of a Veteran with disability(ies) are authorized as part of his/her rehabilitation program.

A facility that provides services to Veterans participating in the VR&E Program must also be formally approved. If a facility has not been approved or assigned a valid facility code, case managers must establish that the facility complies with the course and facility approval provisions outlined under 38

CFR 21.290 through 21.299 by completing a site survey report. Refer to M28R.V.B.2 for further guidance on program approval and the assignment of a facility code.

c. Responsibility in Selecting a Training Facility

A Veteran's preference for a particular training or rehabilitation facility must be considered at all times. However, the case manager has final responsibility for selecting a training facility.

d. Factors in Selecting a Facility

Selection of a facility must be relevant to the Veteran's needs. The following factors must be considered in the selection:

1. Availability of support services that enhance the Veteran's ability to successfully complete his/her training.
2. Availability of special programs of assistance for students with disabilities that are likely to be utilized by the Veteran in the course of his/her program.
3. Availability of placement services and placement records.
4. Distance is shorter for the Veteran's commute from home to the training facility.

e. High Cost Facility

When services are not available to meet a Veteran's needs at a lower cost facility, a case manager may select a high cost facility. However, the case manager must clearly document the justification for the selection of a high cost facility in Corporate WINRS (CWINRS) Notes or VAF 28-1902n, Counseling Record - Narrative Report (Supplemental Sheet). See Appendix O, VA Forms. The completed form must be filed in the Veteran's Counseling/Evaluation/Rehabilitation (CER) folder.

1.06 Services Provided in Specific Case Status

a. Special Rehabilitation Services

1. Evaluation and Improvement of Rehabilitation Potential

(a) Services

These services include diagnostic services, personal and work adjustment training, medical care and treatment, independent living services, language training, speech correction, ambulation training, one-hand typing, orientation, adjustment and mobility related services.

(b) Case Status

The services may be provided to a Veteran whose case is currently placed in one of the following statuses:

- Evaluation and Planning (EP) status
- Extended Evaluation (EE) status
- Rehabilitation To the Point of Employability (RTE) status
- Independent Living (IL) status
- Job Ready (JR) status

2. Adult Basic Education

(a) Services

The adult basic education is an instructional program for the undereducated adult planned around those basic and specific skills necessary to help him/her to function adequately in society.

These services are provided to:

- Upgrade a Veteran's basic educational skill
- Provide refresher training
- Resolve deficiencies that prevent the Veteran from undertaking a course of education or vocational training

(b) Case Status

The services may be provided to a Veteran whose case is currently placed in one of the following statuses:

- EE status
- RTE status

- IL status

3. Vocational Course in a Rehabilitation Facility

(a) Services

A vocational course in a rehabilitation facility may be an institutional, on-the-job, or combination course, which has been modified to facilitate successful pursuit by a Veteran with a disability that may otherwise prevent or impair his/her ability to participate in the course.

The vocational course may be authorized if it assists in restoring the Veteran's employability.

(b) Case Status

The services may be provided to a Veteran whose case is currently placed in one of the following statuses:

- EP status
- EE status
- RTE status

4. Independent Instructor Course

(a) Services

This is a full-time vocational training that is provided to a Veteran by an independent instructor, who teaches a vocational course at a suitable place of training. This instruction is independent from a training institution or on-job training facility.

(b) Limitations

An independent instructor course may be included in a rehabilitation plan, except for a plan for a farm cooperative program. This service may be authorized if one or both of the following conditions exist:

- (1) Training is not available through an established school, on-job training establishment, or rehabilitation facility within a reasonable commuting distance from the Veteran's home, and/or
- (2) The Veteran's condition or other circumstances do not permit

him/her to attend a suitable facility within commuting distance.

(c) Training at Home

Training in the home is a specialized type of independent instructor course, which the Veteran may pursue in his/her home. This service may be authorized if all the following conditions exist:

- (1) The Veteran is unable to pursue training at a suitable facility because of the effects of his/her disability.
- (2) Based on proper medical opinion, the Veteran is able to pursue the prescribed training.
- (3) The Veteran's home provides a favorable educational environment with adequate work and study space.

(d) Rate of Pursuit

The training rate for a Veteran in an independent instructor program is the same as the rate pursued on an institutional basis, unless the Veteran's work tolerance is reduced because of the effects of his/her disability condition(s).

(e) Anticipated Employment

Since the Veteran's employment may be limited due to his/her circumstances, the Veteran's Individualized Employment Assistance Plan (IEAP) must outline an extensive plan for seeking and obtaining suitable employment, including self-employment, upon completion of training.

(f) Case Status

The services may be provided to a Veteran whose case is currently placed in one of the following statuses:

- EP status
- EE status
- RTE status
- IL status

5. Reader Service

(a) Services

This service is provided to a Veteran with limited vision or a visual impairment that would require reader service assistance. The visual impairment may include:

- Best corrected vision is 20/200 in both eyes
- Central vision is greater than 20/200 but the field of vision is limited to the extent that the widest diameter of the visual field that is reduced to an angle is less than 20 degrees
- Condition or prognosis of the vision impairment suggests that the remaining vision will be adversely affected by reading

(b) Case Status

The services may be provided to a Veteran whose case is currently placed in one of the following statuses:

- EP status
- EE status
- RTE status
- IL status
- JR Status, including up to three months of initial employment

(c) Scope of Reader's Responsibility

The reader's responsibility is not confined to reading to the Veteran. The reader must also have an understanding of the subject matter based on prior training or experience that allows him/her to read and understand the material and test the Veteran's understanding of the material.

(d) Extent of Service

The number of hours of this service is determined by the amount of reading required by the course and the effectiveness of other equipment furnished that enable the Veteran to read printed material

without any assistance.

(e) Recording

Recording textbooks or other materials will not be authorized as part of the reader services, since recording services are available from volunteer organizations without cost.

(f) Use of Relative Precluded

A relative of the Veteran may not provide reader service. A relative is a person related to the Veteran by blood or marriage such as spouse, parent, child, brother, sister, uncle, aunt, niece, or nephew.

