Provided is a packet of the software currently being used by the Sarasota County Vocational-Technical School's Work Evaluation Program for clients which include students from all exceptionalities except gifted. Included are a work evaluation referral form; sample parent permission letters; work sample record; work sample aptitude summary sheet; coding for abbreviations of aptitudes; final evaluation laboratory report; memo on completion of work evaluation; outline of the computer program; Sarasota County Vocational-Technical School work sample norms as of January 7, 1976; aptitude norms, duties and responsibilities of the work evaluator, technical aides, student aide I, student aide II, and secretary; and an outline of the student evaluation and management system. (SBH)
WORK EVALUATION MATERIALS OF THE SARASOTA COUNTY VOCATIONAL-TECHNICAL SCHOOL EVALUATION PROGRAM

January 1, 1976

By:

Robert Y. Jones, Work Evaluator
Sarasota County Vocational-Technical School
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INTRODUCTION

The enclosed information is being requested from various work evaluation laboratories around the country and is being submitted as a packet to Florida Learning Resources System (FLRS) for their consideration as an inclusion in the Florida Developed Products Listing. It may also be of some interest to the Educational Resources Information Center (ERIC) and the Florida Educational Resources Information Center (FERIC). The packet is the software currently being used by the Sarasota County Vocational-Technical School's Work Evaluation Program. The included norms are computed by inputs to our county computer and updated generally every nine weeks. The work evaluation systems used are a very highly modified Jewish Employment and Vocational Service (JEVS), parts of Valpar, and one console of Singer, as well as a number of locally developed samples. The program is designed so that we can determine one of the six tracks shown on the performance profile and start our evaluation at that point. If the client is successful, and if this track coincides with the client's expressed vocational goals, we terminate the evaluation at that point. If the client is not successful, we interview him/her a second time and try to find a second area in which the client will be willing to function.

We have worked with clients of all ages, from all sectors of the community and from all the exceptionalities in the exceptional student program except gifted.

For convenience of reproduction pages 7 through 14 were typed lengthwise on the page but should be typed across the page. Pages 16 and 17 may be reduced in size and printed on one page. Page 19 should be added at the bottom of pages 21 and 22. Pages 21 and 22 should be printed crosswise on one sheet of legal sized paper with page 19 added at the bottom. The information on page 19 will be exposed on the clipboard at all times below the work sample record.

If you have any further questions regarding this material, please contact Robert Y. Jones, Work Evaluator, at the Sarasota County Vocational-Technical School, 4748 Beneva Road, Sarasota, FL 33581.
AGENCIES WHO HAVE REFERRED STUDENTS FOR EVALUATION

Adjustive Center
Adult
Adult Basic Education, Vo-Tech.
Adult Migrant, Vo-Tech.
Booker High
Brookside Junior High
CETA
Crossroads
Division of Mental Retardation
Happiness House
McIntosh Junior High
Meadowood Academy
New Directions, Vo-Tech.
Prew School
Riverview High
Sarasota County Student Center
Venice High
Venice Junior High
Wilkinson Elementary
SARASOTA COUNTY VOCATIONAL-TECHNICAL CENTER

WORK EVALUATION REFERRAL
(Must precede student to evaluation.)

Student No. _______________________

Name ___________________________ Soc. Sec. No. ______________
(last) ___________________ (first) (initial) ____________________

Birth Date ___________________ Sex _______ Grade ________

Parent or Guardian __________________________

Address _________________________ Phone No. _____________________

Referred by ______________________ Date ________________________

Physical Exam ______________________ (Please enclose copy.)

Visual Test ________________________ Hearing Test __________________
(Date) ___________________ (Date) ___________________

Psychological ________________________ (Date) ______________________

Reading Level ______________________ Math Level __________________
(Grade Level) ___________________ (Grade Level) __________________

Gatby ___________________ (Date) Results ________________________

Environmental Study __________________ (Date) ______________________

Any Additional Testing __________________ (Please enclose copy.)

Parent Notification: YES _____ NO _____ (Please enclose copy.)

Student Schedule:

<table>
<thead>
<tr>
<th>PERIOD</th>
<th>SUBJECT</th>
<th>TEACHER</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
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<td>2.</td>
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<td>5.</td>
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<td>6.</td>
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</tbody>
</table>

Any Additional Information Bearing on the Reason for this Referral: ____________________________
MEMO TO: Referrers to Work Evaluation Program
FROM: Robert Y. Jones, Work Evaluator
SUBJECT: Parent Permission Letters
DATE: February 3, 1975

In view of the recent changes in educational law it is mandatory that a parent be allowed to see a student's records and be notified of changes in his/her curriculum. Written permission must be secured from the parent when a major change in the student's curriculum is anticipated even when this change is temporary in nature.

The accompanying letter can be reproduced by you and sent home for the parent's signature and returned to the work evaluation lab for inclusion in his/her folder. You may want a copy for the student's cumulative folder.
Dear

I am recommending your daughter for participation in a vocational evaluation program to determine her vocational and academic needs for the future.

The evaluation will be conducted on the Vocational-Technical campus, 4748 Beneva Road, in Portable "J". The work evaluator is Mr. Robert Y. Jones (telephone 924-1365, ext. 62).

This vocational evaluation is comparatively new in the county school system and will hopefully give us much needed information in regard to your daughter's aptitudes and abilities.

In as much as this is a temporary change in your daughter's schedule, we would like to have your signed permission to enroll her for approximately two weeks in this program. In addition we need your signed permission to receive a copy of the documents checked below:

- Psychological
- Environmental/Biographical Information
- General Medical Examination
- Hearing Test
- Visual Test
- Math Level
- Reading Level
- Additional Testing as Specified

Please Conduct the Evaluation for:

                                      (Signature)
                                      (Signature)
                                      (Signature)
                                      (Signature)
                                      (Signature)

                                      (Student's Name)
                                      (Parent's Signature)

Sincerely,
Dear

I am recommending your son for participation in a vocational evaluation program to determine his vocational and academic needs for the future.

The evaluation will be conducted on the Vocational-Technical campus, 4748 Beneva Road, in Portable "J". The work evaluator is Mr. Robert Y. Jones (telephone 924-1365, ext. 62).

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- Psychological
- Environmental/Biographical Information
- General Medical Examination
- Hearing Test
- Visual Test
- Math Level
- Reading Level
- Additional Testing as Specified

Please Conduct the Evaluation for:

__________________________
(Student's Name)

__________________________
(Parent's Signature)

Sincerely,

9
<table>
<thead>
<tr>
<th>Number Work Samples</th>
<th>WORK SAMPLE RECORD</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. NUT/BOLT</td>
<td>MIN ERR T Q SP FT G I SR UT</td>
<td>F P V VS</td>
</tr>
<tr>
<td>Date</td>
<td></td>
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<td>2. STAMPING</td>
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<td>CA K NE V VS</td>
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<td>1 3</td>
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<td>3. WASHERS</td>
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<td>CA F K M MA V VS</td>
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<tr>
<td>Date</td>
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<td>1 3</td>
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<tr>
<td>4. BUDGETTE</td>
<td>MIN ERR T Q SP FT G I SR UT</td>
<td>CA F K M MA V VS</td>
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<tr>
<td>Date</td>
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<td>5. SIGNS</td>
<td>MIN ERR T Q SP FT G I SR UT</td>
<td>NE P V</td>
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SCVTC W/E REVISED DECEMBER 1975

NAME ________________________  STUDENT NUMBER ________________________
### WORK SAMPLE RECORD

#### 6. BODY MOTION

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<thead>
<tr>
<th>Date</th>
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<th>SR</th>
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#### 10. NAIL/SCREW SORT

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- 3/8S 1-1/2N 7/8S 3/8N
- 3/4S 1-1/2S 1-3/4N 3/4N
- 7/16N 1-3/4S 7/8N 1/2S

#### 11. NUT PACKING

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<tr>
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#### Jars #1 #5 #10 #15

- PP 12 PE %E

#### 12. SORTING

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<th>FT</th>
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- PP 15 PE %E

#### 13. MEASUREMENT

| Date | MIN | ERR | T | Q | SP | FT | G | I | SR | UT | FK | MA | N | P | T | V | VS |
|------|-----|-----|---|---|----|----|---|---|----|----|----|---|---|---|---|---|
|      |     |     |   |   |    |    |   |   |    |    |    |   |   |   |    |   |

- PP 24 PE %E

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**E REvised December 1975**

**Name**

**Student No.**
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<th>Number Work Sample</th>
<th>WORK SAMPLE RECORD</th>
<th>Observations</th>
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<td><strong>20. GROMMET</strong></td>
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<td>ERR</td>
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<tr>
<td><strong>21. MACHINE</strong></td>
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<td>ERR</td>
</tr>
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<td>OPERATION</td>
<td>Date ________</td>
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<td><strong>22. SIMULATED</strong></td>
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<td><strong>23. COORDINATION</strong></td>
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<td>ERR</td>
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<td><strong>30. UNION</strong></td>
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SCVTC W/E REVISED DECEMBER 1975  NAME __________________________ STUDENT NO. __________________________
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<th>Observations</th>
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<tr>
<td>32. LADDER</td>
<td>MIN ERR T Q SP FT G I SR UT FM NE PS TV</td>
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<td>Date _____________</td>
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<tr>
<td>33. SQUARE</td>
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<td>34. HARDWARE</td>
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<td>35. TELEPHONE</td>
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PP 21 PE __%E__
PP 21 PE __%E__
PP 30 PE __%E__
PP 12 PE __%E__
PP 21 PE __%E__
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Date: __________

**PP 18 PE __E__**

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**PP 27 PE __E__**

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Date: __________

**PP 9 PE __E__**

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**PP 12 PE __E__**

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Date: __________

**PP 21 PE __E__**

SCVTC W/E REVISED DECEMBER 1975  
NAME ______________________  
STUDENT NO. ______________________
<table>
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<tbody>
<tr>
<td><strong>43. PROBLEM SOLVING</strong></td>
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| **44. BUSINESS SKILLS** | **Date** |
|-------------------------|
| **Date** |

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<th><strong>ADDITION</strong></th>
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<th><strong>DIVISION</strong></th>
<th><strong>WORD PROBLEMS</strong></th>
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<td>Complex 1 2 3</td>
<td>Complex 1 2 3</td>
<td>Complex 1 2 3</td>
<td>(Even multiples up to 9)</td>
<td>Complex 1 2 3</td>
<td>COLUMNARIZING 1 2 3</td>
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| **51. CLERICAL FILING** | **Date** |
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| **Date** |

| **52. ADDING MACHINE** | **Date** |
|-----------------------|
| **Date** |

| **53. BOOK-KEEPING** | **Date** |
|---------------------|
| **Date** |

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**Observations**

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**PP 12 PE **

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**PP 15 PE **

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**PP 18 PE **
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<td>Cost ___</td>
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**55. MAIL SORTING**

| Date ____________ | MIN | ERR | T Q SP FT G I SR UT | NE Q V |
| ________________  | ____________ | ____________ | ____________ | ____________ |

