

§ 21.8022

38 CFR Ch. I (7–1–08 Edition)

§ 21.8022 Entry and reentry.

(a) *Date of program entry.* VA may not enter a child into a vocational training program or provide an evaluation or any training, services, or assistance under this subpart before the date VA first receives an application for a vocational training program filed in accordance with § 21.8014.

(Authority: 38 U.S.C. 1151 note, 1804, 1811, 1811 note, 1812, 1814)

(b) *Reentry.* If an eligible child interrupts or ends pursuit of a vocational training program and VA subsequently allows the child to reenter the program, the date of reentrance will accord with the facts, but may not precede the date VA receives an application for the reentrance.

(Authority: 38 U.S.C. 1804, 1814, 1822)

EVALUATION

§ 21.8030 Requirement for evaluation of child.

(a) *Children to be evaluated.* The VR&E Division will evaluate each child who:

- (1) Applies for a vocational training program; and
- (2) Has been determined to be an eligible child as defined in § 21.8010.

(Authority: 38 U.S.C. 1804(a), 1814)

(b) *Purpose of evaluation.* The evaluation has two purposes:

- (1) To ascertain whether achievement of a vocational goal by the child is reasonably feasible; and
- (2) If a vocational goal is reasonably feasible, to develop an individualized plan of integrated training, services, and assistance that the child needs to prepare for and participate in vocational training or employment.

(Authority: 38 U.S.C. 1804, 1814)

§ 21.8032 Evaluations.

(a) *Scope and nature of evaluation.* The scope and nature of the evaluation under this program will be comparable to an evaluation of the reasonable feasibility of achieving a vocational goal for a veteran under 38 U.S.C. chapter 31 and §§ 21.50(b)(3) and 21.53(b) and (d).

(Authority: 38 U.S.C. 1804(a), 1814)

(b) *Specific services to determine the reasonable feasibility of achieving a vocational goal.* As a part of the evaluation of reasonable feasibility of achieving a vocational goal, VA may provide the following specific services, as appropriate:

- (1) Assessment of feasibility by a CP or VRC;
- (2) Review of feasibility assessment and of need for special services by the Vocational Rehabilitation Panel;
- (3) Provision of medical, testing, and other diagnostic services to ascertain the child's capacity for training and employment; and
- (4) Evaluation of employability by professional staff of an educational or rehabilitation facility, for a period not to exceed 30 days.

(Authority: 38 U.S.C. 1804(a), 1814)

(c) *Responsibility for evaluation.* A CP or VRC will make all determinations as to the reasonable feasibility of achieving a vocational goal.

(Authority: 38 U.S.C. 1804(a), (b), 1814)

[67 FR 72565, Dec. 6, 2002, as amended at 72 FR 14043, Mar. 26, 2007]

SERVICES AND ASSISTANCE TO PROGRAM PARTICIPANTS

§ 21.8050 Scope of training, services, and assistance.

(a) *Allowable training, services, and assistance.* VA may provide to vocational training program participants:

- (1) Vocationally oriented training, services, and assistance, to include:
 - (i) Training in an institution of higher education if the program is predominantly vocational; and
 - (ii) Tuition, fees, books, equipment, supplies, and handling charges.
- (2) Employment assistance including:
 - (i) Vocational, psychological, employment, and personal adjustment counseling;
 - (ii) Services to place the individual in suitable employment and post-placement services necessary to ensure satisfactory adjustment in employment; and
 - (iii) Personal adjustment and work adjustment training.
- (3) Vocationally oriented independent living services only to the extent that the services are indispensable