



Vocational Rehabilitation Manual

Effective November 1, 2018

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Table of Contents

Introduction	6
ICBVI Mission Statement.....	6
Purpose of the Vocational Rehabilitation Program	7
Legal Citations.....	7
Protection, Use and Release of Personal Information.....	8
Ethics	9
Appeals Process.....	10
Appeals Process Flow Chart	11
Client Assistance Program.....	12
Information, Referral and Application for VR Services	13
Residency Requirements	14
Documentation required for eligibility	16
Trial Work Experience (TWE)	17
Eligibility Determination	19
Definitions	19
Eligibility Process.....	20
Determination of Significance of Disability	21
Individualized Plan for Employment	23
Informed Client Choice	23
Comprehensive Assessment.....	23
Content of the Individualized Plan for Employment	25
Mandatory Components.....	25
Supported employment requirements	26
Post-employment services	26
Coordination of services for students with disabilities	27
Required Information.....	27

Options for developing an individualized plan for employment	27
Additional Information	27
Mandatory Procedures	28
Implementation of the IPE.....	28
Amending the IPE	29
Annual Review of the IPE	29
Vocational Rehabilitation Services.....	30
Pre-Employment Transition Services	30
Training Services	30
Career Services	32
Other Services.....	35
Fiscal Policy and Fee Schedule	38
Purchasing of Goods and Services.....	38
Purchase of Gift Cards for VR services	39
Financial Needs Assessment (FNA)	39
Comparable Benefits.....	41
Fee Schedule.....	42
Exception Policy	49
Competitive Integrated Employment.....	50
Definition.....	50
Required Documentation	51
Customized Employment	52
Overview.....	52
Temporary Employment.....	54
Self-Employment.....	55
Introduction.....	55
Eligibility Requirements	55
Required Activities	56
Supported Employment Services.....	59

Supported Employment	59
Supported Employment Strategy	59
Ongoing Support Services	60
Extended Services.....	60
Extended Services for Youth.....	61
Natural Supports.....	61
Employment Stabilization.....	62
Allowance for less than competitive wage on a short-term basis	62
Successful Closure Requirements.....	63
Statewide Supported Employment Program	64
Services for Individuals Employed or Seeking Employment at Subminimum Wage	65
Purpose of Section 511	65
General Requirements for CC/I&R.....	65
Additional Requirements for Youth.....	66
Documentation.....	66
Transition Services	67
Preamble	67
Definitions	67
Pre-Employment Transition Services (Pre-ETS).....	68
Required Activities	68
Coordination Activities.....	74
Authorized Activities.....	74
Time Tracking	75
Transition Services under an Order of Selection	75
Required Data Elements	76
Program Exit.....	77
Competitive Integrated Employment	77
Supported Employment	77
Program Exit Without an Employment Outcome	79

Post-Employment Services	80
Post-Employment Services (PES) Closure	80
Order of Selection.....	81
Post-Employment Services (PES) under an OOS	83
Special Exemption to OOS	83
Supporting Documentation for Case Service Report (RSA-911)	84
Date of Application.....	84
Date of Eligibility Determination	84
Date of IPE	85
Start Date of Employment in Primary Occupation	85
Employment Status at Closure	85
Weekly Earnings at Employment	86
Type of Closure	86
Date of Closure	87
Revision History	88

Introduction

This manual is intended for use by the Idaho Commission for the Blind and Visually Impaired Vocational Rehabilitation staff.

This manual is also available for reference on the ICBVI public website for the citizens of Idaho.

ICBVI Mission Statement

The mission of ICBVI is to empower persons who are blind or visually impaired by providing vocational rehabilitation training, skills training and educational opportunities to achieve self-fulfillment through quality employment and independent living.