PP 18 PE __ %E __

**56. TYPING I**

| Date ____________ | MIN | ERR | T Q SP FT G I SR UT | F K M NE Q V W |
| ________________  | ____________ | ____________ | ____________ | ____________ |

PP 21 PE __ %E __

**57. TYPING II**

| Date ____________ | MIN | ERR | T Q SP FT G I SR UT | F K M NE Q V |
| ________________  | ____________ | ____________ | ____________ | ____________ |

PP 18 PE __ %E __

**58. PHONE I**

| Date ____________ | MIN | ERR | T Q SP FT G I SR UT | NE Q V |
| ________________  | ____________ | ____________ | ____________ | ____________ |

PP 9 PE __ %E __

SCVTC W/E REVISED DECEMBER 1975

NAME ____________________________

STUDENT NO. ____________________________
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| 70. PIPES          | MIN | ERR | T  | Q  | SP | FT | G  | I  | SR | UT | M  | P  | V  |   |
| Date               |     |     |    |    |    |    |    |    |    |    |    |    |    |   |

| 80. NEEDLE CRAFT   | MIN | ERR | T  | Q  | SP | FT | G  | I  | SR | UT | E  | F  | K  | M  | MA | NE | P  | S  | T  | V  | VS | W  |
| Date               |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |   |

| 100. LOCK/DIAGRAM  | MIN | ERR | T  | Q  | SP | FT | G  | I  | SR | UT | F  | M  | P  | T  | V  | VS |   |
| Date               |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |   |

| 24. LOCK/PICTURE   | MIN | ERR   |     |
|                    |     |       |   |

| 24. LOCK/MODEL     | MIN | ERR   |
|                    |     |       |

SCVTC W/E REVISED DECEMBER 1975

NAME ____________________________

STUDENT NO. ____________________________
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SCVTC W/E REVISED DECEMBER 1975

NAME ________________________________

STUDENT NO. ____________________________

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**PERCENT RATING**

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SCVTC W/E REVISED NOVEMBER 1975
PERFORMANCE PROFILE - Continued

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SCVTC W/E REVISED NOVEMBER 1975
DAILY OBSERVATIONS

_________________________ is a _____, _____, left/right handheld, ____ yr. old adult/in the ____ grade, with __________________ hair that is ___________. _____________ wore __________________________, and looks ______________________, and appropriately/inappropriately dressed. Articulation ____________

grammer __________________ tone of voice __________________

attitude/supervisor ___________________ listening ability _________________________________

Exceptionality _____________________________.

T/C ____, W/S F/I ____, P.O. ____, U.T. ____, Listening ability ___________________________ initiative on work proc.

att./supr. ____________________ interact/co-worker ________________________________

W.O.W. _________________________

pr. ___ crit. ___ self-image _______________________________

maturity __________________________

T/C ____, W/S F/I ____, P.O. ____, U.T. ____, List. abil. ___________________________ initiative on work proc. ________________________________

att./supr. ____________________ interact/co-worker ________________________________

W.O.W. _________________________ pr. ___ crit. ___

self-image _______________________________

maturity __________________________ 29
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<td>16. OBSERVES SAFETY RULES</td>
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P.20

T/C ___, W/S F/O ___, P.I. ___, UT ___, LIST.
ABILITY
initiative on work proc.
att./supr __________
interact/co-worker __________
W.O.W. __________
pr. ___ crit. ___ self-image __________
maturity __________

T/C ___, W/S F/O ___, P.I. ___, UT ___, LIST.
ABILITY
initiative on work proc.
att./supr __________
interact/co-worker __________
W.O.W. __________
pr. ___
crit. ______ self-image __________
maturity __________

T/C ___, W/S F/O ___, P.I. ___, UT ___, LIST.
ABILITY
initiative on work proc.
att./supr __________
interact/co-worker __________
W.O.W. __________
pr. ___
crit. ______ self-image __________
maturity __________
| 42 | 41 | 40 | 37 | 36 | 35 | 34 | 33 | 32 | 31 | 30 | 29 | 28 | 27 | 26 | 25 | 24 | 23 | 22 | 21 | 20 | 19 | 18 | 17 | 16 | 15 | 14 | 13 | 12 | 11 | 10 | 9  | 8  | 7  | 6  | 5  | 4  | 3  | 2  | 1  |
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| (KEY PUNCH) |

**Skills and Tools**

- **Machine Operation**
- **Coordination**
- **Number Filing**
- **Proofing**
- **Locating**
- **Hardware**
- **Telehone**
- **Lock**
- **Craft Tools**
- **Small Tools**
- **Ladder**
- **Square**
- **Nail & Screw Sort**
- **Budgette**
- **Nuts & Bolts**
- **Signs**
- **Budgette**
- **Mashers**
- **Stamping**
- **10 Nail & Screw Sort**
- **11 Nut & Packing**
- **6 Body Motion**
- **5 Signs**
- **4 Budgette**
- **3 Mashers**
- **2 Stamping**
- **1 Nuts & Bolts**
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| **PE** |
| **PP** |
| **(KEY PUNCH)** |

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SCVTC W/E Revised November 1975
APTITUDES

FRUSTRATION TOLERANCE: The total number of times the work evaluator notices overt signs of emotional stress on the part of the evaluatee. Generally exhibited by verbal exclamations; i.e. "I quit", "I can't do this", etc., or by physical indications such as facial grimaces, slamming of work sample parts on table or other acts indicating disappointment, defeat or the state of being upset.

INTELLIGENCE: General learning ability. The ability to "catch on" or understand instructions and underlying principles. The ability to organize work material efficiently.

INITIATIVE: The total number of times the work evaluator is called because the evaluatee does not care whether or not he completes the sample and/or must be stopped by the evaluator because he/she is not doing the sample correctly or in a manner that he can be evaluated. Generally accompanied by such statements as "this is boy's work" or visa versa, "I don't want to be in this place" or "I don't care, I'm not going to do it".

SELF-RELIANCE: The total number of times the work evaluator is called because the evaluatee needs reassurance that he/she is doing the sample correctly.

USE OF TIME: The total number of times the work evaluator has to reprimand the evaluatee because he/she is not attending to the sample.

COLOR: The ability to perceive or recognize similarities or differences in colors, or in shades or other values of the same color to identify a particular color, or to recognize harmonious or contrasting color combinations, or to match colors accurately. In addition, the ability to use color clues in problem solving.

COUNTERS: The ability to correctly recognize and/or name numbers in sequence.

EYE-FOOT: The ability to coordinate simultaneous movements of the eye, hands, and feet rapidly and accurately.

FINER: The ability to move the fingers and manipulate small objects with the fingers rapidly and accurately.

EYE-HAND-FINGERS: (MOTOR COORDINATION): The ability to coordinate eyes and hands or fingers rapidly and accurately in making precise movements with speed.

MANUAL: The ability to move the hands easily and skillfully. To work with the hands in placing and turning motions.

MEASURING ABILITY: The ability to utilize a ruler to accurately determine the length of specific distances and/or objects. The ability to read ounces and fractions of ounces on a scale. Also, the ability to use "go-no go" gauges and micrometers.

NUMERICAL: The ability to perform arithmetic operations rapidly and accurately.

NEATNESS: The degree to which the work and work area are kept orderly and clean.
APTITUDES - Continued

P FORM PERCEPTION: The ability to perceive pertinent detail in objects or in pictorial or graphic material. To make visual comparisons and discriminations and see slight differences in shapes and shadings of figures, widths and lengths of lines and the magnitude of objects.

C CLERICAL PERCEPTION: The ability to perceive pertinent detail in verbal or tabular material. To observe differences in copy, to proofread words and numbers, and to avoid perceptual errors in arithmetic computation.

S SPATIAL: The ability to comprehend forms in space and understand relationships of plane and solid objects. May be used in such tasks as blueprint reading and in solving geometry problems. Frequently described as the ability to "visualize" objects of two or three dimensions.

T USE OF HAND TOOLS: The ability to effectively manipulate hand tools.

V VERBAL: The ability to understand and effectively utilize simple and complex oral instructions.

VS VISUAL STIMULI: The ability to comprehend and effectively utilize a drawing, sketch, model, sample, photograph, color slides or diagrams.

W WRITTEN: The ability to comprehend and effectively utilize written materials at a minimal reading level.
DATE:_________ FROM:_________ TO:_________  

FINAL EVALUATION LABORATORY REPORT  
FOR  

AGE: _______ STUDENT NO. _______  
GRADE: _______ SCHOOL NO. _______  

SCVTC W/E REVISED DECEMBER 1975
### SUMMARY OF STRENGTHS AND WEAKNESSES

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<td>Finger Dexterity (F)</td>
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<td>Numerical Ability (N)</td>
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<td>Use of Hand Tools (T)</td>
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<td>Following Verbal Instructions (V)</td>
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<td>Visual Stimuli (VS)</td>
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<td>Following Written Instructions (W)</td>
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**Note:** An explanation of these characteristics and aptitudes can be found on pages 5 through 8.

**Student Name**

**SCVTC W/E Revised December 1975**
The following vocational/job goals by worker trait group are recommended. For related classifications and specific job placement please refer to the employers listed in JOB LISTINGS BY DOT WORKER TRAIT ARRANGEMENTS FOR SARASOTA COUNTY pages

1. Immediate vocational/job objective
2. Intermediate vocational/job objective
3. Long range vocational/job objective

SUPPORTIVE SERVICES:
1. _____ Basic Education
2. _____ Vocational Course
3. _____ Other ancillary services (i.e. medical, psychometric evaluation, sheltered work environment, etc.)
4. COLOR BLINDNESS TEST. ________________ color vision is normal/defective as tested by the Pseudo-Ishchromatic plates for testing red-green color vision. We do/do not recommend further visual testing.

VARIABLES ARE RATED ON A 3 POINT SCALE
1. Variables receiving a rating of "1" are those which would require intensive supportive services. If these behaviors are not modified, extreme caution should be taken before placing the client in an area where they are essential.
2. Variables receiving a rating of "2" are those which would require normal or special basic education, vocational training, on the job training or employability skill training before the client could be expected to perform satisfactorily in a job placement. Some consideration should be taken before placing the client in a job where this variable is essential. And, whenever possible, formal training in these variables should be conducted.
3. Variables receiving a rating of "3" are those which indicate that the client could be expected to perform satisfactorily, at the entry level, in a training program and/or job placement.

If variable is not rated it is because it was not observed.

RATIONALE FOR SUGGESTIONS:
WELLS CONCRETE DIRECTIONS TEST. ________________ is right/left handed.
______________ was able to follow _____-step oral directions.
______________ knew/did not know left from right and did/did not understand the concept of near and far.
I. GENERAL OBSERVATIONS:

A. PHYSICAL/MEDICAL INFORMATION:

is a , left/right handed, year old adult/in the grade.

