

**VR/VRB Proposed Policy Changes - Public Hearing**  
Madison Complex, 1281 Hwy 51 North Madison, MS 39110  
In Person and Teams Video Virtual Meeting  
May 9th, 2025, 10:00am

*During the quarterly State Rehabilitation Council (SRC) meeting on June 20, 2025, the Vocational Rehabilitation (VR) agency collected valuable insights from the SRC regarding inquiries raised during the public hearing on May 9. The SRC plays an advisory role, and the VR program considers all questions and their responses with the utmost importance, engaging in thorough discussions and appreciating the SRC's contributions. Each query from the May 9 hearing was presented to the SRC along with its corresponding answer. The VR Directors welcome and thank all participants, families, and consumer groups for their questions and support.*

**Public Comments and Questions**

Ms. Young opened the floor for public comments and questions, starting with Ability Works Incorporated in Jackson. Ms. Young explained that all the comments will be recorded and responded to in writing and posted on the MDRS website

- 1) Regarding housing, what happens if a student is unable to stay on campus after freshman year as many universities have limited access to housing beyond Freshman year?

Agency Response: According to the current Office of Vocational Rehabilitation (OVR) policy, agency assistance with housing for post-secondary education is generally limited to students who are living on campus in university housing, as outlined in the OVR Policy Manual, Section 3.14.

If a student with a disability is unable to remain in on-campus housing after their freshman year due to reasons outside their control (such as lack of available on-campus housing), and this creates a significant barrier to completing their post-secondary education, the counselor may submit a written justification for an exception. Approval from the OVR District Manager or the PSED Program Coordinator is required. Each case will be reviewed on its individual merits, and documentation must clearly demonstrate why an exception is necessary, including the student's disability-related needs and all efforts made to secure on-campus housing.

This policy ensures equitable use of available resources and maintains compliance with federal and state guidelines, while allowing for flexibility in truly exceptional, disability-related circumstances. Students and families are strongly encouraged to work closely with their VR counselor each year to plan for housing needs in advance and to address any anticipated challenges as early as possible.

- 2) At what age does the student stand alone for determination? If the student was not claimed as a dependent, do they stand alone for financial needs analysis?

Agency Response: Under the current Financial Participation Policy, a student is considered to "stand alone" for purposes of financial needs analysis (FNA) if they are classified as independent. According to Section 6.3.1 of the policy, an individual is considered independent if they are unmarried and were not claimed as a dependent on another person's U.S. tax return for the prior year or have received a dependency override from a financial aid administrator.



If a student was not claimed as a dependent on another person's tax return, they are assessed based solely on their own income and resources for the FNA. In this case, only the individual's income is used to determine financial need and participation in the cost of services. If the student is claimed as a dependent, both their income and that of the person(s) who claimed them are considered.

There is no specific age that automatically determines independence; rather, it is determined by tax dependency status and marital status as outlined above.

- 3) Will students get the reimbursements that were already promised this year, and they didn't get?

Agency Response: If reimbursement was included as an approved service on the Individualized Plan for Employment (IPE), the student will receive the reimbursement, provided all required documentation has been submitted. All authorizations for services for the spring semester should now be closed out.

If you have any questions or concerns regarding a specific case, please contact the assigned OVR/OVRB Counselor or their manager directly for assistance.

- 4) Will the PowerPoint presentation be posted on the MDRS website?

Agency Response: Yes, the presentation has been posted on the MDRS website.

- 5) If the Order of Selection (OOS) is being implemented to weed out lesser disabilities, why are financial requirements needed? Should be based solely on the level of the disability.

Agency Response: Order of Selection (OOS) is implemented in accordance with Section 101(a)(5) of the Rehabilitation Act, as amended by WIOA, when the agency's available resources are insufficient to serve all eligible individuals with disabilities. OOS is not used to "weed out" individuals with lesser disabilities; rather, it is a federally mandated process that ensures individuals with the most significant disabilities are prioritized for services when resources are limited.