6. Interpreter Service

(a) Services

This service is provided for the Veteran with a hearing impairment in order to assist in the instructor–student communication necessary to pursue his/her rehabilitation program.

This service may be authorized under one of the following conditions:

- (1) A VA physician determines that the Veteran is deaf or his/her hearing is severely impaired and all services and assistance have been provided to improve the Veteran's remaining hearing.
- (2) A VA physician determines that the Veteran can benefit from and agrees to undertake language and speech training.

(b) Case Status

The services may be provided to a Veteran whose case is currently placed in one of the following statuses:

- EP status
- EE status
- RTE status
- IL status
- JR Status, including up to three months of initial employment

(c) Selecting the Interpreter

Interpreter service may be provided only by a certified interpreter or an individual who meets generally accepted standards for interpreters.

If an individual is not certified by a state or professional association, the case manager must obtain assistance from a state certifying agency or a professional association to determine if the individual is qualified as an interpreter.

(d) Use of Relative Precluded

A relative of the Veteran may not provide interpreter service. A relative is a person related to the Veteran by blood or marriage such as spouse, parent, child, brother, sister, uncle, aunt, niece, or nephew.

7. Tutorial Assistance

(a) Services

Individualized tutorial assistance is provided to a Veteran needing special assistance beyond what is provided by the facility to students pursuing the same or a similar subject in order to correct a deficiency in a subject.

(b) Use of Relative Precluded

A relative of the Veteran may not provide tutorial assistance or tutoring. A relative is a person related to the Veteran by blood or marriage such as spouse, parent, child, brother, sister, uncle, aunt, niece, or nephew.

(c) Chapter 30 Education Assistance

A Veteran who has elected education assistance payment under Chapter 30 may not be provided with the individualized tutorial assistance.

(d) Case Status

The services may be provided to a Veteran whose case is currently placed in one of the following statuses:

- EE status

- RTE status
- IL status

8. Special Transportation Assistance

(a) Services

A Veteran may be provided a transportation allowance to pay for the additional transportation expenses due to the effects of his/her disability.

Transportation assistance includes mileage, parking fees, reasonable fee for a driver, transportation furnished by a rehabilitation facility and other reasonable expenses, which may be incurred in local travel.

(b) Special Arrangements

A Veteran's monthly transportation allowance should not exceed one-half of the subsistence allowance of a single Veteran in full-time institutional training, unless special arrangements, such as transportation by ambulance, are necessary to enable a Veteran to pursue a rehabilitation program.

(c) Determination for Transportation Allowance

The case manager must determine the Veteran's need for a transportation allowance. A medical consultant's assistance may be utilized, as necessary to determine the Veteran's need for special transportation assistance and to develop transportation arrangements that do not overly impact his/her ability to travel and pursue his/her rehabilitation program.

(d) Use of Relative Precluded

A relative of the Veteran may not provide transportation or receive transportation allowance. A relative is a person related to the Veteran by blood or marriage such as spouse, parent, child, brother, sister, uncle, aunt, niece, or nephew.

(e) Case Status

The services may be provided to a Veteran whose case is currently placed in one of the following statuses:

- EE status
- RTE status
- IL status
- JR status, including the first three months of employment

9. Services to Veteran's Family

(a) Services

A Veteran's family may be provided services necessary for implementing the Veteran's rehabilitation plan. The term family includes immediate family, legal guardian, or any individual in whose home the Veteran confirms an intention to reside.

The following defines the scope of services that may be provided to a Veteran's family:

- (1) The services are limited to consultation, homecare training, counseling and mental health services for a short period that are intended to enable the family to cope with the Veteran's needs.
- (2) Extended medical, psychiatric, or other services may not be provided to family members.
- (3) The case manager must identify which family members may assist in the Veteran's rehabilitation program.
- (4) The case manager must arrange for provision of the services to the family member(s). The VA Medical Center (VAMC) must provide these services. However, if services are not available through the regular VAMC program, the necessary services may be arranged with other public or non-profit agencies.

(b) Case Status

The services may be provided to a Veteran whose case is currently placed in one of the following statuses:

- EP status
- EE status

- RTE status
- IL status
- JR status

10. Other Incidental Goods and Services

(a) Authorization

The case manager may authorize other incidental goods and services if he/she determines that the Veteran needs them to pursue his/her rehabilitation plan. The case manager must ensure that there is substantial evidence that the Veteran will not be able to pursue his/her program successfully without those goods and services.

(b) Limitation on Cost

The costs of the incidental goods and services must not exceed five percent of the Veteran's training cost for any 12-month period.

(c) Case Status

The services may be provided to a Veteran whose case is currently placed in one of the following statuses:

- EE status
- RTE status
- IL status
- JR status

(d) Child Care Services

A case manager may authorize assistance for a Veteran's child care if the case manager determines that child care is necessary for the implementation or continuation of the Veteran's rehabilitation program as outlined in 38 CFR 21.156. However, this service does not pertain to provision of services as outlined in 38 CFR 21.219 through 21.224.

(1) Limited Assistance

A case manager may not routinely authorize recurring child care

expenses. This limited assistance may only be authorized after all other options have been explored and determined as not viable solutions.

(2) Limitations

Generally, child care assistance must not be authorized for more than one semester for the Veteran pursuing college training or the equivalent amount of time for the Veteran pursuing vocational or technical school training.

In rare instances, when payment of child care expenses is approved, a licensed facility must be used to provide child care.

Under no circumstances will payment be authorized for child care services that are being provided by a Veteran's family member.

(3) Resources

The following are some resources that a case manager must explore and utilize for child care assistance:

- Child Care Access Means Parents In School Program

This is a Department of Education sponsored program, which supports the participation of low-income parents in the postsecondary education system through the provision of campus-based child care services. Institutions of higher education that are awarded grants under this program may subsidize the costs of child care services for low-income students.