1. Grooming 
2. Work attire 
3. Punctuality Out of days was tardy times.
4. Attendance Out of days was absent days.

B. COMMUNICATION:

1. Articulation 
2. Tone of voice 
3. Grammatical usage 
4. Listening ability 

II. BEHAVIOR INTERPERSONAL SITUATIONS (SOCIAL):

A. Interaction with male peers 
B. Interaction with female peers 
C. Attitude toward authority 
D. Attitude toward criticism 
E. Attitude toward praise 

III. WORKER CHARACTERISTICS:

A. Attitude toward earning a living 
B. Observes safety rules 
C. Attention span 
D. Self-Image 
E. Maturity 

SCVTC W/E REVISED DECEMBER 1975
F. FRUSTRATION TOLERANCE (FT): The total number of times the work evaluator notices overt signs of emotional stress on the part of the evaluatee. Generally exhibited by verbal exclamations, i.e. "I quit", "I can't do this", etc., or by physical indications such as facial grimaces, slamming of work sample parts on table or other acts indicating disappointment, defeat, or the state of being upset.

G. INTELLIGENCE (G): General learning ability. The ability to "catch on" or understand instructions and underlying principles. The ability to organize work material efficiently.

H. INITIATIVE (I): The total number of times the work evaluator is called because the evaluatee does not care whether or not he completes the sample. Generally accompanied by such statements as "this is boy's work" or visa versa, "I don't want to be in this place" or "I don't care, I'm not going to do it."

I. SELF-RELIANCE (SR): The total number of times the work evaluator is called because the evaluatee needs reassurance that he/she is doing the sample correctly.

J. USE OF TIME (UT): The total number of times the work evaluator has to reprimand the evaluatee because he/she is not attending to the sample.

IV. WORK APPTITUDES

A. COLOR DISCRIMINATION (C): The ability to perceive or recognize similarities or differences in colors, or in shades or other values of the same color; to identify a particular color, or to recognize harmonious or contrasting color combinations, or to match colors accurately. In addition, the ability to use color clues in problem solving.

B. COUNTING ABILITY (CA): The ability to correctly recognize and/or name numbers in sequence.

C. EYE-HAND-FOOT COORDINATION (E): The ability to coordinate simultaneous movements of the eyes, hands, and feet rapidly and accurately.

D. FINGER DEXTERITY (F): The ability to move the fingers and manipulate small objects with the fingers rapidly and accurately.
EYE-HAND-FINGER COORDINATION (K): The ability to coordinate eyes and hands or fingers rapidly and accurately in making precise movements with speed.

MANUAL DEXTERITY (M): The ability to move the hands easily and skillfully. To work with the hands in placing and turning motions.

MEASURING ABILITY (MA): The ability to utilize a ruler to accurately determine the length of specific distances and/or objects. The ability to read ounces and fractions of ounces on a scale. Also, the ability to use "go-no go" gauges and micrometers.

NUMERICAL ABILITY (N): The ability to perform arithmetic operations rapidly and accurately.

ADDITION
Simple 1 2 3
Complex 1 2 3

SUBTRACTION
Simple 1 2 3
Complex 1 2 3
Carry 1 2 3

MULTIPLICATION
Simple 1 2 3
Complex 1 2 3

DIVISION
Simple 1 2 3 PAYROLL 1 2
Complex 1 2 3 (Even multiples up to 9)

COLUMNS 1 2 3

NEATNESS (NE): The degree to which the work and work area are kept orderly and clean.

FORM PERCEPTION (P): The ability to perceive pertinent detail in objects or in pictorial or graphic material. To make visual comparisons and discriminations and see slight differences in shaped and shadings of figures, widths and lengths of lines and the magnitude of objects.

CLERICAL PERCEPTION (Q): The ability to perceive pertinent detail in verbal or tabular material. To observe differences in copy, to proofread words and numbers, and to avoid perceptual errors in arithmetic computation.

SPATIAL DISCRIMINATION (S): The ability to comprehend forms in space and understand relationships of plane and solid objects. May be used in such tasks as blueprint reading and in solving geometry problems. Frequently described as the ability to "visualize" objects of two or three dimensions.

USE OF HAND TOOLS (T): The ability to effectively manipulate hand tools.
N. FOLLOWING VERBAL INSTRUCTIONS (V): The ability to understand and effectively utilize simple and complex oral instructions.

O. VISUAL STIMULI (VS): The ability to comprehend and effectively utilize a drawing, sketch, model, sample, photograph, color slides or diagrams.

P. FOLLOWING WRITTEN INSTRUCTIONS (W): The ability to comprehend and effectively utilize written materials at a minimal reading level. Vocational laboratory's written instructions are on an average of third grade level with the highest being 6½ grade level.
PHYSICAL DEMANDS

WOULD YOU BE WILLING TO WORK IN A JOB THAT REQUIRED:

1. Lifting, carrying, pushing/pulling (Strength) YES NO
2. Climbing ladders, poles, ramps, ropes, etc? YES NO
3. Stooping, kneeling, crouching and/or crawling? YES NO
4. You to reach, handle, fingering and/or feeling? YES NO
5. Talking and/or hearing? YES NO
6. Seeing? YES NO

WORKING CONDITIONS

1. Would you like to work inside _____, outside _____ a combination of both _____?
2. Would you be willing to work in extremes of cold (protective clothing being provided) ___. Extremely warm temperatures ___ or rapid changes in temperature ___?
3. Would you be willing to work in humid wet and/or humid areas, i.e. in contact with water or other liquids? YES NO
4. Would you be willing to work in areas of loud noise or vibrations, i.e., steel mill, body shop, grinding operations, truck driving, jack hammer operator, etc.? YES NO
5. Would you be willing to work at a job that could cause you bodily injury if proper safety precautions were not taken? YES NO
6. Would you be willing to work in a plant or area with ill smelling fumes or toxic dust or fumes, i.e., textile dust, coal dust, flour dust, etc., providing, of course, protective equipment were available for use? YES NO
7. Preferred shift _______________. Weekend work YES NO

PREVIOUS JOBS HELD: JOB PREFERENCE:

1. 1.
2. 2.
3. 3.

BEST JOB EVER HAD ________________________________

BEST LIKED COURSE ________________________________

COMMENTS:

SCVTC W/E NEW OCTOBER 1975
EXIT INTERVIEW

INTERESTS

1. Would you rather work with things and objects? vs. 6. Working with people, written material and ideas?

2. Would you rather work with people in business, i.e. sales clerk, bank teller, delivery person, etc.? vs. 7. Working in a job involving experiments and technical data, i.e. recording information or writing material for others to use?

3. Working in activities that are routine, concrete and organized, i.e. loading/unloading trucks, typing written material, counting manufactured items, packaging manufactured materials, etc.? vs. 8. Working with symbols and materials of an artistic nature, i.e. comparing or computing mathematical material, painting pictures, etc.?

4. Working in a job that required helping little children, older people, sick people? vs. 9. Working with machines generally by yourself?

5. Working in a job that made others look up to you, i.e. politician, actor/actress, athlete, etc.? vs. 10. Working at a job where you produced some object, i.e. assembling toaster, making jewelry, putting together ball point pens, etc.?

TEMPERAMENTS

1. Working in a job requiring a number of different duties, i.e. secretary, clerk, mechanic? YES NO

2. Working in a job requiring set rules that you had to follow and could not change. YES NO

3. Working in a job with others that required you to work together to complete the work? YES NO

4. Working at a job where time and speed is most important? YES NO

5. Working at a job that involved the evaluation of written material, i.e. columns of figures, facts on paper, information from books? YES NO

6. Working at a job that required you to do a series of tasks repeatedly, i.e. assembling a lamp, watch bands, jewelry, various small products? YES NO

7. Working at a job to direct, control and plan activities for others? YES NO

8. Working at a job alone and completing the whole task without help from others? YES NO
Temperaments - Continued

9. Working at a job where speed and time is not important?  YES  NO

10. Working at a job that involved judgment about color, texture, size, length, width, etc.?  YES  NO

SCVTC W/E NEW, OCTOBER 1975.
**SOPHISTICATION PROFILE - MALE**

This profile indicates the knowledge the client has regarding the job clusters listed across the bottom of the chart. The scores are related to the normal curve. When the sophistication score lies in the mid range or above one may consider the client to have fairly adequate knowledge of the job cluster.

<table>
<thead>
<tr>
<th>A</th>
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<th>D</th>
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**THREE MOST LIKED JOBS:**

1.  
2.  
3.  

**NAME** __________________________  **AGE** __________________________  **DATE** __________________________  

**EXAMINER** __________________________  

49
This profile indicates the amount of interest the client has in working in that particular job cluster. It must be noted that a high interest score combined with low sophistication may be caused by insufficient knowledge of the type of work a person has to do in that job cluster. Low flat profiles indicate disinterest in working generally and point to the need for counseling in the work ethic.

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<tr>
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<td>FOOD SERVICE</td>
<td>MAINTENANCE</td>
<td>FARM/GROUNDS</td>
<td>MATERIALS HANDLING</td>
<td>INDUSTRY</td>
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This profile indicates the knowledge the client has regarding the job clusters listed across the bottom of the chart. The scores are related to the normal curve. When the sophistication score lies in the mid range or above one may consider the client to have fairly adequate knowledge of the job cluster.

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<td>½SD</td>
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<td>8</td>
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<tr>
<td>Minimum</td>
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THREE MOST LIKED JOBS:

1. BUSINESS/Clerical
2. Housekeeping
3. Food Service

NAME ________________________ AGE ___________ DATE ___________

EXAMINER ____________________

51
INTEREST PROFILE - FEMALE

This profile indicates the amount of interest the client has in working in that particular job cluster. It must be noted that a high interest score combined with a low sophistication score may be caused by insufficient knowledge of the type of work a person has to do in that job cluster. Low flat profiles indicate disinterest in working generally and point to the need for counseling in the work ethic.

<table>
<thead>
<tr>
<th>Maximum</th>
<th>36</th>
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<tr>
<td>Minimum</td>
<td>12</td>
<td>11</td>
<td>12</td>
<td>18</td>
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</tbody>
</table>

BUSINESS/Clerical  HOUSEKEEPING  FOOD SERVICE  LAUNDRY/SEWING

EXAMINER
STUDENT NAME ___________________ STAFFING DATE ____________
STUDENT NUMBER ___________________ PRESENT SCHOOL ______________
D.O.B. ___________________ STAFFING AGENCY ____________________

STAFFING COMMITTEE MEMBERS INVITED: (Indicate with an "X" those present)

<table>
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<th>TITLE</th>
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STAFFING RECOMMENDATIONS (Please asterisk if recommendation follows work evaluation recommendation)

VOCATIONAL:

ACADEMIC:

JOB PLACEMENT:

OTHER: (i.e. Medical, Psychometric evaluation, sheltered work environment, etc.)

SCVTC W/E NEW MAY 1975 ATTACHMENT #1 to W/E FINAL REPORT
MEMO TO:
FROM: Robert Y. Jones, Work Evaluator
SUBJECT:
DATE:

The above student completed work evaluation this date. Written report will be submitted as soon as possible.

SCVTC W/E JAN., 1975
I. Method of norming work samples for time and quality.

A. Sample is corrected and the number of errors and elapsed time recorded for each client.

B. These data are converted to ordinal data ranging from the shortest time to the longest time and from the least errors to the most errors for all clients.

C. The second column is the frequency each elapsed time or number of errors occurred for all clients.

D. The third column is the cumulative frequency of the elapsed time or number of errors and is computed by adding column two from the bottom up. The top figure of column three is the total number of clients that have taken the sample or the "N" for the sample.