OOS is based strictly on the significance of an individual's disability and the functional limitations that impact employment. No individual is excluded or deprioritized based on age, race, gender, type of disability, anticipated cost of services, or income level. Eligibility and OOS categorization are determined solely by the functional impact of the disability, in accordance with federal regulations and agency policy.

Financial requirements, such as the Financial Needs Analysis (FNA), serve a separate function from OOS. The FNA is applied to determine the extent to which an individual may be required to participate in the cost of certain services, based on their financial situation and allowable disability-related expenses. The FNA does not affect OOS priority or eligibility for services; it only applies to the individual's potential financial participation in specific services as required by agency policy.

In summary, OOS ensures prioritization of services based on the significance of disability, while the FNA addresses cost-sharing for certain services after eligibility and OOS determination. Both



are required components of the VR program to ensure equitable and efficient use of resources, as outlined in state policy and federal law.

- 6) What date will this come into place, and will you consider letting this occur after a 4-year mark in order to let those starting and those already involved in a 4-year plan be able to complete with financial services according to their disability and not their income? We are a family with a student about to start a program in the fall and have planned our budget around numbers we were given, and we cannot afford the full amount of ACCESS at MSU. A mom of a student who will not be eligible for FNA because we have been paying for private help for 13 yrs.

Agency Response: In consultation with the State Rehabilitation Council and after careful review of available resources, the VR/VRB Directors have determined that the Financial Needs Analysis (FNA) will be reinstated effective June 15, 2025. The FNA will be applied uniformly to all new Individualized Plans for Employment (IPEs) and to amendments when services are added to the plan.

The FNA process ensures that services are delivered equitably and that resources remain available to serve all Mississippians with disabilities. Participation in the cost of certain services will be determined based on net income and family size, following the federal poverty guidelines, and will consider disability-related expenses supported by appropriate documentation. Income, household size, and allowable expenses must be documented as outlined in policy.

Exemptions from financial participation are provided for recipients of SSI/SSDI, Pre-ETS students, and certain services as specified in Section 6.4 of the policy. Exceptions to the policy may be considered on a case-by-case basis for individuals who demonstrate that participation would prevent access to necessary services.

All individuals and their representatives will be informed about the FNA policy and their responsibilities during the VR process, and they are expected to provide complete and accurate information to ensure appropriate service delivery.

- 7) I believe many parents are concerned because they have signed leases based on the commitment made by the program. This puts an unexpected burden on families and students. In addition, some students may have chosen universities based on these commitments. For example, without MDRS sponsorship, students may have decided that attending community college first was more fiscally responsible than going straight to university. By losing this sponsorship, students and families will now be forced to take on unexpected debt in order to complete their educational goals.

Agency Response: The agency understands and acknowledges the concerns of parents and students who have made housing and enrollment decisions based on prior commitments communicated by our program. The decision to reinstate the Financial Needs Analysis (FNA) and adjust housing support policies was made only after thorough review of available resources and in consultation with the State Rehabilitation Council, as required by federal law.

While we strive to fully support all eligible individuals with disabilities in their pursuit of post-secondary education, all services—including those related to housing—are subject to the availability of funds and must comply with current agency policy and federal guidelines. This is



clearly communicated to every applicant through the following statement included in the Application for Services:

*"I understand that VR services are dependent on the availability of VR funds and that I may be asked to contribute toward the cost of some services based on my financial ability to pay."*

We recognize that changes in policy may result in unanticipated financial challenges for some families and students. However, these adjustments are necessary to ensure the agency can continue to serve all Mississippians with disabilities and maintain compliance with both federal and state requirements. The agency remains committed to assisting clients in identifying alternative resources and supports as needed to pursue their educational and employment goals.

If you have specific questions or concerns regarding your case, we encourage you to contact your assigned VR counselor or district manager to discuss your individual circumstances.

- 8) If a family has 2 college students that qualify, would this be taken into consideration when making the decision?

Agency Response: Yes, the Financial Needs Analysis (FNA) takes family size into account when determining an individual's participation rate. If a family has two college students who both qualify for services, the total family size—including both students—will be considered in the FNA calculation. This approach ensures that the financial participation requirement is determined fairly, based on the number of individuals in the household, as outlined in the OVR/OVRB Financial Participation Policy. Families should ensure that all relevant information regarding household members is accurately reported during the FNA process to receive the appropriate consideration for both students.