Our mission is fulfilled through the provision of the following programs and services:

- 1) A continuum of services from youth transition to older blind services.
- 2) Skills training that enables people to remain independent in their homes and be engaged in their communities.
- 3) Employment counseling, training, and job placement.
- 4) Individual and group counseling addressing adjustment issues to vision loss and blindness.
- 5) Resources for employers who hire or retain employees who are blind or visually impaired.
- 6) Training in adaptive skills for reading, computer use, traveling, job seeking and other skills that promote independence and increase work readiness.
- 7) Supported employment programs for individuals with the most significant disabilities.
- 8) Education intended to expand the public's awareness regarding the abilities and potential of people who are blind or visually impaired.

Purpose of the Vocational Rehabilitation Program

Employment outcome means, with respect to an individual, entering, advancing in, or retaining full-time or, if appropriate, part-time competitive integrated employment, (including customized employment, self-employment, telecommuting, or business ownership), or supported employment that is consistent with an individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice (34 CFR 361.5).

Competitive employment is work performed in the integrated labor market in which the client is compensated at or above minimum wage, but not less than the customary wage and benefits paid for the same or similar work performed by clients who do not have a disability.

The ICBVI Vocational Rehabilitation is a statewide program that develops and utilizes a variety of partnerships for effective service delivery. As authorized under the Workforce Innovation and Opportunity Act (Public Law 114-95), core ICBVI partners in the development and implementation of the WIOA Combined State Plan are:

- Idaho Department of Labor
- Idaho Division of Vocational Rehabilitation
- Idaho Commission on Aging
- Idaho Career and Technical Education

Legal Citations

The ICBVI Vocational Rehabilitation program is operated in compliance with the Federal Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (WIOA) enacted on July 22, 2014. The legal authorities for the policies contained in this Vocational Rehabilitation Manual are: Title 34 CFR Parts 361, 363, and 397 issued August 19, 2016 in the Federal Register implementing the Rehabilitation Act Amendments.

Protection, Use and Release of Personal Information

1) Confidentiality

All information acquired by ICBVI must be used only for purposes directly connected with the administration of the vocational rehabilitation program. As a general rule, information containing personal information may not be shared with advisory or other bodies that do not have official responsibility for administration of the program, except as provided in this policy. Use, release, and obtaining of personal information by ICBVI will conform to applicable Federal, State, Local, Tribal laws and regulations.

Requests for information under the Idaho public records laws should be referred to the deputy attorney general assigned to ICBVI.

For purposes of this policy, informed written consent will:

- a) Be explained in language that the client or their representative understands; and
- b) Be dated, and specify the length of effect; and
- c) Specifically, designate ICBVI as the agency authorized to use, disclose or receive information; and
- d) Specifically designate the parties to whom the information may be released; and
- e) Be specific as to the purpose(s) for which the information may be used.

2) Release of Confidential Client Information

Any information in the client's file may be released to the client, in a timely manner, if requested in writing by the client. (Use Release of Information form).

There are three exceptions to the above:

- a) Medical, psychological, or other information that must be provided to ICBVI through a third party, such as a representative, physician or licensed psychologist. Personal information obtained from another agency or organization may be released only by, or under the conditions established by the other agency or organization.
- b) Information obtained from the Social Security Administration, including Disability Determination Services may not be released.
- c) Information obtained from the Veterans Administration may not be released.

3) Release to other programs or agencies

Personal information will only be released to other programs or agencies with the client's written consent, and only for the purpose of the client's vocational rehabilitation.

Information from Social Security Administration, including Disability Determination Services, or Veterans Administration may not be released.

4) *Exceptions to Release of Information Requirements*

Prior written approval will not be required for the release of personal data in the following circumstances:

a) Release for audit, evaluation or research.

Information will only be released for purposes directly connected with the administration of the ICBVI vocational rehabilitation program or for purposes that would significantly improve the quality of life for people with disabilities.