E. The fourth column is the percentile rank and is computed by dividing each cumulative frequency by the total number of clients that have taken the sample and multiplying by 100, i.e. 

\[ P_x = \frac{CF}{N} \times 100 \]

where \( P_x \) = Percentile for a given time or error count

\( CF \) = Cumulative frequency for a given time or error count

\( N \) = Total number of clients

F. The next step is to find the 40th and 60th percentile and extract the length of time in minutes and the number of errors that occur at these points. The statistical average is those times and those errors that fall between those two points. These limits are assigned a rating of two. Above average is from the lowest time and lowest number of errors to the time and errors that occur at the 61st percentile. These ranges are assigned a three rating. Below average is the most time and greatest number of errors to the 39th percentile. These ranges are assigned a one rating. If the 40th and 60th percentile appear directly in the ordinal data the cut off points are readily available and can easily be computed.

G. If the 40th and 60th percentile are not directly defined then a program must be designed to interpolate from the percentile above and below the 40th and 60th percentile.

1. Consider the interpolation of the 60th percentile for errors when the distribution contains the 62nd percentile and 56th percentile i.e.

<table>
<thead>
<tr>
<th>Error Count</th>
<th>Percentile</th>
</tr>
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<tbody>
<tr>
<td>32</td>
<td>62</td>
</tr>
<tr>
<td>-26</td>
<td>-56</td>
</tr>
</tbody>
</table>

56 is 4 points away from the 60th percentile while 62 is 2 points away from 60. Working with 56 we find that 4 of the 6 total percentile difference is 2/3 therefore 2/3 of the total error difference is 4 (2/3 of 6 = 4). 4 added to 56 = 60th percentile and 4 errors added to 26 errors equals thirty errors. The error count for the 60th percentile is 30 errors and a client who receives 30 errors receives a 2 rating. A client receiving less than 30 would receive a three. The 40th percentile can be interpolated in the same manner and the number of errors established for the lower limit of the 2 rating and upper limit of the one rating.

2. The above procedure also can be applied to time in minutes and
the 1, 2, 3 ratings established in minutes. In some cases, the distribution may be such that the sample can be performed successfully or unsuccessfully with number 2 rating not computable.

II. Method of norming aptitudes
A. There are 20 aptitudes the evaluation is concerned with; eleven are identified in the Dictionary of Occupational Titles (DOT), four were developed locally and five are defined by the JEVS evaluation system. These aptitudes appear in various combinations in each sample. Five of these aptitudes occur in all samples.

B. In the case of 16 of the aptitudes the observers assign a client a number of points, ranging from one to three, by observation. The total possible number of points a client could earn depends on the number of samples in which any particular aptitude is observed; i.e. 18 samples times 3 = 54 possible points. The total points a client earns is used to compute a percentage. Points earned divided by total possible points equals the percentage for that client for that aptitude. This percentage is computed by vocational lab personnel. This nominal data is changed by the computer to ordinal data beginning with the highest percentage and ending with the lowest. In the second column the frequency of each percentage is listed and the third column is the sum of the frequencies. This third column, the cumulative frequency, is found by adding the numbers in the second column from the bottom up. The top figure in the third column is the number of clients (N) that have been included in the data.

C. At this point each cumulative frequency entry is divided by the total "N" in the sample to obtain a percentile rank; i.e. 

\[ P = \frac{CF \times 100}{N} \]

D. The procedure from hereon is the same as described in I, F, and G, 1 and 2. To interpolate the 40th and 60th percentile 1, 2, and 3 are assigned to these points as explained previously.

III. Method used to norm the four aptitudes that apply to the affective domain. These aptitudes are: G-Intelligence, I-Initiative, FT-Frustration Tolerance and UT-Use of Time.
A. These aptitudes are evaluated by a different process. Each time a client calls an observer, the observer tries to categorize the reason for the call and places a check mark under that particular choice. There is no maximum number for any given behavior.

B. These total scores are placed in a hierarchy from highest to lowest, a frequency column and sum of frequencies is established and percentiles calculated. The process is the same as I, F, and G, 1 and 2 from this point on with the assignment of 1, 2, and 3 by using the 40th and 60th percentile as before.

IV. Method of norming work samples by areas of work.
A. There are six areas of work that are evaluated by the sampling system. They are:
1. Business & Clerical
2. Crafts
3. Elemental Work
4. Investigating, Inspecting & Testing
5. Machine Work
6. Medicine, Health & Personal Services
Each of these areas have a number of samples and therefore a total number of possible points; i.e. each sample in a group is assigned three possible points for time, quality and student preference. Three times the number of samples in the group yields the total possible points for that group. Points earned for a group, by a student divided by total possible points for that group yields a percentage. This percentage is computed by vocational lab personnel. The computer must change this nominal data to ordinal data ranking from highest to lowest. In the second column the frequency of occurrence is recorded. The third column is the sum of the 2nd column starting at the bottom and working up. The top number of this column reflects the total number of students that have taken that group of samples at any given time. Percentile is computed from these data in the normal way.
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### Work Areas

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SCVTC W/E UPDATED JANUARY 1976
APTITUDE NORMS

\[ n = 237 \]

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SCVTC W/E UPDATED JANUARY 1976
SARASOTA COUNTY VOCATIONAL-TECHNICAL CENTER
EVALUATION LABORATORY

DUTIES AND RESPONSIBILITIES OF WORK EVALUATOR

The Work Evaluator (W.E.) is responsible to the director for the orderly, efficient and productive operation of the evaluation laboratory. In addition the W.E. will develop new methods of evaluation and coordinate and instruct appropriate personnel in the use of the final report. He will also collect feedback information to determine if the evaluation is a predictor of job success.

SPECIFIC DUTIES:

1. Record specific observable actions of the evaluatee on each work sample.
2. Read instructions to evaluatees.
3. Give orientation to evaluatees.
4. Give exit interviews.
5. Write the final evaluation report. The W.E. induces generalizations, and deduces best area for work experience as well as the skills required from the observed facts on the daily recordings.
6. Develop new work samples.
7. Monitor supplies and budget accounts.
8. Assist director with laboratory's annual budget.
9. Be alert for and stay abreast of new developments in the evaluation field.
10. Suggest new material or methods to be used in evaluation.
11. Coordinate with other agencies regarding evaluatees and referral information.
12. Accept or reject, on an individual basis, referrals to the program.
13. Recommends, to the director, evaluation laboratory personnel for appointment, reappointment or dismissal.
14. Develop improved formats for reporting evaluatee behavior and for final reporting.
15. Train new evaluation aides in objective report writing.
16. Interpret Wells Concrete Directions Test for each evaluatee.
17. Interpret interest inventories for each evaluatee.
18. Attends professional meetings to collect and integrate ideas from other evaluation programs and, when requested, conducts workshops to explain the role of an evaluation laboratory.
19. Serves as a member of the tri-agency committee set up by the cooperative agreement between the Sarasota County School Board and the Division of Vocational Rehabilitation.

20. Is the liaison between Vocational-Technical Center and Exceptional Student Education in matters concerning evaluation of exceptional students.

21. Is the liaison between Vocational-Technical Center and Division of Vocational Rehabilitation in matters pertaining to the evaluation of students.

22. Participate, when required, in staffings of students who have been evaluated.
DUTIES AND RESPONSIBILITIES OF TECHNICAL AIDES

The technical aides are responsible to the work evaluator for writing specific, factual observations on the evaluatees in the program. The description of each evaluatee's behavior is recorded any time there is an overt change demonstrated by a change in any or all of the five senses commonly associated with task completion (oral, visual, tactile, muscular and kinesthetic). This information provides the material for the generalizations, deductions and prescription contained in the final report.

SPECIFIC DUTIES:

1. Record specific observable actions of the evaluatee on each work sample.
2. Read instructions to evaluatees.
3. Grade, and record on evaluatee's work sample record, his scores for quality and time using locally computed norms.
4. Disassemble/assemble work samples.
5. Give orientation interview, when necessary.
6. Work on the development of new work samples.
7. Record time, quality and aptitude scores for computer program and continuous norming process.
8. Maintain filing system for blank forms and written instructions used by the student or, in the process of administering work samples.
9. Inventory work sample materials periodically.
10. Submit to the work evaluator a list of consumable material needed, after each inventory.
11. Monitor evaluatee's use of time clock and time stamp.
12. Report absentees each day to appropriate office.
13. Assist secretary in reproduction of materials used in evaluation.
14. Aid the work evaluator in scheduling evaluatees into program.
15. Administer interest inventory, when necessary.
16. Administer exit interviews, when necessary.
17. Administer Wells Concrete Directions Test.
SPECIFIC REQUIRED ABILITIES:

1. Must be able to type at least 45 words per minute.

2. Have an ability to make specific observations and record these observations in definitive terms.

3. Must be able to file.

4. Math abilities up through long division.

5. Reading level minimum 12th grade.

6. Minimum of two years work experience.

7. Ability to interview clients, administer paper and pencil inventories and interpret answers.

8. Previous experience with computer programs, if possible.
The student aide for the Evaluation Laboratory is responsible to the work evaluator for disassembly/assembly and inventory of work samples after they have been rated. The aide also files and organizes various work slips. In addition, the aide performs clerical duties with regard to the operation of the lab's reproduction equipment.

**SPECIFIC DUTIES:**

1. Disassemble work samples and store in designated area.
2. Correct assembled samples for future use.
3. Grade, for quality, certain samples as directed and instructed by work evaluator.
4. Organize work sample slips alphabetically by last name and numerically by sample number.
5. Calculate elapsed time from work sample slips and convert to rating using current norms.
6. Inventory work samples as requested.
7. Inventory spare parts and record.
8. Aid secretary with form inventory and collation of new forms when required.
9. Operate reproduction equipment when required.

**MACHINES AND EQUIPMENT USED:**

1. A.B. Dick Duplicating Machine
2. A.B. Dick Mimeograph Machine
3. Adding Machine
4. Calculator

Aides will be taught all duties required by this position including observation and report writing depending on their ability.

**SPECIFIC ABILITIES REQUIRED:**

1. Minimum 3rd grade reading level (Some material written at 6.5 level).
2. Filing numerically.
3. Filing alphabetically.
4. Time computation.
SPECIFIC ABILITIES REQUIRED - Continued

5. Linear measurement up to one yard.


7. Express sample errors in writing.
SARASOTA COUNTY VOCATIONAL-TECHNICAL CENTER
EVALUATION LABORATORY

DUTIES AND RESPONSIBILITIES OF EVALUATION LABORATORY
STUDENT AIDE II

The student aide for the Evaluation Laboratory is responsible to the work evaluator for disassembly/assembly and inventory of work samples after they have been rated. The aide also files and organizes various work slips. In addition, the aide performs clerical duties with regard to the operation of the labs reproduction equipment.

Aides will be instructed in all duties required by this position.