- 9) Where will the PowerPoint that was referenced be available for viewing?

Agency Response: The PowerPoint presentation can be found at [2025 VR/VRB Policy Changes-PowerPoint](#)

- 10) Is there no provision to grandfather those in for next year who have made housing commitments based on info given to us before signing the lease? We all acted in good faith with assurances from our counselors that it was covered.

Agency Response: The Financial Needs Analysis (FNA) will be reinstated effective June 15, 2025, and uniformly applied to all clients. However, individuals who find themselves significantly hindered in meeting their vocational rehabilitation objectives due to financial commitments made based on prior guidance may request an exception to financial participation. Such requests should be directed through the appropriate management channels and must be supported by documentation demonstrating that adherence to the standard policy would significantly impede achieving vocational rehabilitation goals. Exceptions will be reviewed and granted on a case-by-case basis according to Section 6.3.7 of the Financial Participation Policy.

- 11) How does the fact that prohibitive factors include type of disability, and the need for specific services provided, or anticipated cost of need not conflict with the plan to prioritize those with the most significant need listed in the next steps for preparing for OOS? This seems a direct conflict.



Agency Response: The OVR policy, as outlined in the current Policy Manual and in accordance with Section 101(a)(5) of the Rehabilitation Act, establishes that Order of Selection (OOS) is based exclusively on the significance of disability, not on the type of disability, anticipated cost, or specific service needs. The determination of “most significant need” is strictly aligned with federal requirements, which mandate that individuals with the most significant disabilities (MSD) are prioritized for services, regardless of the type of disability or anticipated cost of their rehabilitation program.

While case documentation may reference factors such as anticipated services or intensity of need, these are used only to substantiate the impact and functional limitations caused by the disability—not to exclude or deprioritize individuals based on the type of disability or projected expenses. The OOS policy prohibits the use of disability type, service cost, or specific anticipated services as criteria for assigning individuals to a lower priority category or for denying services.

In summary, there is no conflict: the agency’s approach is to assess the functional impact and severity of disability as the sole basis for OOS priority. This ensures full compliance with federal regulations and safeguards equitable access for those with the most significant barriers to employment.

- 12) I am grateful for all the help that my child has received up to this point. However, I am very concerned with the change in the housing for post-secondary students. He has already signed a lease that he cannot get out of for next year. I do not understand the difference in living on campus or off campus because you pay the same as the dorm cost regardless. Most colleges require freshmen to live on campus, and therefore there is no room for all students to live on campus. Please help me understand this change.

Agency Response: Thank you for expressing your concerns. The recent change in the housing policy for post-secondary students aligns with the OVR guidelines, which specifically state that assistance with housing expenses will only be provided directly to the educational institution for on-campus living. The amount provided will not exceed the dorm fee listed in the agency’s Fee Schedule for the institution the student attends.

The policy change emphasizes support for essential costs associated with living arrangements directly tied to an individual’s participation in an accredited program. The decision to prioritize on-campus housing support is based on the availability of on-campus services, proximity to academic resources, and the direct management of payments to institutions, ensuring funds are used appropriately and efficiently.

We recognize the difficulty your child faces due to having already committed to a lease off-campus. Unfortunately, any housing costs beyond those stipulated for on-campus arrangements, or costs incurred from obligations such as off-campus leases signed prior to this policy clarification, will generally not be covered. However, OVR policy does allow for exceptions on a semester-by-semester basis if there are disability accommodations or unique circumstances that justify a deviation. Such exceptions require thorough documentation and approval by an OVR District Manager or the PSED Program Coordinator.

We encourage you to discuss this specific situation further with your child’s counselor, as they can help assess eligibility for an exception based on your child’s unique circumstances and potential disability-related needs.



- 13) Are students who have open cases through the high school Pre-ETS programs and are graduating this year considered to have open cases or the opening of their case as the referral date that will be used in the OOS?