- Authorization under Public law 101-508

Part of Public Law 101-508 enacted legislation on Child Care and Development Block Grant Act of 1990, to make child care affordable for more parents. It provides eligible participants with temporary child care assistance during periods of subsidized job training and transitional periods after such training. As authorized by Public Law 101-508, child care assistance is available to eligible families through state agencies that administer federal grants. Each state determines eligibility requirements for families within their state.

The case manager may refer the Veteran to a list of state

agencies on the National Child Care Information Center web site at www.acf.hhs.gov/programs/occ. The Veteran may contact the coordinating agency in his/her state directly for eligibility information and how to apply for assistance. In some states, families can apply by telephone or mail.

(4) Other Referral Agencies

Numerous communities also identify child care resources and referral agencies that can provide information about how to apply for child care assistance. A list of childcare resources and referral agencies is available from Child Care Aware at www.childcareaware.org.

(5) Need Documentation

Prior to authorizing goods and services under 38 CFR 21.156, the case manager must explore the Veteran's current circumstances and need. Procurements under this section are limited to those items and services that are necessary for a Veteran to begin or continue in a rehabilitation program.

When authorizing goods and services under this section, the case manager must document the Veteran's identified need for assistance, as well as other resources explored and the outcome of those efforts.

The narrative for the Veteran's need for child care assistance must be documented on CWINRS Notes or VAF 28-1902n. The case manager must include a thorough analysis of the Veteran's financial condition including his/her income, assets and monthly expenses.

(6) Cost Limitations

Authorization for child care assistance must follow the same provision under 38 CFR 21.156. Ordinarily, the cost for child care assistance must not exceed \$1,250 per year.

Any authorization in excess of \$1,250 requires the approval of the VR&E Officer.

b. Independent Living (IL) Services

IL services are provided to Veterans with severe disability conditions to assist him/her to function independently in his/her family, community, or

employment.

1. Services

(a) The services that may be authorized in an Individualized Independent Living Plan (IILP) include specific services for a vocational rehabilitation program, except for a program of education or training and IL services provided by approved IL centers and program as necessary to execute the Veteran's plan. These services include:

- Evaluation of independent living potential
- Training in independent living skills
- Attendant care
- Health maintenance programs
- Identifying appropriate housing accommodations

(b) IL services may be provided under one of the following conditions:

- As part of a program to achieve rehabilitation to the point of employability
- As part of an extended evaluation to determine the current reasonable feasibility of achieving a vocational goal
- Incidental to a program of employment services
- As a program of rehabilitation services for eligible Veterans for whom achievement of a vocational goal is not currently reasonably feasible

2. Case Status

The services may be provided to a Veteran whose case is currently placed in one of the following statuses:

- EE status
- RTE status
- IL status

- JR status

c. Educational/Vocational Training Services

1. School courses

(a) Definition

A school course is an organized instruction of a number of areas of subject matter that is offered within a specified period and credit toward completion of a training objective such as graduation or certification.

A school course may be offered in any public or private school, secondary school, vocational school, correspondence school, business school, junior college, teacher's college, college, professional school, university, scientific or technical institution, or other institution providing education for adults.

(b) Case Status

The services may be provided to a Veteran whose case is currently placed in one of the following statuses:

- EE status
- RTE status

2. On-Job Course

(a) Definition

On-job course is a course undertaken to complete a specific vocational objective through apprenticeship or other on-job training in a training establishment. The establishment includes facilities that are under the supervision of the following:

- A college or university
- Any state department of education
- Any state apprenticeship agency
- Any state board of vocational education

- Any joint apprenticeship committee
- The Bureau of Apprenticeship and Training established in accordance with 29 U.S.C. 4C
- Any agency of the federal government authorized to supervise such training

During the course of work performed, the Veteran is trained by receiving formal instruction, observing hands-on demonstration of the work tasks and assisting in those tasks. Work progress is expected to gradually increase with more independence from formal instruction.

(b) Case Status

The services may be provided to a Veteran whose case is currently placed in one of the following statuses:

- EE status
- RTE status

3. Combination Course

(a) Definition

A combination course is combined full-time on-job training with a part-time training in school. A Veteran may pursue a combination course as follows:

- (1) Concurrent school and on-job training
- (2) Primarily on-job with some related instruction in school
- (3) In a school as a preparatory course to entering on-job training
- (4) First training on-job followed by instruction in school

(b) Cooperative Course

A cooperative course is a special type of combination course that:

- Has an objective that the student attains primarily through school instruction with an additional on-job portion on the school course

- Is pursued at the college or junior college level; however, some cooperative courses are also offered at secondary schools or at post-secondary schools that do not offer college degrees
- Requires the student's attendance at least one-half of the total training period of the school portion of the course
- Includes long periods of on-job and school training such as a full-term school training followed by full-term on-job training

(c) Case Status

The services may be provided to a Veteran whose case is currently placed in one of the following statuses:

- EE status
- RTE status

4. Farm Cooperative Course

(a) Definition

A farm cooperative course is an approved full-time course intended to restore a Veteran's employability by training either to do one of the following:

- Operate a farm which he/she owns or leases
- Manage a farm as the employee of another

(b) Completing a Farm Cooperative Course

The case manager must ensure that the farm cooperative course will enable the Veteran to become proficient in the type of farming he/she is being provided rehabilitation services. The areas in which proficiency is to be established include the following:

- Planning
- Producing
- Marketing
- Maintaining farm equipment

- Conserving farm resources
- Financing the farm
- Managing the farm
- Keeping farm and home accounts

(c) Instruction, Including Classroom Instruction

The case manager may approve instruction in a farm cooperative course that may include a combination of classroom or organized group instruction and individual instruction or individual instruction only. A course which includes classroom instruction must meet the following criteria to be considered as full-time:

- (1) The number of clock hours of instruction that are provided yearly should meet the requirements of 31 CFR 21.310(a)(4) and 21.4264 pertaining to full-time pursuit of a farm cooperative course.
- (2) The individual instructor portion of a farm cooperative course should include at least 100 hours of individual instruction per year.