SPECIFIC DUTIES:
1. Disassemble work samples and store in designated area.
2. Correct assembled samples for future use.
3. Grade, for quality, certain samples as directed and instructed by work evaluator.
4. Organize work sample slips alphabetically by last name and numerically by sample number.
5. Calculate elapsed time from work sample slips and convert to rating using current norms.
6. Inventory work samples as requested.
7. Inventory spare parts and record.
8. Aid secretary with forms inventory and collation of new forms when required.
9. Operate reproduction equipment when required.
10. Record work sample results on computer input forms.
11. Make objective overt behavioral observations and record on daily work record. This duty contingent on individual communication skills and learning rate.

MACHINES AND EQUIPMENT USED:
1. A.B. Dick Duplicating Machine
2. A.B. Dick Mimeograph Machine
3. Adding Machine
4. Calculator

SPECIFIC ABILITIES REQUIRED:
1. Filing numerically.
2. Filing alphabetically.
3. Time computation.
SPECIFIC ABILITIES REQUIRED:

4. Linear measurement up to one yard.
5. Legible writing.
6. Express sample errors in writing.
DUTIES AND RESPONSIBILITIES OF SECRETARY

The evaluation laboratory secretary is responsible to the Work Evaluator (W.E.) for the correct processing of all the written communications of the evaluation laboratory.

SPECIFIC DUTIES:

1. Correctly type, reproduce, collate and route all correspondence, reports, operational formats and any other material deemed necessary and appropriate by the W.E.

2. Complete student evaluation profile.

3. Serve as evaluation laboratory receptionist, placing and answering phone calls and scheduling appointments.

4. Maintains complete filing system.

5. Maintains books on all budget accounts.

6. Orders all student and office supplies and makes periodic follow-up to determine status of orders.


8. Completes attendance reports.

9. Delivers confidential reports to appropriate agencies.

10. Operates mimeograph, duplicating, Xerox and adding machines.

11. Corrects work samples, when necessary.

12. Posts mathematical data to the work sample record and final report.

13. Assists aide during inventories of work samples.

14. Administers Wells Concrete Directions Test.

15. Administers interest inventories, when required.

STUDENT EVALUATION & MANAGEMENT SYSTEM

I. GUIDANCE AND VOCATIONAL REHABILITATION

A. GUIDANCE OFFICE will:

1. Provide vocational rehabilitation, work evaluator and involved teachers with:
   a. List of students who will be attending work evaluation lab during the next month. (To be provided by the 15th of preceding month.)

   NOTE: In the event the students are working, their attendance date and time must be coordinated with work experience.

2. Provide parent and work evaluation with a letter explaining purpose of program and why this student is being evaluated.

3. Provide work evaluation lab with completed referral form, copy of psychologicals, reading level, math level, hearing screening, and scores of any other testing instruments. (Referral packet)

B. VOCATIONAL REHABILITATION - applies to vo-rehab clients only.

1. Using list provided by guidance office.
   a. Provide work evaluation lab with a report on the latest GME. If GME was normal, a statement to the effect is sufficient. If there is an abnormality, provide a copy of the GME.
   b. Provide an environmental report following the format provided by work evaluation.
   c. Provide visual acuity testing.

   NOTE: If any of the material required in C, D and E is not available, it will not preclude starting the student in the evaluation program. However, whenever possible, this material must be submitted before the evaluation is completed.

II. WORK EVALUATION

A. WORK EVALUATOR will:

1. Coordinate with guidance
   a. On student assignment to program and return to regular schedule.
   b. Student attendance.
2. Administer work sample program to student.

3. Obtain job preference information from each student (exit interview)

4. If student is working or has worked prior to evaluation, incorporate report from work experience teacher on type of job, number of jobs, reasons for leaving jobs, employers opinion of student as a worker, etc. This information to become part of work evaluation records.

5. Categorize jobs received from work experience.

6. Write work evaluation report and distribute to:
   a. Vocational Rehabilitation
   b. Guidance
   c. Work Experience
   d. Vocational Department Head
   e. Academic Department Head

7. Review student work experience progress reports (B, l, c) to determine if evaluation program is a valid prognosticator.

8. Coordinate with student's teachers through the committee for prescriptive program design, on student's weaknesses/ strengths.

II. WORK EXPERIENCE COORDINATOR will:

1. Complete agreement between student, parent, employer and school (work experience coordinator).
   a. Agreement will involve attitudinal and functional goals...short and long range.
   b. Agreement will "spell out" steps to be taught by the employer and goals to be learned by the student.
   c. Agreement to be reviewed every nine weeks and a written progress report forwarded to guidance to be included in student's work experience record for future use by the student and to serve as basis of grade.
   d. Agreement to contain requirement for a student and program evaluation report filled in by employer each nine weeks and upon termination of student.

2. Complete report taken from student on his opinion of job, what he is doing and learning.
3. Forward report to work evaluation lab on students who have worked or are working regarding type and number of jobs, reason for leaving, employer's opinion of student as a worker, etc.

III. COMMITTEE FOR PRESCRIPTIVE PROGRAM DESIGN

A. PRINCIPAL will:
   1. Supervise and administer program.
   2. Coordinate with FLRS to obtain new resources and services available.
   3. Combine and coordinate various inputs to the prescription for each student.
   4. Produce and distribute prescription.
   5. Monitor program implementation for effectiveness.

B. VOCATIONAL REHABILITATION COUNSELOR will:
   1. Provide services of a corrective nature with regard to physical problems and attend staffings to contribute information regarding services that can be made available on an individualized basis.
   2. Provide information on student's home life (environmental study).
   3. Suggest counseling methods.

C. WORK EVALUATION will:
   1. Explain report if required.
   2. Suggest types of learning student must have to strengthen work areas.
   3. Suggest specific changes/additions to all courses to improve student's employability and to make the student socially adequate if necessary.

D. STUDENT'S TEACHERS will:
   1. Write a specific program in the area of their responsibility. Programs to be combined and become the prescription for a given student's future training.
   2. Relay specific information about student from classroom observation to counselors, work experience teacher and work evaluator.
E. HIGH SCHOOL COUNSELOR will:
1. Provide counseling support as needed.
2. Write student schedule as indicated by prescriptive program.
3. Provide input obtained in counseling sessions with student.

F. VOCATIONAL TECHNICAL COUNSELOR will:
1. Coordinate with the applicable high school counselor to:
   a. Establish course availability.
   b. Establish student schedule.
   c. Inform high school counselor of remedial action required by student's academic teachers.
   d. Attend committee meeting for Prescriptive Program Design along with vocational technical teacher involved when that committee is considering a student for placement in a vocational technical program.

G. WORK EXPERIENCE COORDINATOR will:
1. Recommend via consensual agreement of committee members regarding job placement.
2. Provide input regarding student's work experience if student is working or has worked. Information should already be available in job profile packet.
3. Describe skills necessary for projected job.
4. Suggest vocational instructional areas to prepare student for the job.

IV. PRESCRIPTION REVIEW
A. Can be initiated by any person involved with the prescription.
B. May not require full revision or full committee review but must be recorded and coordinated if prescription content is changed.

V. FOLLOW-UP AND EVALUATION OF PROGRAM
A. Periodically the program and student prescriptions must be reviewed for continuity, content and updating.
B. Copies of the periodic report distributed to all members of prescription committee and to directors of Exceptional Student Education, Vocational Technical Center and to the supervisor of Vocational Rehabilitation.
C. Directors will schedule a joint meeting to correct and improve program upon receipt of report from evaluation committee.
STUDENT EMPLOYMENT HISTORY

NAME ________________________________

1. EMPLOYER'S NAME ________________________________

   PHONE ___________________________ JOB TITLE ___________________________

   DATES OF EMPLOYMENT: FROM _______ TO _______ HOURS _______ TO _______

   REASON FOR LEAVING ________________________________

   EMPLOYER'S COMMENT ________________________________

   STUDENT'S REMARKS ________________________________

2. EMPLOYER'S NAME ________________________________

   PHONE ___________________________ JOB TITLE ___________________________

   DATES OF EMPLOYMENT: FROM _______ TO _______ HOURS _______ TO _______

   REASON FOR LEAVING ________________________________

   EMPLOYER'S COMMENT ________________________________

   STUDENT'S REMARKS ________________________________

NOTE: USE ADDITIONAL PAGES AS REQUIRED...
STUDENT'S EVALUATION OF HIS JOB (To be completed by W.E.C.)

NAME_________________________________________ DATE__________________

EMPLOYER_____________________________________

BRIEF JOB DESCRIPTION________________________________________________________

1. WHAT IS YOUR SUPERVISOR'S NAME?___________________________________________

2. WHAT TYPES OF TASKS ARE YOU DOING?
   STUDENT RESPONSE___________________________________________________________

3. WHICH OF THESE TASKS ARE NEW?
   STUDENT RESPONSE___________________________________________________________

4. WHAT TOOLS/MACHINES ARE YOU USING?
   STUDENT RESPONSE___________________________________________________________

5. WHICH OF THESE TOOLS/MACHINES ARE NEW TO YOU?
   STUDENT RESPONSE___________________________________________________________

6. HOW LONG HAVE YOU BEEN DOING THESE TASKS?
   STUDENT RESPONSE___________________________________________________________

76
7. HOW LONG HAVE YOU BEEN USING THESE TOOLS/MACHINES?

STUDENT RESPONSE

____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________

8. WHAT DO YOU LIKE ABOUT YOUR JOB?

STUDENT RESPONSE

____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________

9. WHAT DO YOU DISLIKE ABOUT YOUR JOB?

STUDENT RESPONSE

____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
EMPLOYER'S 9 WEEK EVALUATION OF STUDENT AND PROGRAM

STUDENT'S NAME ________________________________

JOB TITLE ____________________ Long Range Goal

PERIOD OF THIS REPORT: FROM ____ TO ____

STUDENT EVALUATION

<table>
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<tr>
<th>RATING</th>
<th>REMARKS</th>
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<td>3 = ABOVE AVERAGE</td>
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1. PROMPTNESS
2. ATTENDANCE
3. APPEARANCE
4. GROOMING
5. HONESTY
6. FOLLOWING DIRECTIONS
7. COMPLETING THE JOB
8. CARE OF EQUIPMENT & MATERIALS
9. REGARD FOR SAFETY & HEALTH
10. ABILITY TO LEARN NEW TASKS
11. FOLLOWING COMPANY RULES
12. DEPENDABILITY
13. ACCEPTS CORRECTION
14. INITIATIVE
15. WORKING UNSUPERVISED
16. SHOWS AN INTEREST IN HIS WORK

78
1. EMPLOYER'S SUGGESTIONS OF SPECIFIC TASKS THAT SHOULD BE TAUGHT OR STRESSED IN SCHOOL

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

2. EMPLOYER AND WORK EXPERIENCE COORDINATOR'S (WEC) CONFERENCES:

   DATE                        RESULTS

   A.                        

   B.                        

   C.                        

   D.                        

   E.                        