Confidentiality would be safeguarded.

b) Release required by law:

- i. ICBVI may release personal information in response to investigations in connection with law enforcement, fraud, or abuse (unless expressly prohibited by Federal, State, Local or Tribal laws), and in response to a court subpoena or judicial order.
- ii. ICBVI may also release personal information in order to protect the client or others when the client poses a threat to the safety of self or others.
- iii. A subpoena issued to ICBVI for information relating to a client of the VR program must immediately be referred to the Rehabilitation Services Chief who will subsequently refer the document to the Deputy Attorney General assigned to the agency to determine how the agency will respond to the subpoena.

5) *Retention and Destruction of files*

Files will be maintained for five years at the end of the fiscal year following case closure.

All data with personal identifying client information will be destroyed by shredding, burning or other disposal methods to ensure confidentiality.

Ethics

All ICBVI employees must adhere to the Idaho Ethics in Government Manual:

<https://www.ag.idaho.gov/content/uploads/2018/04/EthicsInGovernment.pdf>

ICBVI ascribes to and requires all Counselors and field services staff to follow the Code of Professional Ethics for Rehabilitation Counselors accepted by the Commission of Rehabilitation Counselor Certification (CRCC).

<http://www.crc certification.com>

VR counselors should not be involved in the rehabilitation process with associates, friends, or relatives, or where other conflicts of interest exist. When this situation arises, the Rehabilitation Services Chief should be notified and arrangements will be made to have another VR counselor work with the client.

Appeals Process

Clients have the right to seek a remedy for any dissatisfaction with decisions made by ICBVI personnel that affect the provision of vocational rehabilitation services. Clients may request a review of any determinations made by ICBVI within 21 calendar days of the notice regarding ICBVI's decision to provide or deny services that are in question. The request must be in writing to the Rehabilitation Services Chief.

Clients must be notified in writing and / or other forms of communication (based on the needs of the individual) of these rights:

- 1) At application;
- 2) When assigned to a priority category (if Order of Selection (OOS) is implemented);
- 3) At development of Individualized Plan for Employment (IPE);
- 4) At program exit or;
- 5) If services are reduced or suspended.

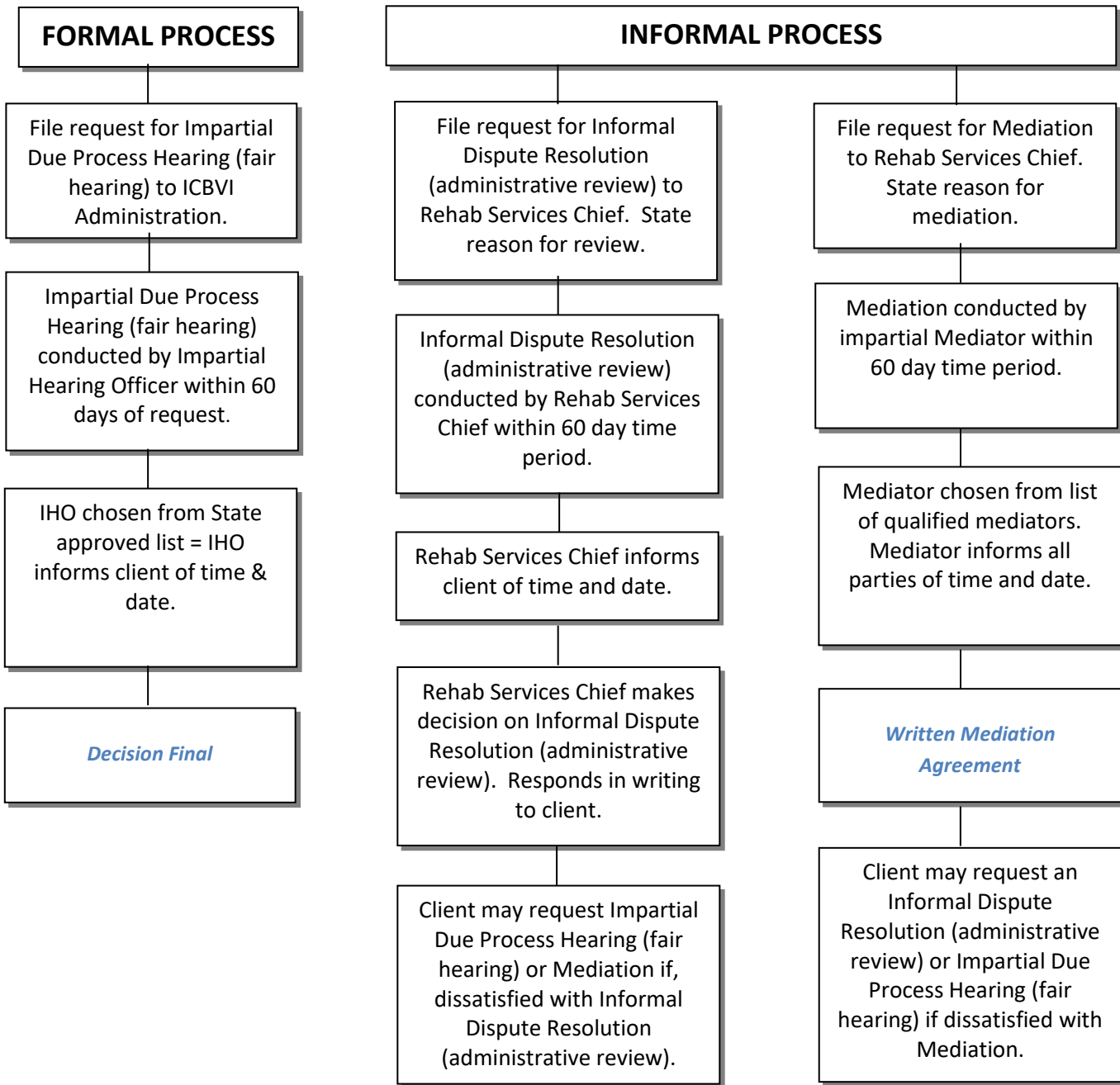
Clients must be notified that their rights include:

- 1) Informal Dispute Resolution (administrative review) conducted by the Rehabilitation Services Chief. (Must be conducted within the 60-day time frame allowed for the Impartial Hearing.)
- 2) Impartial Due Process Hearing (fair hearing) by an Impartial Hearing Officer (IHO) to be held within 60 days of client's appeal request, and to result in a written decision to client and agency.
- 3) Voluntary mediation, conducted by qualified and impartial mediators, and not used to delay or deny client's right to an Impartial Due Process Hearing. Agreements reached during mediation must be put in writing and discussion occurring during the mediation process will be kept confidential.
- 4) Availability of assistance from the Client Assistance Program (CAP). CAP brochure must be given to client.

During the appeal process ICBVI will not suspend, reduce or terminate services being provided for evaluation, plan development or under an IPE.

VR Counselor may be involved in any meetings for client appeals.

Appeals Process Flow Chart



Client Assistance Program

The Client Assistance Program (CAP) is administered by Disability Rights Idaho (DRI)

The purpose of the Client Assistance Program is:

- 1) To inform and advise clients of available services and benefits under the Rehabilitation Act and Amendments. The CAP staff can explain how the vocational rehabilitation system works and help clients understand their rights and responsibilities in the vocational rehabilitation process.
- 2) To assist and to advocate for the client in the relationship with ICBVI. The CAP can also suggest ways for the client and VR Counselor to work more successfully together throughout the vocational rehabilitation process and assist clients to learn to advocate for themselves. Advocacy may also include pursuing any legal, administrative or other appropriate remedies to ensure the protection of the client's rights and to facilitate access to services funded under the Rehabilitation Act that are directly related to facilitating the employment of the client.
- 3) To use, to the maximum extent possible, alternative forms of dispute resolution, which will include negotiation, facilitation, mediation and fact finding, prior to resorting to litigation or formal adjudication to resolve a dispute.