(d) Instruction Provided by an Individual Instructor

The case manager may authorize instruction in a farm cooperative course to be provided solely by an individual instructor under one of the following conditions:

- (1) The classroom instruction is not available within reasonable commuting distance of the Veteran's farm.
- (2) The majority of the portion of the available classroom instruction does not contain a direct relation to the Veteran's farming operation and is fully and clearly documented on VA records.

(e) Full-time Individual Instruction

The case manager may consider full-time training for individual instruction according to the following:

- (1) The course must consist at least of 200 hours of instruction per year.

(2) The course must be provided by a fully qualified individual instructor and under a contract between VA and the instructor or an educational agency that employs the instructor.

(f) Plan Requirements for Farm Operator of Farm Manager

(1) The case manager and the Veteran must jointly develop the training plan with the instructor. The plan must include the following:

- A complete written survey including but not limited to the areas identified in 38 CFR 21.298 (a) and (b)
- An overall, long-term plan based upon the survey of the operation of the farm
- An annual plan identifying the part of the overall plan to be implemented which will be prepared before the beginning of each crop year
- A detailed individual training program showing the type and amount of instruction, classroom and individual, or individual

(2) The case manager must ensure that the farm meets the requirements for selecting a farm as outlined in 38 CFR 21.298.

1.07 Special Rehabilitation Services

Special rehabilitation services may be provided by institutions such as independent living centers and rehabilitation centers, or by individuals such as tutors, readers and therapists.

a. Approval of Special Rehabilitation Services by Institutions

These services include Independent Living (IL) evaluation or training that are not available through:

- VAMCs which provide IL services
- Facilities approved by the state rehabilitation agency
- Other public, non-profit, or for-profit agencies that have been approved by VA to provide IL services

Additionally, these services include evaluation and improvement of

rehabilitation potential, adult basic education, vocational course in a rehabilitation center, independent instructor, tutorial assistant, reader service, interpreter service, special transportation assistance and services to a Veteran's family that are not available through the following:

- VAMC or on a fee basis through the VAMC
- Facilities with existing contracts with the VR&E office

b. Approval of Special Rehabilitation Services by Individual Providers

These services include IL evaluation or training that are not available through:

- VAMCs, which provide IL services
- Facilities approved by the state rehabilitation agency
- Other public, non-profit, or for-profit agencies that have been approved by VA to provide IL services

Additionally, these services include evaluation and improvement of rehabilitation potential, adult basic education, vocational course in a rehabilitation center, independent instructor, tutorial assistant, special transportation assistance and services to a Veteran's family that are not available through:

- VAMC or on a fee basis through the VAMC
- Facilities with existing contracts with the VR&E office

The case manager should meet with potential providers to determine qualifications and ability to provide the required service to the Veterans. Upon selection of an appropriate individual, the case manager must refer to M28R.V.B.2 for further guidance on program approval and the assignment of a facility code.

1.08 Educational and Vocational Training Services

Educational and vocational training services may be provided through a variety of resources to meet the needs of the Veteran. The case manager must carefully review available approved resources in selecting the appropriate source of services for a specific Veteran. The case manager must also be knowledgeable of the following services to maximize benefit to the Veteran:

a. Paid On-the-Job Training (OJT) or Apprenticeship

OJT or apprenticeship may be approved at a variety of locations as long as the employer meets the criteria specified in 38 CFR 21.290 through 21.296. This includes private employers, non-profits, federal agencies, state agencies, or other local or public agencies.

1. Requirements

The case manager must develop a suitable training plan that includes the major elements of work that make up the skilled occupation, clock hours to be spent on each element, type and extent of required related instruction, and identification of any license, certification, or diploma required for entry level employment in the occupation. VAF 28-1904 and any supplemental documents required by the employing agency must also be completed. If the Veteran needs supplies, request that the appropriate agency official and the Veteran complete VAF 28-1905m and submit it to the case manager for approval.

Refer to M28R.V.B.2 for further guidance on program approval and the assignment of a facility code. Additionally, the case manager must refer to M28R.V.A.3 for specific guidance on developing a wage schedule and determining the monthly subsistence allowance.

2. Reasonable Accommodation

For paid federal OJT, federal agencies are required by law to provide reasonable accommodation to qualified employees with disabilities unless it would result in undue hardship to the agency. Reasonable accommodations can apply to the duties of the job and/or where and how job tasks are performed. The accommodation should make it easier for the employee to successfully perform the duties of the position. Examples of reasonable accommodations include providing interpreters, readers, or other personal assistance; modifying job duties; restructuring work sites; providing flexible work schedules or work sites (i.e. telework) and providing accessible technology or other workplace adaptive equipment.

Requests are considered on a case-by-case basis. To request reasonable accommodations:

- Look at the vacancy announcement
- Work directly with person arranging the interviews
- Contact the agency Selective Placement Program Coordinator

- Contact the hiring manager and engage in an interactive process to clarify what the person needs and identify reasonable accommodations
- Make an oral or written request; no special language is needed

Refer to the following website for more information about reasonable accommodations: www.opm.gov/policy-data-oversight/disability-employment/reasonable-accommodations/.

b. Non-paid or Nominally Paid On-the-Job Training (OJT) or Non-paid Work Experience (NPWE)

The facilities of any agency of the United States or of any state or local government receiving federal financial assistance may be used to provide non-paid or nominally paid OJT or work experience as all or part of the Veteran's program of vocational training under 38 CFR 21.123, 21.294 and 21.296. Federal Financial Assistance is defined as the direct or indirect provision of funds by grant, loan, contract, or any other arrangement by the federal government to a state or local government agency.

Non-paid or nominally paid OJT or work experience in a federal agency generally supplements other training or experience. For example, academic instruction may be pursued before induction into or concurrently with the work experience as necessary to help the Veteran achieve his/her planned vocational goal.

1. Requirements

The case manager must refer to M28R.V.B.2 for further guidance on program approval and the assignment of a facility code. VAF 28-1904 and any supplemental documents required by the employing agency must be completed for both non-paid OJT and NPWE.