3. IS THE STUDENT PROGRESSING SATISFACTORIZY CONSIDERING THE SHORT RANGE GOALS OUTLINED IN THE AGREEMENT? YES _____ NO _____

4. IS THE SCHOOL PROVIDING VOCATIONAL AND ACADEMIC TRAINING IN SUPPORT OF THE LONG RANGE GOAL? YES _____ NO _____

5. SUGGESTIONS FOR IMPROVEMENT OF STUDENT'S PRESCRIPTION
COORDINATOR'S 9 WEEK EVALUATION OF STUDENT PROGRESS  
(Copy to Guidance)

FOR PERIOD: FROM________ TO________

STUDENT

EMPLOYER

SUPERVISOR/INSTRUCTOR

JOB TITLE

Long Range Goal

1. TYPE WORK STUDENT WAS DOING AND EQUIPMENT HE WAS USING____

2. WAS STUDENT USING SAFETY EQUIPMENT IF APPLICABLE?
   YES _____ NO _____ IF NO, WHY NOT? ______________

3. HAS STUDENT BEEN CALLING SUPERVISOR WHEN ABSENT?
   YES _____ NO _____ REASON FOR ABSENCES ______________

*4. STUDENT PERFORMANCE: (SHORT RANGE GOALS)

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* LIST TASKS AND TOOLS AS SHOWN IN WORK EXPERIENCE AGREEMENT. RATING TAKEN FROM EMPLOYER AND WORK EXPERIENCE COORDINATOR'S 2 WEEK CONFERENCE PLUS STUDENT'S EVALUATION OF HIS JOB.
A. THIS AGREEMENT MAY BE TERMINATED BY THE EMPLOYER AT ANY TIME
   BY CALLING THE WEC.

B. THE WEC MAY TERMINATE THIS AGREEMENT AT ANY TIME BY NOTIFYING
   THE EMPLOYER TWO WEEKS IN ADVANCE.

C. THE STUDENT MAY TERMINATE THIS AGREEMENT ONLY AFTER PERMISSION
   IS GRANTED BY THE WEC AND THE EMPLOYER IS GIVEN TWO WEEKS NOTICE.
A. THE PARENT AGREES TO MAKE EVERY EFFORT TO SEE THAT THE STUDENT ATTENDS SCHOOL REGULARLY.

B. THE PARENT AGREES TO COUNSEL WITH THE WEC REGARDING PERSONAL BEHAVIOR OF THE STUDENT AND TO AID THE WEC IN CORRECTING UNACCEPTABLE BEHAVIOR.

SIGNED ______________________  Parent

DATE ______________________
PART III - STUDENT

A. THE STUDENT AGREES TO REPORT TO WORK EVERY DAY ON TIME.
   (EMERGENCIES EXCEPTED)
B. THE STUDENT AGREES TO NOTIFY THE EMPLOYER AND WORK EXPERIENCE
   COORDINATOR AT ANY TIME HE CANNOT GO TO WORK.
C. THE STUDENT AGREES TO FOLLOW ALL COMPANY RULES AND REGULATIONS.
D. THE STUDENT AGREES TO ANSWER A QUESTIONNAIRE REGARDING HIS
   OPINION OF HIS PROGRESS ON THE JOB.

SIGNED__________________________________________
                      Student

DATE____________________________________________
A. THE WORK EXPERIENCE COORDINATOR AGREES TO FURNISH THE EMPLOYER WITH COMPLETED WORK PERMIT, WHEN REQUIRED, AND INFORMATION REGARDING CHILD LABOR LAWS AND WORKMAN'S COMPENSATION.

B. THE WEC AGREES TO INSURE THAT THE STUDENT IS RECEIVING SUPPORTIVE TRAINING IN SCHOOL AS DEEMED NECESSARY BY THE EMPLOYER IF SUCH TRAINING CAN BE MADE AVAILABLE USING THE FACILITIES OF THE SCHOOL.

C. THE WEC AGREES TO CONSULT WITH THE EMPLOYER AT LEAST EVERY TWO WEEKS TO OBTAIN INFORMATION FOR STUDENT'S "IN SCHOOL" ACTIVITIES.

D. THE WEC WILL INSURE THE STUDENT IS EMPLOYED IN ACCORDANCE WITH ALL FEDERAL, STATE AND LOCAL LAWS.

E. THE WEC WILL BE THE ARBITER OF ALL COMPLAINTS.

SIGNED__________________________________________

Work Experience Coordinator

DATE__________________________________________
SARASOTA COUNTY SCHOOL SYSTEM WORK EXPERIENCE AGREEMENT NO. 

PART I - EMPLOYER

A. THE EMPLOYER

Name, Address & Phone Number

AGREES TO EMPLOY

Name, Address & Phone Number

BETWEEN THE HOURS OF AND FOR THE PURPOSE

OF TRAINING HIM/HER TO BECOME

Title of (long range goal)

B. THE EMPLOYER WILL PROVIDE TRAINING IN THE FOLLOWING TASKS

(SHORT RANGE GOALS)

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<th>TASK NAME</th>
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C. WILL BE THE STUDENT'S

IMMEDIATE SUPERVISOR AND INSTRUCTOR.

D. THE EMPLOYER AGREES TO SUBMIT A WRITTEN PROGRESS REPORT TO THE

WORK EXPERIENCE COORDINATOR (WEC) AT LEAST EVERY NINE WEEKS AND

AT ANY TIME THE STUDENT IS NOT MAKING SATISFACTORY PROGRESS.

FIRST REPORT DUE .

E. THE EMPLOYER WILL COMPLY WITH THE FEDERAL MINIMUM WAGE ACT AND

THE WORKMAN'S COMPENSATION ACT. HE AGREES TO PAY THE STUDENT A

STARTING WAGE OF $ PER HOUR. HE FURTHER AGREES TO
INCREASE THE WAGE COMMENSURATE WITH THE STUDENT'S INCREASED SKILLS AND VALUE TO THE EMPLOYER.

F. THE EMPLOYER AGREES TO ALLOW THE WEC TO OBSERVE THE STUDENT ON THE JOB FOR PURPOSES OF EVALUATING THE STUDENT'S PROGRESS.

SIGNED __________________________

Employer

DATE ____________________________
STUDENT FOLLOW UP AND EVALUATION OF PROGRAM

To: [Specific individual]

LEGEND:
- Communication Action
- Communication Information
- Written Report or Information
- Areas of Responsibility

President's Committee on Mental Retardation, Washington, D.C.

Jan 77

26p.

MP-$0.83 HC-$2.06 Plus Postage.

Architectural Barriers; *Court Cases; Criminal Law; Education; Employment; *Legislation; *Mentally Handicapped; Placement; Sexuality; Therapy; Zoning

Included in the booklet on mental retardation and the law are reports on 11 new court cases and updated information on 35 court cases reported in previous issues. Court cases cover the following issues: architectural barriers, commitment, criminal law, education, employment, guardianship, protection from harm, sterilization, treatment, and zoning. Information on each current case includes the state involved, the cases title, and a brief summary of the action. (SBH)
This issue of "Mental Retardation and the Law" contains reports on 11 new cases (indicated as new in the text by an asterisk) and updated information on 35 cases reported in previous issues.
Prepared by Mr. Paul Friedman and Ms. Ronna Lee Beck for the President's Committee on Mental Retardation, with support from the Office of Child Development.
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I. CURRENT CASES.

A. ARCHITECTURAL BARRIERS.


The district court has refused to modify an injunction entered on October 23, 1973, prohibiting the Metropolitan Transit Authority from operating its subway system until all facilities are accessible to physically handicapped persons. In an order dated August 31, 1976, the court refused to permit the opening of the Gallery Place station which fails to comply with the Architectural Barriers Act of 1968 because of its inaccessibility to handicapped persons. The court rejected an argument by local businessmen that "the injunction helps no one, and harms everyone." In so ruling the court noted that the danger that the transit authorities would in the future fail to comply with the Architectural Barriers Act continues to be substantial.

B. COMMITMENT.


The Bartley case was argued before the U.S. Supreme Court on December 1, 1976. A decision is expected by the spring.

C. CRIMINAL LAW.


On remand from the U.S. Court of Appeals, the federal district court conducted an evidentiary hearing on September 17, 1976. Expert witnesses confirmed that the defendant was mildly retarded and testified that at the time of his guilty plea, he did not understand what the Constitution was, let alone knowingly waive his constitutional rights. On the basis of this testimony, the court vacated the earlier guilty plea and sentence and then allowed the defendant to enter a new guilty plea, based upon careful explanation in simple language of his rights. The court then sentenced him to the time he had already served, thus restoring his liberty.

D. EDUCATION.


No known new developments.

Plaintiff in this suit was a 17-year-old learning disabled student who had been expelled from public school as a result of his handicap. Plaintiff, relying on the equal protection clause of the Fourteenth Amendment to the United States Constitution and §504 of the Rehabilitation Act of 1973, had sued to obtain an appropriate education.

In the settlement agreement, defendants agree to refer plaintiff to a technical school, to pay for the fees and transportation and to facilitate the provision of psychological counseling.

ILLINOIS: C.S., et al. v. Deerfield Public School District #109, Civil No. 73 1 284 (Circuit Ct., 19th Judicial Circuit, Lake County, Ill.).

No new developments.

ILLINOIS: W.E., et al. v. Board of Education of the City of Chicago, et al., Civil No. 73 CH 6104 (Circuit Ct., Cook County, Ill.).

No new developments.

INDIANA: Dembowski v. Knox Community School Corporation, et al., Civil No. 74-210 (Starke County Ct., Ind.), filed May 15, 1974.

No new developments.


On December 13, 1976, plaintiffs filed a comprehensive motion for summary judgment challenging the state defendants' failure to enforce provisions of the Education of the Handicapped Act - Part B that require:

- prior notice and an impartial due process hearing to challenge educational evaluations and placements of children who are handicapped or labeled as handicapped by their schools, 20 U.S.C. §1413(a)(13)(A);

- the location and identification of all handicapped children in the state in need of special education services, 20 U.S.C. §1413(b)(1)(A);

- the use of racially and culturally non-discriminatory tests and procedures to classify and place handicapped children, 20 U.S.C. §1413(a)(13)(C); and

This motion was supported by expert affidavits by Jane R. Mercer on nondiscriminatory testing and Milton Budoff on education in the most normal setting possible, by affidavits by parents from a number of counties in Mississippi describing the difficulties they have encountered in trying to get necessary educational services for their children, and by extensive documentation of the state's deficiencies drawn from a year's formal discovery.

Plaintiffs' motion to certify the class, as well as defendants' motion to dismiss, are also pending before the court.

NEW YORK: In the Matter of Tracy Ann Cox,* Civil No. H4721-75 (N.Y. Family Ct., Queens County, April 8, 1976).

In this case, the court ordered that the family of a mentally retarded child be reimbursed from state education funds for the costs of the child's maintenance in a facility serving mentally disabled children. The court ordered reimbursement even though the facility had not been approved as an educational institution by the state education department.

In support of its ruling the court recognized that education means different things to different children. The court stated that a mentally retarded child:

"...requires another kind of 'education' — how to hold a spoon, feed herself, dress herself, toilet training, et cetera, in addition to speech therapy, psychiatric and psychological treatment, et cetera — all these and more add up to the education of this and other mentally retarded children, and they are entitled to be so educated. And if [the facility in question] can achieve its goals, and in some measure, improve the child's skills, it surely is worth the efforts of the [facility] staff, and the funds of the city and state."