Agency Response: Based on current OVR policy, students who are participating in Pre-Employment Transition Services (Pre-ETS) through a high school program do not have an open Vocational Rehabilitation (VR) case unless a formal application for VR services has been completed and the case has been officially opened in the Aware case management system.

The referral date for Order of Selection (OOS) purposes is defined as the date the individual formally applies for VR services, and a case is opened, not the date they began participating in Pre-ETS. Pre-ETS may be provided to any student with a disability who is potentially eligible, regardless of whether they have applied for VR services.

If a student is graduating this year and has only received Pre-ETS without a formal VR application and case opening, they do not have an open VR case for OOS purposes. If the student or their representative completes the VR application and the case is opened, the referral (or application) date in our case management system will be the date used for OOS determination and placement on the waiting list, if applicable.

- 14) A parent client from Ability Works Jackson asks if she refers her nephew for services. Would the OOS affect him from being referred to the program?

Agency Response: The OOS does not affect the referral process. Referrals for VR services can be made at any time.

- 15) Will the PowerPoint presentation be available via email?

Agency Response: A request for information under the Mississippi Public Records Act of 1983 shall be submitted in writing to the Department of Rehabilitation Services. These requests can be sent to the attention of the Public Records Officer at Post Office Box 1698, Jackson, Mississippi, 39215-1698 or [PublicRecords@mdrs.ms.gov](mailto:PublicRecords@mdrs.ms.gov).

- 16) Would those people with a priority 1 category of disability, as they have a greater chance of a success story, would they supersede those with a priority 3 issue, is that how the priorities work?

Agency Response: According to 34 CFR 361.36 and the MDRS Vocational Rehabilitation Programs Policy Manual, when the agency determines, after a thorough analysis, that it does not have sufficient resources to provide the full range of vocational rehabilitation (VR) services to all eligible individuals, it must implement an Order of Selection (OOS). Under the OOS, eligible individuals are classified into priority categories based on the significance of their disabilities and the resulting functional limitations.

Individuals in Priority Category 1—those with the most significant disabilities, meaning they have severe impairments that seriously limit three or more functional capacities and require multiple VR services over an extended period—are selected to receive services first. Individuals in Priority Category 2 (significant disabilities) and Priority Category 3 (disabilities) are placed on





waiting lists and served as resources become available. This structure ensures that individuals with the most significant disabilities are given priority for VR services, regardless of other factors such as anticipated success stories, type of disability, or cost of services.

In summary, individuals assigned to Priority Category 1 do supersede those in Priority Categories 2 and 3 for access to VR services during periods when the agency must operate under an Order of Selection. This is in full compliance with federal regulations and agency policy, and ensures equitable access based strictly on the severity of disability and need for intensive services.

- 17) The State of Mississippi should not be putting MDRS in the position to have to make these decisions. The State of Mississippi needs to fully fund disabled citizens without a selection process. The house and senate need to give MDRS the funds they need to provide for Mississippians.

Agency Response: The State of Mississippi has always been highly supportive of MDRS and our mission to provide timely and effective services to individuals with disabilities. The Office of Vocational Rehabilitation (OVR) and the Office of Vocational Rehabilitation for the Blind (OVRB) are funded 78.7% through federal resources and 21.3% through state funding. Mississippi consistently ensures that OVR and OVRB have the necessary state match to draw down the entirety of available federal funds. MDRS deeply appreciates the ongoing support and commitment from the Mississippi Legislature and state leaders in sustaining these essential programs.

- 18) Will decisions be made based on the most recent tax form or the year before as FAFSA does?

Agency Response: Decisions regarding financial need for vocational rehabilitation services will be based on the most recently submitted income tax return. The adjusted gross income indicated on your most recent tax return (Form 1040, Line 11) will be used to complete the Financial Needs Analysis (FNA). If the most recent tax return is unavailable or if there has been a significant change in income since that filing, current income may be verified using employer-generated pay stubs, retirement program documents, or similar documentation. This approach ensures that the assessment reflects your current financial situation as accurately as possible, consistent with OVR/OVRB policy and federal guidance.