Information, Referral and Application for VR Services

Any agency, organization, individual (including self-referral) or the One-Stop delivery system may refer an individual to ICBVI for services. The referring agent should provide the local ICBVI office with the following information on the referred individual:

- 1) Full name, required
- 2) Address/e-mail address, if available
- 3) Telephone number where referred individual may be reached, required
- 4) Social security number, if available
- 5) Date of birth, required
- 6) Contact person's name, phone number and referral source, if available
- 7) Guardian name, telephone number, and address. *
- 8) Name of school or GED program, if the client is a student. Or if appropriate, indicate if the student is being home schooled.

** A legal guardian is a person who has the legal authority (and the corresponding duty) to care for the personal and property interests of another person. Guardians are typically used in three situations: guardianship for an incapacitated senior (due to old age or infirmity), guardianship for a minor, and guardianship for developmentally disabled adults.*

Each referred individual must be seen or contacted by ICBVI staff within three (3) working days of the referral's receipt by scheduling an initial appointment, or a case note of an attempted contact must be documented. ICBVI staff will inform the referred individual of application requirements and information necessary to initiate an assessment for determining eligibility.

All individuals have the right to apply for ICBVI VR services and to have a decision made regarding their eligibility for such services.

Residency Requirements

Individuals must have legal status in the United States and be available and legally permitted to join the labor market prior to eligibility determination. There is no duration of state residence requirement. ICBVI will not require the applicant to demonstrate a presence in the State through the production of any documentation (CFR 361.42(c) (1)). ICBVI may serve individuals in other states under the following situations (Federal Register Vol. 81 No. 161 - VR Final Regulations, August 19, 2016):

- 1) Services for the individual in his/her home state (applies to states bordering Idaho) are restricted due to location; where the individual can be best served by a ICBVI regional office;
- 2) The individual lives in a neighboring state, and works in Idaho;
- 3) The client is a shared case between the state units.

When applicable, the client must sign a release of information to the appropriate VR agency in the state where the individual has legal residence.

Documents that establish work status (employment eligibility) and identity must be consistent with Form I-9, Immigration and Naturalization Services. (Form I-9, Employment Eligibility Verification).

An individual is considered to have applied for ICBVI VR services when the following conditions have been met (*see also Supporting Documentation for Case Service Report (RSA-911)*):

The individual or individual's representative, as appropriate,

- 1) Has completed and signed an ICBVI VR application; or
 - a) has signed and dated a request for ICBVI VR services; or
 - b) has completed a common intake form in a One-Stop center requesting ICBVI VR services; or
 - c) has otherwise requested ICBVI VR services.
- 2) Provides ICBVI the information necessary to initiate an assessment to determine eligibility.
- 3) Is available to complete any of the required assessment processes.

A fundamental part of the application process is the intake interview. Essential components of the interview include:

- 1) Establishing rapport with the client.
- 2) Explaining the purpose and goals of the VR program; to ensure clients understand that the goal of vocational rehabilitation is to obtain, maintain, or advance in competitive integrated employment.

- 3) Reviewing with the client their Rights and Responsibilities as a VR participant.
 - a. If the applicant is a student with a disability, the VRC should inform the client and parent/guardian(s)/representatives about the availability of pre-employment transition services, and that the student will be required to participate in the agreed upon activities.
- 4) Explaining the Client Assistance Program (CAP) and providing the client / parent / guardian a brochure.
- 5) Inquiring if the client is receiving Social Security benefits under Title II or Title XVI of the Social Security Act. If so, request verification of Social Security Administration (SSA) benefits.
 - a. If the client is a SSA beneficiary, benefits counseling can be provided at any time during the VR process. Refer clients to other sources for benefits counseling, as appropriate.
- 6) Informing each client about their rights and responsibilities to exercise informed choice in decisions related to the provision of assessment services, if required.
- 7) Assessing the need for Disability Skills Training and Rehabilitation Technology.

Prior to the end of the interview, the client (parent/ guardian as appropriate) must sign the Application Signature Page.