A lower court in this case ordered the city of New York, pursuant to state education law, to reimburse the parents of a ten-year-old handicapped child for the cost of summer camp tuition.

On appeal the Appellate Division held that:

"Where the needs of the child dictate the Family Court has the authority to order that educational services be provided during the months of July and August, as well as during the traditional school year."

The court, however, remanded the case to the lower court, holding that the family must first establish:
"...whether the child in question required educational services during the summer, whether the summer camp provides educational services, whether the goals set for the child in the individual treatment plan were per se educational or necessary to his education, or whether his education would have regressed had he not participated in the summer program."


Educational issues in this case are still pending. But see case description under "Sterilization" for discussion of the sterilization issues.


On the eve of trial, this case was transferred to the three-judge district court which has jurisdiction in the case of Pennsylvania Association for Retarded Children, et al. v. Commonwealth of Pennsylvania, et al., 344 F. Supp. 1275 (E.D. Pa. 1971) (reported in previous issues of "MR and the Law").


A three-judge district court in Virginia has held Virginia's system for providing special education tuition grants for handicapped children unconstitutional.

Plaintiffs in this class action are all disabled Virginia children and their parents who have been or will be eligible for tuition assistance grants, but who are unable to pay those costs of an appropriate private education which are not covered by the grants due to lack of financial resources.

Defendants include the superintendent of the Virginia Department of Education, the division superintendent of the Fairfax County School Board, the commissioner of the Virginia Department of Welfare and the director of the Fairfax County Department of Social Services.

The Virginia system attacked by plaintiffs provides state tuition grants to parents of certified handicapped children for 75 percent of the tuition charged for an approved private educational program. The grants, however, are limited by statute to $1,250 for non-residential facilities and $5,000 for residential schools. Parents who are unable to afford their proportional cost of the tuition can obtain the full cost of tuition from the local Department of Public Welfare, but only by giving up custody of their child.

In an order dated September 9, 1976, the court directed plaintiffs to file a new plan for tuition reimbursement. In a memorandum filed in
response to the court order, plaintiffs call for fully funded private education, without surrender of custody, whenever appropriate public education is unavailable.

E. EMPLOYMENT.


The case is still pending in the Porter County Circuit Court with no new developments.


This class action was filed in the United States District Court in Massachusetts by two mentally retarded postal workers on behalf of all physically and mentally handicapped persons employed by the defendant, the United States Postal Service.

Plaintiffs claim that the defendant discriminates against handicapped persons with respect to seniority rights in violation of the Rehabilitation Act of 1973, the Postal Reorganization Act of 1970 and the federal regulations governing persons in federal service, the Fifth Amendment to the United States Constitution and labor-management contracts entered into by the defendant.

Specifically, named plaintiffs allege that because of their handicap, they will not be permitted to accrue seniority rights until having worked with the Postal Service for six years. As a result of the discrimination, plaintiffs allege that they were grouped with the 56 most junior employees who were recently demoted to part-time jobs.

Plaintiffs seek declaratory and injunctive relief as well as damages.

A motion to dismiss by defendant is pending before the court.


Plaintiff in this case was a mentally retarded former resident of the Boulder River School and Hospital in Montana. While a resident at the school he performed general maintenance work from 1957 until 1974, and was compensated at approximately $2 per month. Upon his release from the institution he was hired to perform the same work which he had done previously as a resident. At this point, however, he joined the local union and received a legal wage. On December 10, 1974, he brought suit against the Director of the Department of Institutions and the State of Montana for back wages and damages under the state and federal minimum wage laws. After plaintiff brought his suit for wages and damages, the
defendants counterclaimed for approximately $25,000 in allegedly unpaid reimbursement owed by the plaintiff for the cost of his care and treatment while at the Boulder River School and Hospital. As a defense in response to the defendants' counterclaim, the plaintiff also counterclaimed for $10,000 punitive damages for the allegedly wrongful charging of reimbursement costs. On September 22, 1976, the plaintiff and defendants entered into a consent judgment under which the defendants agreed to pay the plaintiff the sum of $15,000 in exchange for plaintiff's agreement to dismiss the suit. The state court ratified this consent judgment on October 1, 1976.


No new developments.

F. GUARDIANSHIP.


On October 6, 1976, plaintiffs filed a supplemental memorandum in support of their motion for final judgment and supplemental relief. In the memorandum plaintiffs acknowledge that there is no longer a need for the contested Connecticut statute to be declared unconstitutional, since it has been repealed. Plaintiffs also discuss recent developments in the judicial construction of the Eleventh Amendment, the constitutional provision on which the defendant relies to deny the plaintiffs the relief to which they are entitled.


The motions under submission to the court remain undecided.

G. PROTECTION FROM HARM.


Plaintiff, a profoundly retarded resident of Pennhurst State School and Hospital, claims in this case that his constitutional rights under the Eighth and Fourteenth Amendments have been violated by defendants' breach of their duty to provide reasonable care.

Plaintiff alleges that during his two-year stay at the hospital he has suffered injuries from third parties on at least 63 occasions. Plaintiff further alleges that although defendants had knowledge of these incidents they have failed to take action to protect him.
Plaintiff seeks a declaration that the officials have failed to provide for his safety in violation of his civil rights. Plaintiff further seeks an injunction requiring defendants to place him in a mental retardation facility which is equipped to provide for his physical safety. Plaintiff also seeks damages.


Plaintiffs have filed a motion for contempt against the defendants for failure to meet the standards set forth in the earlier consent judgment in this case. The evidentiary hearing on plaintiffs' motion for contempt is scheduled to begin on February 7, 1977.

H. STERILIZATION.


The case was argued in the Court of Appeals on November 18, 1976.


No known new developments.


The constitutionality of substantially all of North Carolina's involuntary sterilization statute, which relates to mentally retarded persons, has been upheld by a three-judge federal court.

The court construed the statute to mean that:

1. only the director of the institution in which a mentally retarded person resides or the county director of social services may initiate a sterilization procedure; and

2. sterilization may only be ordered based on clear, strong and convincing evidence that the mentally retarded person is likely to engage in sexual activity without using contraceptive devices, and that either a defective child is likely to be born or that the person would be unable to care for the child.

The court struck down a provision of the statute which would have empowered a next of kin or guardian to require the initiation of sterilization procedures.

No known new developments.

TENNESSEE: In re Lambert,* Civil No. 61156 (Tenn. Prob. Ct., Davidson County, March 1, 1976).

A Tennessee probate court has refused to appoint the mother of a mentally retarded minor as the minor's conservator for the purpose of consenting to a hysterectomy.

The court held that there is "no legislation in Tennessee which gives a court jurisdiction to authorize the performance of the operation here suggested upon persons not competent to make a decision for themselves."

The court rejected arguments by the mother that it had inherent power to permit such a procedure, and refused to do so absent specific statutory authority.

I. TREATMENT.


The court has still not ruled on defendants' outline. Thus, this case remains in limbo.


On July 30, 1976, the court granted the motion of the United States to proceed as amicus curiae.


On January 3, 1977 the parties agreed to a consent judgment under which Defendant Gumanis and the estate of Defendant O'Connor each agreed to pay Donaldson $10,000, which will "constitute a full and complete settlement of all claims for damages, court costs or other costs or claims between plaintiff and defendants," except for plaintiff's claims for attorneys' fees. Ratification of this consent decree by the court is expected shortly. Thus, the only issue which remains in this case is plaintiff's claim for attorneys' fees under the recent Civil Rights Attorneys' Fees Act of 1976, P.L. 94-599, which went into effect on October 19, 1976. This act gives judges discretion to award reasonable attorneys' fees to the prevailing party in cases brought under §1983 of the Civil Rights Act, which provides a cause of action for violation of an individual's constitutional rights by state officials acting under color of state law. The decision in this case on attorneys' fees will be precedent indicating whether attorneys litigating constitutional rights cases on behalf of mentally handicapped persons can have
a reasonable expectation of recovering attorneys' fees under the new act. If such fees can be recovered, the availability of legal counsel for mentally handicapped persons will certainly increase.


On July 26, 1976, the court ruled that every Louisiana child placed in a Texas facility "has the right to care, education, medical and personal treatment suited to his characteristics and needs regardless of his age, degree of retardation or handicapping condition." The state was directed to spend at least as much per capita for institutional care as it currently spends on Louisiana children in Texas facilities. Further, the court ordered that the children must be returned to Louisiana for thorough evaluations by the LSU Medical School, and that detailed individual treatment plans must be prepared and fully implemented for each child. Among the factors to be considered by LSU in making the placement recommendation for each child is the geographic location of the proposed placement. Placements may only be made if they are in conformance with the individual treatment plans. The court then issued a detailed order on December 2, 1976, setting forth standards to govern placements, periodic reviews and treatment.

The court further ruled that all Louisiana children must be permanently removed from certain of the Texas institutions which were proved at trial to be inadequate, and, in an order entered on September 22, 1976, it required that each child presently at those institutions be placed in accordance with his or her LSU placement recommendation, regardless of the cost of obtaining such a placement. The first 85 placement recommendations have now been made by LSU, and they require foster homes or small group homes near the child's natural family in Louisiana.

On December 28, 1976, a hearing was held to consider plaintiffs' claim for attorneys' fees under the Civil Rights Attorneys' Fees Act, P.L. 94-559, and to review state defendants' efforts to locate placements in accordance with the recommendations of the LSU evaluation team.


At a conference on September 10, 1976, the parties reported to the court that efforts to negotiate a consent decree had been unsuccessful. Trial has been scheduled for February 1977.

MARYLAND: Bauer v. Mandel, Civil No. 22-871 (Anne Arundel County Circuit Ct.), filed September 1975.

No known new developments.


The United States has appealed to the Fourth Circuit Court of Appeals. A brief urging reversal of the district court's order was filed on December 1, 1976.
The resolution of this case may affect ten other cases in Maryland, Montana, Alabama, New York, North Carolina, Nebraska, Pennsylvania, Louisiana, and the District of Columbia, in which the Office of Special Litigation in the Civil Rights Division of the Department of Justice is participating as litigating \textit{amicus curiae}, plaintiff, or plaintiff-intervenor seeking to remedy violations of federal constitutional rights of mentally retarded persons.

**MASSACHUSETTS:** Gauthier v. Benson,* Civil No. 75-3910-T (D. Mass.).

This class action right to treatment suit involving the Manson State Hospital in Massachusetts has been settled by a consent decree. The decree sets out in great detail capital improvements which must be made at the institution. It also calls for addition of an unspecified number of professional and direct care staff.

**MICHIGAN:** Jobes, et al. v. Michigan Department of Mental Health, Civil No. 74-004-130 DC (Cir. Ct., Wayne County, Mich.), filed February 19, 1974.

In an opinion in October 1974, two trials were scheduled to consider separately (1) whether children can consent to two medical research projects at Lafayette Hospital in Detroit, Michigan, and (2) whether it is against public policy to use children, especially those who are mentally disabled, in medical research. Subsequently, the Administrative Rules Committee of the Michigan Department of Mental Health enacted, on an emergency basis, rules which prohibited persons under 18 years of age from participating in medical research and experimentation not directly for their benefit if they were recipients of mental health services. Those rules have since expired, and the legislature is seeking the assistance of the National Commission for the Protection of Human Subjects in Biomedical and Behavioral Research before promulgating new administrative rules. Counsel for plaintiffs will decide whether to proceed to the trials when the new rules are published.


