

# DSS ADMINISTRATIVE LETTER NO. ECONOMIC AND FAMILY SERVICES 13-2010

## (Work First)

**TO:** COUNTY DIRECTORS OF SOCIAL SERVICES  
**ATTENTION:** Work First Program Managers and Supervisors  
**DATE:** November 22, 2010  
**SUBJECT:** Learning Needs Screening Tool  
**EFFECTIVE DATE:** December 1, 2010

### I. General Information

Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act states that a person with a disability may not be discriminated against because of his or her disability. Physical or mental disabilities include but are not limited to, diabetes, epilepsy, heart disease, a learning disability, mental retardation, a history of drug or alcohol addiction, depression, mobility impairment, or a hearing or vision impairment.

The utilization of a Learning Needs Screening Tool (LNST) has been recommended by the Office of Civil Rights to assist in identifying a potential disability or other barrier to participation in the Work First program. The screening is not a diagnosis but a crucial step to deciding whether further assessment is needed. Protocols for confidentiality and disclosure of information must be established by each county.

### II. IMPLEMENTATION INSTRUCTIONS

#### A. Applications

Caseworkers must offer the DSS-5327, Learning Needs Screening Tool to all Work First applicants (including child-only applicants).

#### B. Ongoing Cases

The LNST may also be offered to participants in any of the following situations:

1. the participant requests to have the LNST re-administered;
2. there is persistent lack of progress or non-compliance in work activities;
3. the individual is coded as incapacitated;
4. the individual is approaching the 24 and 60 month time clock;
5. the individual requests a hardship hearing; or
6. when caseworkers determine the check should not be issued for failure to comply with Mutual Responsibility Requirements (MRA), unless the LNST have been completed within the previous 12 months.

#### C. Waiver/Consent Agreement

Caseworkers must explain and have the applicant or participant sign the DSS-5330 Learning Needs Screening Tool Waiver/Consent Agreement if the individual agrees or declines to complete the LNST. All applicants/participants have the right to decline to complete the LNST. However, if they decline, they will not be penalized or become ineligible for Work First Family Assistance.

#### D. Instructions

Instructions for completing and scoring the Learning Needs Screening Tool are printed on the form. The Division has attached question descriptions and follow-up explanations for the questions asked on the LNST and are not intended to promote an in depth, intensive interview, but to clarify terms and meaning to obtain an accurate response from the applicant/participant. Questions should be presented by caseworkers in a way that facilitates the applicant/participants responsiveness.

The scoring will determine if a further assessment is needed. If a further assessment is recommended, caseworkers must refer the applicant/participant to Vocational Rehabilitation or other qualified professional to conduct an assessment. Caseworkers must document the referral in the applicant/participants' case file.

### III. EFFECTIVE DATE

This policy is effective December 1, 2010. Apply this policy to the next review, application, or change in situation.

Should you need additional guidance, please contact your Work First Program Consultant.

Sincerely,



Dean Simpson, Chief  
Economic and Family Services  
Division of Social Services

DS/kha

[LNST Directions](#)  
[LNST Waiver and Consent](#)  
[LNST Question Descriptions](#)

cc: Sherry S. Bradsher  
Jack Rogers  
Hank Bowers  
Kevin Kelly  
Work First Program Consultants  
Local Business Liaisons