Other activities conducted during the intake interview may include:

- 1) Scheduling appointments for assessments
- 2) Obtaining releases of information
- 3) Scheduling follow up appointments

Documentation required for eligibility

Medical reports on vision impairments from optometrists or ophthalmologists can be used for eligibility.

A medical consultant contracted by the State of Idaho can be used to confirm disabilities and functional limitations.

See also *Supporting Documentation for Case Service Report (RSA-911)*

The following occupations are licensed in Idaho to provide general medical diagnoses. The VRC can utilize general medical diagnoses established by these medical professionals:

- 1) Medical Physician or Doctor of Osteopathy
- 2) Nurse Practitioner (works under own licensure)
- 3) Physician's Assistant (works under a "Delegation of Service Agreement" with a physician providing oversight).

The following occupations have been licensed in Idaho to provide specific medical diagnoses within the specialized areas of competency for which the specific licensure has been issued.

- 1) Licensed Psychologist
- 2) Chiropractor
- 3) Naturopath
- 4) Podiatrist
- 5) Optometrist
- 6) Physical Therapist
- 7) Dentist / Orthodontist
- 8) Advanced Certified Alcohol and Drug Counselor (ACADC) / Certified Alcohol and Drug Counselor (CADC) (restricted to drug and alcohol related diagnoses only)
- 9) School Psychologist (limited to diagnosing eligibility for school related special education services)
- 10) Licensed Audiologist (hearing impairments only when medical conditions have been ruled out).

Trial Work Experience (TWE)

Trial Work Experience (TWE) explores the individual's abilities, capabilities, and capacity to perform in work situations, consistent with their informed choice and includes experiences where appropriate supports and training are provided. When considering the eligibility of an applicant, the counselor must presume that the individual will benefit from VR services in terms of an employment outcome.

However, there may be occasions when the counselor may question if the individual's disability is too significant for them to benefit from VR services. This is when trial work experiences would be considered. TWE is provided to ensure that individuals are afforded a fair and equitable determination of eligibility for participation in VR services. Counselors must have clear and convincing evidence that the individual cannot benefit due to the severity of the disability in order to determine if someone is too severe for services.

While a TWE is typically done prior to eligibility determination, a TWE can be conducted at any time during the rehabilitation process, even after receiving services.

The VR Counselor must provide the client with individual Trial Work Experiences (TWE) of sufficient variety and over a sufficient period of time before making a determination that the client is ineligible for vocational rehabilitation services and that clear and/or convincing evidence exists that the client is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services.

The Trial Work Experience must explore the client's abilities, capabilities and capacity to perform in realistic work situations with support and training. A TWE may include supported employment, on-the-job-training (OJT) or other experiences in realistic work settings.

To place client in Trial Work Experience, the VR Counselor must:

- 1) Determine that the client has a significant physical or mental impairment (disability) that is a substantial impediment (barrier) to employment.
- 2) Have questions about whether the client is capable or incapable of benefiting in terms of an employment outcome from vocational rehabilitation services due to severity of disability.
- 3) Work with the client, or his or her representative, to develop a Trial Work Experiences plan to assess the client's ability, capabilities and capacity to perform in realistic work situations. A TWE must be provided in the most competitive integrated setting possible, consistent with the informed choice and rehabilitation needs of the client. Work experiences must be of sufficient variety and over a sufficient period of time.
- 4) Review Client Rights and Responsibilities.
- 5) Assess need for Rehabilitation Technology Services, if and when necessary.

- 6) Ensure that the client is an active partner, making meaningful and informed choices in the provision of Trial Work Experiences.
- 7) Review the TWE plan at least every 90 days to determine if there is sufficient evidence to conclude that the client can benefit from vocational rehabilitation services in terms of an employment outcome or that there is clear and convincing evidence* that the client is incapable of benefiting from vocational rehabilitation services in terms of an employment outcome due to the severity of the disability.