Refer to M28R.V.A.3 for guidance on determining subsistence allowance and combining NPWE with other training. Refer to section 1.09.a of this chapter for guidance on developing a suitable training plan for non-paid OJT.

For non-paid or nominally paid federal OJT, federal agencies are required by law to provide reasonable accommodation to qualified employees with disabilities unless it would result in undue hardship to the agency. Refer to section 1.08.a.2 of this chapter for more information about reasonable accommodation.

2. Veteran's Employment Status and Rights

While the Veteran is pursuing non-paid or nominally paid OJT or work experience, VA will consider the Veteran to be an employee of the United States for the purposes of benefits under 5 U.S.C. 81, but will not consider him/her an employee of the United States for the purpose of laws administered by OPM. Refer to 38 CFR 21.299(b) for additional information.

3. Considerations in Providing Non-Paid or Nominally Paid OJT or Work Experience in State and Local Government Agencies

(a) Monitoring the Veteran's Progress

The case manager must closely monitor the Veteran's progress and adjustment in rehabilitation conducted wholly or in part at a state or local government agency to assure the following:

- The Veteran receives the training and rehabilitation services specified in the Veteran's rehabilitation plan; the plan will direct the case manager to closely supervise the Veteran's program and adjustment during the period the Veteran is at the state or local government agency
- The employer submits periodic certification, which is not less than once every three months that the Veteran's progress and adjustment are in accordance with the program that has been jointly developed with the Veteran and employer; VAF 28-1905(c), Monthly Record of Training and Wages, must be used for this purpose

(b) Limitations

Chapter 31 participants pursuing non-paid or nominally paid OJT and work experience in state or local government agencies are prohibited to do the following:

- (1) Train for a position involving political or religious activity.
- (2) Receive training that results in the displacement of currently employed workers.
- (3) Train in a job, if one of the following conditions exists:
 - Another person was laid off within 90 days from a substantially

equivalent job

- The training opening was created as a result of the employer having terminated the employment of any regular employee
- The employer reduced its workforce with the intention of using the opening for a Chapter 31 trainee

c. Farm Course with Instruction at an Educational Institution

1. Refer to M28R.V.B.2 for guidance on program approval and the assignment of a facility code.
2. Visit the farm to be used for the program of instruction to determine the adequacy of the physical facilities for carrying out the training plan. Complete VAF 28-1905n, Farm Survey and Overall Farm and Home Plan Self-proprietor Manager, under Chapter 31, Title 38, U.S.C.
3. Develop a list of books, tools and supplies required to be personally owned by the trainee and ensure the appropriate official at the institution and the Veteran complete and submit VAF 28-1905m, if needed. Refer also to 38 CFR 21.214 (c).
4. Decide whether approval of the establishment, course and farm is appropriate.
5. If necessary, request assignment of a facility code by Education Service for the group instruction provider.
6. Develop VAF 28-1905p, Annual Farm and Home Plan for Institutional On-farm Course of Training (Chapter 31). This must be retained in the CER folder in accordance with RCS VB-1, Part 1, Item No. 07-630.010.

d. Farm Course with Individual Instruction

1. Review approval criteria in 38 CFR 21.126(d), 21.292, 21.294(d) and 21.298.
2. Develop sources of potential individual instructors by contacting local vocational schools, county extension agents, university agriculture departments, or similar agencies and organizations.
3. Meet with potential instructors to determine their qualifications and abilities to instruct Veterans with disabilities.

4. Select the appropriate instructor.
5. Meet with the Veteran and the instructor to discuss jointly the program and responsibilities.

NOTE: This must be accomplished before or at the same time as the initial visit to the farm.

6. Visit the farm to be used for the program of instruction to determine the adequacy of the physical facilities for carrying out the training plan. Complete VAF 28-1905n, which will be retained in the CER Folder in accordance with RCS VB-1, Part 1, Item No. 07-630.010.

NOTE: At this point, potential instructors or other qualified agricultural authorities must be used as consultants to assist in completing VAF 28-1905n.

7. Negotiate and prepare VAF 28-1903, Contract for Training and Employment, with the individual instructor.
8. If necessary, request assignment of a facility for the individual instructor by Education Service.
9. Develop a rehabilitation program to establish annual objectives, including the major elements of training, related instruction, textbooks and training supplies that the Veteran needs.
10. Meet with the Veteran and the instructor to complete VAF 28-1905 for the first year.
11. The trainer and the Veteran must develop a list of books, tools and supplies that the trainer determines the Veteran needs and will complete and submit VAF 28-1905m to the case manager for review and approval. Refer also to 38 CFR 21.214(c).

e. Farm Manager

The requirements for a Veteran training to manage a farm owned by another individual or organization are contained in 38 CFR 21.126(e) and 21.298. The case manager must follow the appropriate course approval instructions in either section 1.09.c or d of this chapter.

f. Independent Study Courses

Independent study courses may be approved only if offered at the college

level for a degree credit. Approval procedures for school courses must be used when considering independent study. See subparagraph 1 above.

The case manager must follow the guidelines below to approve a course:

1. Review the approval criteria in 38 CFR 21.128, 21.292, 21.294 and 21.122. Determine the rate of pursuit under 38 CFR 21.310(a)(2).
2. Decide whether the course meets the approval criteria.
3. If necessary, request the assignment of a facility code by Education Service.

g. Home Study Correspondence Courses

These courses may be used only when needed to supplement the rehabilitation program under 38 CFR 21.129. These courses may not be used as the major portion of a rehabilitation program and must be directed toward providing theory or technical knowledge that the Veteran's program cannot otherwise timely present.

The case manager must follow the guidelines below to approve a course:

1. Review the approval criteria in 38 CFR 21.129, 21.292 and 21.294.
2. Review existing school catalogs, brochures, statements of charges, course outlines and other agency approvals to determine the general suitability and the costs of courses.
3. Decide whether approval of the facility or course is appropriate.
4. Negotiate a contract.
5. If necessary, request that the Education Service assign a facility code.

h. Combination Course

A combination course is a course which combines on-job and school training. A Veteran may pursue the components of a combination course under 38 CFR 21.124(a).

