

VOCATIONAL EDUCATION FOR PEOPLE WITH MENTAL HEALTH DISABILITIES IN MASSACHUSETTS

Prepared by the Mental Health Legal Advisors Committee
January 2016

Vocational education comes in a wide variety of forms. It may include secondary or post-secondary vocational education or vocational training programs. This flyer describes where individuals with disabilities can go in Massachusetts to find these services.

Public Secondary Vocational Schools

Massachusetts administers a statewide system of public vocational schools for students in grades 9 through 12 offering high school diplomas. The coursework offered at these schools varies from school to school.

A student who is interested in a program not available at his or her school district's vocational school may apply to a school in another district.¹ In such cases, the Commissioner of Education must take into consideration the opportunities for free vocational training where the applicant resides, the financial status of such place, the age, preparation, aptitude and previous record of the applicant, and other relevant circumstances.²

These schools can be reviewed at:

- <http://www.massvocassoc.org/students/voced/schools>
- <http://www.masshome.com/votech.html>;
- <http://profiles.doe.mass.edu/search/search.aspx?leftNavId=11238>.³

Vocational technical high schools are allowed to decide how they will admit students to their programs. Schools can admit students on a first come - first serve basis; or they can use a lottery; or they can admit students based on certain selection criteria. Many of these schools have wait lists.

The percentage of special education children is greater in the vocational schools than in traditional high schools and the graduation rate is also substantially higher.⁴

IEP teams do not have authority to make placements in vocational schools.⁵

Apprenticeship Programs

Formal apprenticeship programs, particularly in the construction trades, allow a person to learn a skilled trade. Programs are typically sponsored and supervised by a trade union or an employer or group of employers. Apprenticeship programs are administered under a division of the Massachusetts Executive Office of Labor and Workforce Development (EOLWD).

Both federal and state regulations cover apprenticeship⁶ and prohibit discrimination based on disability. However, the regulations appear more focused on discrimination based on race, ethnicity or gender than on disability by reason of mental illness.⁷

Federal materials regarding apprenticeship programs do not often focus on disability. Even those materials related to disability from the Office of Disability Employment Policy (ODEP) tend to be generic to all employment.⁸

Post-Secondary Vocational Education

Post-secondary vocational education may be provided by public or private vocational schools.⁹

Youths receiving social security benefits may be able to set aside funds either from work or social security payments to pay tuition at qualified schools and continue to receive benefits.

Post-secondary public vocational schools

Public post-secondary education schools may offer vocational education. Among such programs are public community colleges.

Post-secondary private vocational schools

Private vocational schools or “trade schools” also offer vocational education. These schools may be appropriate for youths who do not secure a place in a public vocational school. Some familiar names are University of Phoenix, Lincoln Technical Institute and ITT Technical Institute. Some of these schools offer degrees online. Concerns exist as to the quality of online education and the usefulness of an online degree.¹⁰ These schools are subject to regulation by the state.¹¹

These schools usually will have a formal disability program, but the written descriptions indicate they are focused more on physical than mental disability.

Money is often an issue for this kind of program. Students frequently rely on student loans but these loans cannot be discharged in bankruptcy if a student is forced to default, such as by reason of illness.

Job Corps

The Job Corp is available to low income and disadvantaged youths including those disadvantaged by disability. Although the Job Corps serves youths disadvantaged by other than disability, there is an increasing emphasis on addressing issues of people with disabilities.¹²

For more information about Job Corps, see <http://www.jobcorps.gov/home.aspx> and <https://supportservices.jobcorps.gov/disability/Pages/default.aspx>, Job Corps’ page for applicants with disabilities.

Other programs

There are a range of other programs that offer vocational education including:

- The American Conservation and Youth Service Corps;
- The National Guard Challenge Program; and
- YouthBuild.

These programs are smaller in size than Job Corps and therefore may be more difficult to access.¹³

ENDNOTES

¹ M.G.L. c. 74, § 7.

² M.G.L. c. 74, § 7.

³ This Department of Elementary and Secondary Education list includes Chapter 74-approved vocational technical education programs in public school districts (i.e. programs that meet the definition of vocational technical education contained in Massachusetts General Law Chapter 74, and are approved by the Department of Elementary and Secondary Education pursuant to Chapter 74 and the Vocational Technical Education Regulations). The list excludes Non-Chapter 74 career and technical education programs that meet the federal Perkins Act definition of career and technical education but are not Chapter 74-approved vocational technical education programs. For more information, see <http://www.doe.mass.edu/cte/>.

⁴ Alison L. Fraser, Vocational-Technical Education in Massachusetts, Pioneer Institute White Paper (Oct. 2008), <http://pioneerinstitute.org/download/vocational-technical-education-in-massachusetts/>.

⁵ DESE Advisory SPED 2002-3: Vocational Educational Services for Students with Disabilities, http://www.doe.mass.edu/sped/advisories/02_3.html.

⁶ 29 CFR 29; 453 CMR 7.01 *et seq.*

⁷ See 29 CFR Part 30; Executive Office of Labor and Workforce Development, Division of Apprenticeship Training, Apprentices Handbook, Section 8 “Discrimination,” <http://www.mass.gov/lwd/labor-standards/das/workers/>. This same preference can be found in other programs of the Executive Office of Labor and Workforce Development. For example, the Commonwealth Corporation is administering a construction trades program funded through the American Recovery and Reinvestment Act (ARRA) which targets women, people of color, out-of-school youths ages 17-24 and ex-offenders. No mention is made of disabled persons. <http://www.commcorp.org>, see Construction Trades RFQ 08.

⁸ ODEP, website on Apprenticeship, <http://www.dol.gov/odep/categories/youth/apprenticeship.htm>. *But see* ODEP Federal Register Notice, Registered Apprenticeship for Youth and Young Adults With Disabilities Initiative; Solicitation for Cooperative Agreements (6/16/2009), <http://www.dol.gov/odep/reg/fedreg/notices/20090616.htm> (small pilot program aimed at improving the employment opportunities for youths with disabilities).

⁹ Additionally, some two and four-year colleges have academic programs specifically designed for students with learning disabilities. *See* Concord SPEDPAC, Colleges for Students with Learning Disabilities, <http://www.concordspedpac.org/Colleges-LD.html>.

¹⁰ Kayla Webley, Can an Online Degree Really Help You Get a Job?, *Time Magazine* (Oct. 18, 2012), <http://nation.time.com/2012/10/18/can-an-online-degree-really-help-you-get-a-job/>.

¹¹ M.G.L. c. 93, § 20 *et seq.*

¹² Advisory Committee on Job Corps, Report and Recommendations to the Secretary of Labor (Apr. 2008), http://www.jobcorps.gov/Libraries/pdf/advisory_committee_report.sflb.

¹³ Bazelon Center for Mental Health Law, *Moving On: Analysis of Federal Programs Funding Services for Transition-Age Youth with Serious Mental Health Conditions*, at 23, 24, http://www.bazelon.org/LinkClick.aspx?fileticket=8Vesx_bWHBA%3D&tabid=104.