**Clear and convincing evidence means that the counselor has a high degree of certainty before it can conclude that an individual is incapable of benefiting from services in terms of an employment outcome. Clear and convincing evidence might include a description of assessments, including situational assessments and supported employment assessments, from service providers who have concluded that they would be unable to meet the individual's needs due to the severity of the individual's disability. The demonstration of clear and convincing evidence must include, if appropriate, a functional assessment of skill development activities, with any necessary supports (including assistive technology), in real life settings (CFR 361.42).*

There is no maximum time limit for a TWE.

Eligibility Determination

To be eligible for ICBVI Vocational Rehabilitation Services, a client must:

- 1) Have a physical or mental impairment (disability) including blindness or visual impairment that constitutes or results in a substantial impediment (barrier) to employment; and
- 2) Require Vocational Rehabilitation Services to prepare for, secure, retain, regain or advance in employment; or
- 3) Be an SSI or SSDI beneficiary who intends to achieve a competitive integrated employment outcome.

(Completion of the vocational rehabilitation application process is sufficient evidence of the beneficiary's intent to achieve an employment outcome.)

Definitions

Blindness or visual impairment: According to Idaho Code Section 67-5402(2), blindness or visual impairment means a person whose visual acuity with correcting lenses is not better than 20/200 in the better eye; or a person whose vision in the better eye is restricted to a field that subtends an angle of not greater than 20 degrees; or a person who is functionally blind; or a person who is without any sight.

Functionally blind means a person with a visual impairment that constitutes or results in a substantial impediment to employment or substantially limits one or more major life activities such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance or work skills. (This is determined by the VR counselor, not the physician).

A substantial impediment means that “a physical or mental impairment (in light of attendant medical, psychological, vocational, educational, communication, and other related factors) hinders an individual from preparing for, entering into, engaging in, or retaining employment consistent with the individual's abilities and capabilities.” (34 CFR 361.5 (b) (52) [Title 34 – Education; Subtitle B, Part 361])

Eligibility Process

Counselor responsibilities:

- 1) Obtain all required medical documentation on the visual impairment and all the other disabilities.
- 2) Document the following in the case record:
 - a) **Impairment:** Identify all disabilities diagnosed or determined by medical, psychological or other qualified personnel. Document all functional limitations.
 - b) **Substantial Impediment to Employment:** Identify medical, psychological, vocational, educational, cultural and social factors that combined with legal blindness have created impediments to employment. Examples of such factors include: lack of marketable skills; limited educational level; community attitudes concerning legal blindness; long-term unemployment or limited work experience; socio-economic circumstances; lack of independent living skills; and the individual's attitudes toward work, family and community.
 - c) **Need for VR Services:** Discuss potential services required to prepare for, secure, retain, regain, or advance in employment that is consistent with the client's unique strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice.
- 3) Determine eligibility within a reasonable period of time, **not to exceed 60 days*** after application, unless the client agrees to an eligibility extension and is documented in the case record. There are two reasons for an eligibility determination extension:
 - a) The client is notified that exceptional and unforeseen circumstances beyond the control of ICBVI preclude the counselor from completing the eligibility determination within the prescribed time frame; or
 - b) A Trial Work Experience (TWE) including an exploration of the client's abilities, capabilities, and capacity to perform in realistic work situations is carried out.

****Time frame: The counselor can approve an extension for a maximum of 30 days. Any additional extension must be approved by the Rehabilitation Services Chief.***
- 4) Complete Presumptive Eligibility for any client who is currently receiving SSI or SSDI benefits.
 - a) VR Counselor must have documentation that the client is receiving SSA benefits prior to completing the Presumptive Eligibility.
 - b) Once a SSA beneficiary is presumed eligible for Vocational Rehabilitation; the counselor must have medical documentation and complete all of the requirements of the eligibility process prior to developing and approving an IPE.

- 5) Make the determination of Disability Priority, which includes:
- a) Most Significant Disability (MSD)
 - b) Significant Disability (SD)
 - c) Disability (D)

Current SSI and/or SSDI beneficiaries are always presumed MSD or SD.