NOTE: The rate of subsistence allowance will be based on which type of training predominates in the Veteran's combination course, as shown in 38 CFR 21.260(b).

i. Cooperative Course

A cooperative course is a special type of combination course, as specified in 38 CFR 21.124(b).

j. Selecting Approved Facilities Abroad

For overseas training under Chapter 31, the case manager may only authorize use of facilities that meet the criteria contained in 38 CFR 21.294(g). If the course does not meet these criteria, the case manager must obtain approval before considering the course for Chapter 31 participants.

The case manager must coordinate with Education Service to secure course approval as listed below:

1. Facility and Course Selection

Under 38 CFR 21.294(g), VA may use facilities and courses of study outside the United States under Chapter 31, but only if the facilities and courses meet the requirements for approval under 38 CFR 21.4250(c) and 21.4260. These regulations require that the Veteran pursue training leading to a college degree.

2. Foreign Branches of U.S. Colleges and Universities

3. Courses Offered by Foreign Colleges and Universities

4. Course Approved by State Approving Agency (SAA) or Education Service

Even if SAA or the Director of Education Service has already approved the course of study that the Veteran has elected, the case manager must ensure that the institution agrees to conform to Chapter 31 requirements, including provisions for payment of tuition, fees and supplies. The case manager must obtain this information in the same manner as the information showing the institution's compliance with M22-4, Part IX, Chapter 2. The case manager must coordinate with the Education Liaison Representative (ELR) to secure the additional necessary information in determining whether Veterans may use the course of study for Chapter 31 program participants.

k. Independent Living Services

1. Programs of Independent Living Services

A case manager may approve participants for rehabilitation programs that provide independent living services and assistance either as a part, or the entire program. Hence, a case manager may authorize IL services as special rehabilitation services to help a Veteran in achieving his/her planned vocational goal under one of the following rehabilitation plans:

- Individualized Written Rehabilitation Plan (IWRP)
- Individualized Independent Living Plan (IILP)
- Individualized Extended Evaluation Plan (IEEP)
- Individualized Employment Assistance Plan (IEAP)

2. Approval Procedures

Procedures for approval of IL service providers are similar to those for special rehabilitation services outlined in section 1.08 of this chapter. VA may use public, non-profit and for-profit agencies with a demonstrated ability to provide independent living services.

For-profit agencies seeking to provide IL services to Chapter 31 participants must meet the special requirements in 38 CFR 21.294(b)(2). An individual under contract may provide specific IL services, such as attendant care, if the individual meets the requirements of 38 CFR 21.294(d).

1.09 Authorizing Rehabilitation Services

When the case manager and the Veteran have agreed on a facility that meets Chapter 31 regulations and related instructions and can provide the services needed to accomplish the goals and objectives of the rehabilitation plan, the case manager may authorize the Veteran to begin his/her program of services.

For this authorization, the case manager must use VAF 28-1905, Authorization and Certification to Entrance or Reentrance into Rehabilitation and Certification of Status.

a. Enrollment Certifications

1. College Degree

For institutions providing training on a term, semester, trimester, or quarterly basis, the case manager may authorize training for up to one academic year, including summer sessions and interval periods between terms.

Training must not be authorized for only one term at a time unless one of the following occurs:

- The facility will not certify the student for a longer period
- The Veteran specifically requests single-term authorization
- The Veteran has previously not met the standards of conduct and cooperation and thus requires the close supervision that term-by-term authorization provides

2. Non-College Degree

For non-college-degree training, the case manager may authorize the entire enrollment period if the facility offers the course as a single block of training that is uninterrupted except by normal school holidays.

- b. Planning the Training Schedule

1. Joint Planning of Training Schedule

Before training begins, the case manager and the Veteran will jointly develop the schedule of training to be followed. The case manager must encourage the Veteran to pursue continuous training, if possible.

2. Payment During Leave of Absence and Other Periods

Subsistence allowance may be paid to a Veteran during his/her leave of absence or other periods such as weekend and legal holidays, or customary vacation times and periods in which the school is closed temporarily under emergency conditions. Refer to 38 CFR 21.270 for additional information.

The case manager must take into account the need to conserve sufficient entitlement to enable the Veteran to complete his/her training program when he/she is deciding whether to authorize subsistence allowance for allowable periods.

3. Informing Veterans of Nonpayment

The case manager must fully inform the Veteran of any periods for which subsistence allowance will not be paid and the reason for the nonpayment when planning the training schedule. The reasons may include that the periods are chargeable to leave and would exceed the amount of leave allowable, or the Veteran needs to conserve his/her entitlement.

The copy of the rehabilitation plan which the Veteran receives on entry into training should clearly state all scheduled periods of interruption of training.

c. Procedures for Authorizing Training Services

1. Completing and Routing of VAF 28-1905

The case manager must complete VAF 28-1905 in CWINRS. Most of the data are automatically entered in CWINRS; however, the following must be entered manually and accurately:

- (a) Item #4. Name of Service/Assistance – Provide the training objective, e.g., Master's degree in Rehabilitation Counseling.
- (b) Item #9. Specific Guidelines – Provide specific instructions as necessary, such as restriction on number of hours, courses approved or not approved, restriction on bookstore purchases, approval for tutoring, etc.

A copy of the form must be provided to the training facility and the Veteran and a copy must be filed in the left section of the Veteran's CER folder.

2. School Certification for Specific Types of Training

The following are instructions for certifying training time for different types of training:

(a) School Training

The case manager must use VA Online Certification of Enrollment (VA-ONCE) when authorizing a Veteran's training attendance and processing the Chapter 31 subsistence allowance award. This electronic certification uses the Education Service application, which interfaces with CWINRS. VA-ONCE is received in CWINRS one day after the certification is sent by the training facility.