The case is expected to be argued in the Eighth Circuit Court of Appeals in early 1977.

\textit{Amicus curiae} briefs were submitted in support of the Commissioner of Public Welfare by Philip Kurland and Daniel Polsky of Chicago; the Attorney General of South Dakota, on behalf of the Minnesota State House and Senate of South Dakota; by the Attorney General of Texas, on behalf of the states of Texas, Hawaii, Tennessee, Florida, and Nebraska; and by the Attorney General of Pennsylvania on behalf of the Commonwealth of Pennsylvania.

The Mental Health Law Project, representing the National Association for Retarded Citizens, the Minnesota Association for Retarded Citizens, and the Council for Exceptional Children, filed an \textit{amicus} brief in support of the plaintiffs.

No known new developments.


This is a Wyatt-type class action, seeking injunctive relief, filed on behalf of patients involuntarily confined in the Forensic Unit at Fulton State Hospital, a state facility located in Fulton, Missouri. The Forensic Unit is the one maximum-security facility serving the Missouri Department of Mental Health. It contains both mentally ill and mentally retarded persons. While the majority of Forensic Unit patients are not mentally retarded, plaintiffs allege complete lack of qualified staff and special programming to meet the special habilitative and treatment needs of the 10-20% of the population who are mentally retarded.

Although the lack of proper programs for the mentally retarded "patients" is only one of a broad range of institutional inadequacies which plaintiffs seek to correct through the lawsuit, it is the one on which they have placed the greatest emphasis.

Plaintiffs have completed a great deal of discovery, and are now preparing for trial.


This right to treatment and freedom from harm action brought by the United States, through the Attorney General, was dismissed by the district court on September 28, 1976. The court ruled that "the United States has no standing to sue," citing Judge Northrup's opinion in United States v. Solomon (above).

A notice of appeal was filed October 19, 1976.


This class action right to treatment case involving the Beatrice State Development in Nebraska was settled by a consent decree on October 31, 1975. The decree was amended on November 10, 1975.

On September 9, 1976, the United States of America, plaintiff-intervenor in the case, filed a motion which alleged that defendants have failed to comply with the consent decree and which called for a new hearing date.

In its motion, the United States pointed to several specific violations of the consent decree, including the following:

1. The consent decree provided for placement of residents in less restrictive community-based facilities. Under the decree, the
defendants were under an obligation to increase such programs and were bound to at least sustain the level of services and programming as they existed at the time of the decree. The United States alleges that:

"...instead of the anticipated expansion of community-based programs...the direct opposite has occurred; namely, mentally retarded persons formerly resident in community-based programs have been returned to the Beatrice State Home and other institutions serving class members during the past year";

2. The consent decree recognized that institutionalized mentally retarded persons have a constitutional right to adequate care and habilitation. The United States contends that violations of those constitutional rights continue;

3. The consent agreement also called for creation of a mental retardation panel, which was to monitor implementation of each consent decree provision. The panel has not been established, however, since no money for its operation has been appropriated by the legislature and no alternative funding sources have been found.

On November 9, 1976 defendants filed a motion to dismiss on grounds that the United States lacks standing to intervene in this case. In support of their motion, defendants cite the Solomon and Mattson cases (reported above) in which the United States was dismissed as plaintiff.


This right to treatment class action has been filed on behalf of Ohio citizens who are both mentally ill and mentally retarded. Plaintiffs allege that members of the class are shuttled between mental retardation and mental health facilities, with both disclaiming responsibility for delivering treatment.

Plaintiffs seek declaratory and injunctive relief which would require defendants to evaluate the needs of each class member and to develop detailed treatment and habilitation standards for the class.


On November 29, 1976, the court denied 11 motions by defendants, including a motion to dismiss. On January 4, 1977, the court granted a motion by plaintiffs for an injunction against destruction or alteration of records.

**WASHINGTON: Preston v. Morris,** Civil No. 77-9700 (Superior Ct., King County, Wash.), filed April 23, 1974.

No new developments.
WASHINGTON: White v. Morris, Civil Nos. 4350-I and 4493-I (Ct. of Appeals, Wash.).

Arguments were heard in the Court of Appeals in November, 1976.

J. ZONING.


On June 11, 1976 the court granted declaratory relief to defendants, Attleboro Area Human Services, Inc.

The court found that the normalization program in the community residence encompasses a complete educational process rather than a custodial residential program. As a result, the court held that under state law the residence is exempt from local zoning prohibition since the facility is not a medical care or similar facility, but instead serves an educational purpose which is public.

MICHIGAN: Michigan Association for Retarded Citizens v. The Village of Romeo, Civil No. 670769 (E.D. Mich.).

Plaintiffs in this suit are children with mental and physical disabilities and sponsoring organizations. They seek declaratory and injunctive relief against the defendant village and its officials to ensure that the plaintiff children have access to residential community settings. $200,000 in damages is also sought for each minor plaintiff.

Plaintiffs allege that the village's interpretation of the local zoning laws in a way that precludes establishment of a foster care home in "single family" areas deprives them of various constitutional and statutory rights.
II. CLOSED CASES REPORTED IN EARLIER ISSUES OF "MENTAL RETARDATION AND THE LAW"

A. ARCHITECTURAL BARRIERS


Ohio: Friedman v. County of Cuyahoga, Case No. 895961 (Court of Common Pleas, Cuyahoga County, Ohio), consent decree entered November 15, 1972.

B. CLASSIFICATION


C. COMMITMENT


Wisconsin: State ex rel. Matalik v. Schubert, 4 Wis.2d 315, 204 N.W.2d 13 (Supreme Ct. Wis. 1973).

Wisconsin: State ex rel. Haskins v. County Court of Dodge County, 62 Wis.2d 250, 214 N.W.2d 575 (Supreme Ct., Wis. 1974).

D. CRIMINAL LAW


E. CUSTODY


Iowa: In the Interest of Joyce McDonald, Melissa McDonald, Children, and the State of Iowa v. David McDonald and Diane McDonald, Civil Action No. 128/55162 (Iowa Supreme Court, October 18, 1972).

Iowa: In the Interest of George Franklin Alsager, et al. and the State of Iowa v. Mr. and Mrs. Alsager, Civil Action No. 169/55148 (Iowa Supreme Court, October 18, 1972).

F. EDUCATION


California: Case, et al. v. State of California, Civil Action No. 101679 (Superior Ct., Riverside County).

Colorado: Colorado Association for Retarded Children v. The State of Colorado, Civil Action No. C-4620 (D. Colo.).


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Florida: Florida ex rel. Stein v. Keller, No. 73-28747 (Circuit Ct., Dade County, Fla.).

Florida: Florida ex rel. Grace v. Dade County Board of Public Instruction, No. 73-2874 (Cir. Ct., Dade County, Fla.).


Maryland: Maryland Association for Retarded Children, Leonard Bramble v. State of Maryland, Civil Action No. 720733-K (D. Md.). In the Maryland State Court, Equity No. 77676 (Circuit Ct. for Baltimore County), decided April 9, 1974.


North Carolina: Hamilton v. Riddle, Civil Action No. 72-86 (Charlotte Division, W.D., N.C.).

North Dakota: In re C.H., Civil Action No. 8930 (Supreme Ct., N.D.), decided April 30, 1974.


Washington: Rockafellow, et al. v. Brouillet, et al., No. 787938 (Superior Ct., King County, Wash.).


Wisconsin: Marlega v. Board of School Directors of City of Milwaukee, Civil Action No. 70C8 (E. D. Wis.), consent decree, September, 1970.

Wisconsin: Panitch, et al. v. State of Wisconsin, Civil Action No. 72-L-461 (D. Wis.).


Wisconsin: Unified School District No. 1 v. Barbara Thompson, Case No. 146-488 (Cir. Ct., Dane Cty.). Memorandum Decision, May 21, 1976.

G. EMPLOYMENT


Florida: Roebuck, et al. v. Florida Department of Health and Rehabilitation Services, et al., 502 F. 2d 1105 (5th Cir. 1974).

Iowa: Brennan v. State of Iowa, 494 F. 2d 100 (8th Cir. 1973).

Maine: Jortberg v. Maine Department of Mental Health, Civil Action No. 13-113 (D. Maine), consent decree, June 18, 1974.


Ohio: Souder v. Donahey, et al., No. 75222 (Supreme Ct., Ohio).
Ohio: Walker v. Gallipolis State Institute, Case No. 75CU-09-3676 (Court of Common Pleas, Franklin County, Ohio), dismissed September 8, 1976.


H. GUARDIANSHIP


I. PROTECTION FROM HARM


J. STERILIZATION


California: In re Kemp, 43 Cal. App. 3d 758 (Court of Appeals, 1974).

Missouri: In re M.K.R., 515 S.W.2d 467 (Supreme Ct., Mo. 1974).


Wisconsin: In re Mary Louise Anderson (Dane County Court, Branch I, W.s.), decided November, 1974.
K. TREATMENT


Illinois: Nathan v. Levitt, No. 74 CH 4080 (Circuit Ct., Cook County, Ill.), consent:order, March 26, 1975.


Pennsylvania: Waller v. Catholic Social Services, No. 74-1766 (E.D., Pa.).


Washington: Boulton v. Morris, No. 781549 (Superior Ct., King County, Wash.), filed June 1974.
L. VOTING

Massachusetts: Boyd, et al. v. Board of Registrars of Voters of Belchertown

A-1044-74 (Superior Ct., N.J., Appellate Division),
decided February 23, 1976.

M. ZONING

30789 (Superior Ct., Calif.).

California: City of Los Angeles v. California Department of Health,

Colorado: The City of Delta v. Thompson v. Nave and Redwood, No. 75-431
(Colorado Ct. of Appeals), decided December 11, 1975.

Florida: City of Temple Terrace v. Hillsborough Association For
Retarded Citizens, Inc., 44 U.S.L.W. 2189 (Fla. Ct. App. 2d
District), decided October 10, 1975.

Michigan: Doe v. Damm, Complaint No. 627 (E.D., Mich.).

Minnesota: Anderson v. City of Shoreview, No. 401575 (D. Ct.,
Second Judicial District, Minn.), decided June 24,
1975.

Montana: State ex rel. Thelan v. City of Missoula, No. 13192 (Supreme
Ct., Montana), decided December 8, 1975.

New York: Little Neck Community Association v. Working Organization
May 3, 1976).


Ohio: Boyd v. Gateways to Better Living, Inc., Case No. 73-CI-531
(Mahoning County Court of Common Pleas).

Ohio: Driscoll v. Goldberg, Case No. 72-CI-1248 (Mahoning County
Ct. of Common Pleas, Ohio), 73 C.A. 49 (Ohio Court of Appeals,
7th District), decided April 9, 1974.

Wisconsin: Browndale International, Ltd. v. Board of Adjustment,
60 Wis.2d 182, 208 N.W.2d 121 (Wis. 1973), cert.