The information and format for the VA-ONCE is the same as the information that the school certifying official completes on VAF 28-1905, Section C, Item #13. The school certifying official must verify the number and type of training hours, beginning and ending dates and changes in the Veterans' enrollment.

VAF 28-1905 may only be used as certification of enrollment when a training facility elects not to use VA-ONCE to certify enrollment of a Chapter 31 Program participant. However, documentation from the training facility electing not to use VA-ONCE must be obtained and maintained by the VR&E Officer.

(b) On-job Training

The procedures for completing VAF 28-1905 described in paragraph 1 above must be followed. In addition, VAF 28-1904, Agreement to Train on the Job Disabled Veterans, must also be completed.

The procedures for certifying the Veteran's training attendance described in subparagraph (a) must be followed. When the Veteran has entered into on-job training, the wage schedule on VAF 28-1917, Monthly Statement of Wages Paid to Trainee, will be completed to show the beginning wage rate, the dates and amounts of wage increases, and the journeyman's beginning wage rate. VAF 29-1905c, Monthly Record of Training and Wages, must also be completed monthly.

(c) Farm Training

The procedures for school training described in subparagraph (a) above must be followed for completion of the VAF 28-1905. In addition, VAF 28-1905n, Farm Survey and Overall Farm and Home Plan Self-Proprietor/Manager, or VAF 28-1905p, Annual Farm and Home Plan for Institutional On-Farm Course of Training, must be completed.

The procedures for certifying the Veteran's training attendance described in subparagraph (a) above must be followed.

(d) Training in the home

The procedures for completing VAF 28-1905 as described in paragraph 1 above must be followed. The procedures for certifying the Veteran's training attendance described in subparagraph (a) above must be followed.

(e) Independent Instructor Training

The procedures for completing VAF 28-1905 as described in paragraph 1 above must be followed. The procedures for certifying the Veteran's training attendance described in subparagraph (a) above must be followed.

(f) Training in Two Facilities

A Veteran may be authorized to attend training in two facilities. This may occur in a combination course of on-job and institutional training, or when the Veteran is attending two universities in a consortium arrangement. Prior to preparing the authorization for school attendance, the case manager must ensure that the primary training facility will accept the courses to be taken by the Veteran at the secondary training facility.

In addition, the case manager must ensure that the Veteran's concurrent attendance in two training facilities is outlined in the Veteran's rehabilitation plan. The plan must clearly identify the primary training facility or the school that will be conferring the degree or certificate of completion.

The case manager must authorize the Veteran's training attendance in a separate VAF 28-1905 for each facility. The case manager must ensure that the two forms are clearly annotated with "Concurrent Enrollment" in red at the top of the form and the primary training facility identified. Both forms must be submitted at the same time to the training facilities.

Additionally, the case manager must annotate in the CWINRS Remarks section that the Veteran is authorized to attend training in two facilities. The annotation must cite the period(s) that the Veteran is attending training in two facilities.

d. Advance Payments

An advance payment of subsistence allowance may be authorized for a Veteran who will be participating in institutional training. An advance payment provides a student with benefit payments at the beginning of a school term to help the Veteran meet expenses at the beginning of the term.

1. Criteria

An advance payment of subsistence allowance may be authorized for a

Veteran who will be participating in institutional training. However, the Veteran must meet the following conditions:

- (a) The Veteran requests an advance payment using VAF 21-4138.
- (b) The training facility agrees to and can satisfactorily carry out the provisions of 38 U.S.C. 3680(d) (4) and (5) related to:
 - Receipt, delivery or return of advance checks
 - Certifications of delivery and enrollment

The advance payment request must be made by the Veteran at least 30 days, but no more than 120 days prior to the enrollment period.

2. Coordination with the Education Liaison Representative (ELR) and the Training Facility

Participation of a training facility in advance payment is voluntary. Therefore, the case manager must contact the ELR to coordinate for advance payment.

Since participation of the training facility is voluntary, the case manager must verify the following:

- (a) The training facility has certified to carry out the provisions of advance payment.
- (b) The facility is able to secure and provide the advance paycheck to the Veteran when he/she registers for school.

The case manager must also ensure that the training facility is informed that an advance paycheck must not be provided to the Veteran earlier than 30 days prior to the beginning of the training period.

3. Period for Advance Payment

A case manager may authorize advance payment under one of the following conditions only:

- At the beginning of an ordinary school year
- At the beginning of any other enrollment period which begins after a break in enrollment of one full calendar month or longer

4. Advance Payment Not Authorized

A case manager may not authorize advance payment if the Veteran is enrolled less than half-time. Break pay is also not authorized.

5. Amount of Payment

(a) The amount of advance payment must not exceed the combined amount of the following:

- The Veteran's subsistence allowance for the month or part of a month in which his/her course will begin, and
- The Veteran's subsistence allowance for the following month

(b) An advance payment consists of the Veteran's monthly subsistence allowance for the first and second month of the quarter or semester in advance. The first month will only pay from the beginning date through the end of the month with a prorated amount for the number of days attended within that month. For example, an advance pay certified for September 10, 2012 through December 7, 2012 would be paid from September 10, 2012 through October 30, 2012. Since subsistence allowance is paid after the month is completed, the next subsistence allowance would be issued in December 2012 for the November 2012 payment.

6. Authorization

Once the Veteran meets the requirements outlined in subparagraph (a) above, the case manager must prepare and send VAF 28-1905 to the training facility. The case manager must indicate in Section B, Item #5, that "Advance payment has been authorized."

7. School Certification for Advance Payment

(a) The case manager must authorize advance payment upon receipt of the institution's certification. The school certification must be annotated "Advance Payment Requested and Signature of Student on Record" and must contain the following information:

- The Veteran is eligible for benefits
- The institution has accepted the Veteran or he/she is eligible to continue his/her training

- The Veteran has notified the institution of his/her intention to attend or to re-enroll
 - The number of semester or clock hours the Veteran will pursue
 - The beginning and ending dates of the enrollment period
- (b) The school official responsible for certifying enrollment on VAF 28-1905 must also complete section C, Item #16 in of the form to report deliverance or non-deliverance of the advance payment and Item #12 to show any change in the enrollment date.
- If the VAF 28-1905 returned by the school indicates the Veteran has entered training without change in the previously projected enrollment, the case manager will authorize subsistence allowance
 - If the VAF 28-1905 returned by the school indicates different information than the case manager recorded on the initial VAF 28-1905, the case manager may authorize the change, if warranted by the information the school has provided
- (c) The case manager must submit the certification to the Regional Office (RO) Finance activity to process the payment no more than 35 days or less than 10 days, prior to the beginning date of the term.

NOTE: The case manager must not process an advance payment certification after the school has started.

8. Paycheck Issuance and Delivery

The case manager must inform the Veteran that the advance payment check will be made payable to him/her, but will be mailed directly to the school by the Treasury Regional Financial Center. The school will deliver the check to the Veteran when he/she registers; however, it will not be delivered more than 30 days prior to the beginning date of the term.

The case manager must ensure that the school certifying official verifies the delivery of the check to the Veteran. Once the check is given to the Veteran, the school certifying official must immediately inform the case manager that the check has been delivered.

The next check will not be issued unless the case manager receives the delivery verification from the school certifying official.

9. Enrollment Cancellation

If the Veteran fails to register, the following actions must be taken:

- (a) The school certifying official must return the check, together with a certification that the Veteran failed to register to the case manager.
- (b) The case manager must forward the check to the Treasury Regional Financial Center.
- (c) The case manager must stop the Veteran's subsistence allowance award immediately to avoid overpayment.

e. Induction

1. Effective Date of Induction

Induction into the vocational rehabilitation program for the purpose of establishing program participation is effective the date the case manager and the Veteran sign the rehabilitation plan. This plan may be an IWRP, IEEP, IEAP, or IILP.

The induction into the vocational rehabilitation program must not be confused with the start of the training phase of the Veteran's rehabilitation program or the beginning date of the first scheduled classes or delivery of other services that are part of the rehabilitation program.

2. Effective Date of Delivery of Services

The effective date of the delivery of services during the training phase of a vocational rehabilitation program will not be earlier than the date of the Veteran's entitlement for disability compensation is established or would be eligible.

Payment of subsistence allowance under 38 CFR 21.322 is based on the Veteran's school attendance or provision of rehabilitation services.

f. Retroactive Induction

A Veteran may be inducted into a rehabilitation program retroactively when the conditions specified in 38 CFR 21.282 are met. This means that payment for tuition fees and other verifiable expenses that the Veteran incurred while pursuing training consistent with his/her approved rehabilitation program may be authorized as specified in 38 CFR 21.262 and 21.264. In addition,

payment for subsistence allowance may also be authorized under the provisions of 38 CFR 21.260, 21.266 and 21.270.

The guidelines and instructions for authorizing retroactive induction are outlined in M28R.IV.C.2.

The effective date for retroactive induction is the date when the Veteran has met all established requirements. However, the effective date must not be earlier than the effective date of the establishment of the Veteran's disability rating.

g. Flight Training

Flight training approved under Chapter 31 may only be authorized in degree curriculums in the field of aviation that include required flight training [38 CFR 21.294 (h)]. This type of training is otherwise subject to the same limitations that are applicable to flight training under Chapter 30 (38 CFR 21.134).

There is no prohibition against developing a rehabilitation plan for a Veteran with the vocational goal of pilot, such as "Commercial Pilot" or "Flight Instructor." However, training leading to a private pilot's license cannot be authorized under Chapter 31. Before flight training can be approved, an individual must already possess a valid private pilot certificate or higher pilot certificate such as a commercial pilot certificate [38 CFR 21.4235(a)(1)].

1. Medical Requirements

The case manager must carefully consider the medical requirements and physical demands of the job in relation to the Veteran's conditions and consult labor market research when developing a rehabilitation plan with a flight-related vocational goal. There are several levels of medical certification required by the Federal Aviation Administration (FAA) depending on the type of pilot certification being pursued. Generally, first-class is designed for the airline transport pilot; second-class for the commercial pilot; and third-class for the student, recreational and private pilot.

Before developing a rehabilitation plan with a flight-related employment goal, it is imperative that the Veteran pass the requirements needed to work in the approved goal, not the less stringent requirements needed for student pilots participating in training programs. A Veteran who obtains the required medical certification and signs a rehabilitation plan with a flight-related employment goal may be reimbursed for the cost of the medical fees associated with such certification. The Veteran must submit

appropriate documentation of payment, including the cost of the medical fees.

2. Flight Hours

Flight hours required for a standard college degree may be obtained at another facility or flight school under contract with the degree-granting facility (38 CFR 21.4233). The Veteran's personal goal may be to become a commercial airline pilot or airline transport pilot; however, to qualify for the position of airline transport pilot, many flight hours beyond what is required as part of a degree-granting flight program may be needed. Chapter 31 does not permit the authorization of those extended flight hours beyond what is required for the degree.

Typically, a Veteran in a degree-granting flight program will complete his/her degree and any flight hours required for the degree. Most individuals graduating from such a flight program will have the necessary qualifying FAA certifications or licenses and enough flight experience to be employed as a flight instructor or commercial pilot and may be rehabilitated in those positions.

The FAA also authorizes institutions of higher education to certify graduates of specific aviation degree programs for a restricted privileges Airline Transport Pilot (ATP) certificate with reduced aeronautical experience. This authority allows for pilots with fewer than 1,500 hours of flight time to obtain a restricted privileges ATP certificate. A restricted privileges ATP certificate allows a pilot to serve as a co-pilot until he or she obtains the 1,500 hours needed to qualify for employment as an airline transport pilot. (For more information see the following website: www.faa.gov/pilots/training/atp/.) However, those extended flight hours are outside the scope of services that can be provided under Chapter 31.