Determination of Significance of Disability

As a part of the eligibility determination process, the VRC will assign the client to a priority category. If the Commission is not under an Order of Selection, the prioritization will be used for planning purposes and to provide a structure for an easy transition to an Order of Selection if implemented. If the Commission is under an Order of Selection, the priority categories will be used to determine the order in which clients receive services if one or more priority categories must be closed.

Priority Categories:

Priority 1 – Eligible individuals with the Most Significant Disabilities (MSD)

Priority 2 – Eligible individuals with Significant Disabilities (SD)

Priority 3 – All other eligible individuals with Disabilities (D)

Most Significant Disability (MSD)

Is an individual:

- 1) Who meets the criteria of an individual with a significant disability; and
- 2) Who has a severe physical or mental impairment that seriously limits three or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome; and
- 3) Whose vocational rehabilitation is expected to require multiple vocational rehabilitation services over an extended period of time of 6 months or more.

Significant Disability (SD)

Is an individual:

- 1) Who meets the criteria of an individual with a disability; and
- 2) Who has a severe physical or mental impairment that seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome; and
- 3) Whose vocational rehabilitation is expected to require multiple vocational rehabilitation services over an extended period of time 6 months or more.

Disability (D)

Is an individual:

- 1) Who has a physical or mental impairment;
- 2) Whose impairment results in a substantial impediment to employment; and
- 3) Whose vocational rehabilitation is expected to require one or more substantial services (not necessarily provided over an extended period of time).

Individualized Plan for Employment

Informed Client Choice

Clients, or as appropriate, the client's representatives will have informed choice with regard to the development and implementation of the IPE in selecting:

- 1) Employment outcome; and
- 2) Specific vocational rehabilitation services needed to achieve the employment outcome; and
- 3) Entity(s) that will provide the services; and
- 4) Employment setting and the settings in which the services will be provided; and
- 5) Methods available for procuring the services.

Documentation in the case record will describe the extent to which the client exercised informed choice in making these decisions for the assessment and the development of the IPE (*See Supporting Documentation for Case Service Report (RSA-911)*).

In developing a client's IPE, the counselor will provide the client, or assist the client in acquiring, information necessary to make an informed choice about the specific services, including the providers of those services, that are needed to achieve the individual's vocational goal. Information will be presented in a mode of communication appropriate to the individual client, using qualified interpreters whenever needed.

Comprehensive Assessment

The VRC must conduct a comprehensive assessment of the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, including the need for supported employment services, of the eligible individual, in the most integrated setting possible, consistent with the informed choice of the individual in accordance with the provisions of § 361.5(c)(5)(ii).

In preparing the comprehensive assessment, the counselor must use, to the maximum extent possible and appropriate and in accordance with confidentiality requirements, existing information that is current as of the date of the development of the individualized plan for employment, including information –

- 1) Available from other programs and providers, particularly information used by education officials and the Social Security Administration; and
- 2) Provided by the individual and the individual's family; and
- 3) Obtained under the assessment for determining the individual's eligibility and vocational rehabilitation needs.

The following criteria must be addressed in the Comprehensive Assessment and documented in the case record:

- 1) Employment Strategy: Identify the employment strategy for the client.
 - a. Competitive Integrated Employment
 - b. Supported Employment
 - c. Customized Employment
 - d. Self-Employment (including the BEP)
- 2) Compatibility of disability with employment goal: Discuss how the functional limitations of the client's vision loss and any other disabilities impact the client's ability to perform the requirements of the proposed employment.
- 3) Ability to utilize the alternative skills of blindness and independent living skills that are essential for employment. This assessment can be done by the Assessment and Training Center (ATC), or any of the regional Rehabilitation Teachers (RT's).
- 4) Skills, interests, aptitudes and abilities, including any transferable skills.
- 5) Labor market information (LMI): This information is required, and must include, at minimum:
 - a) Labor market outlook; and
 - b) Wages and benefit; and
 - c) Opportunities for upward mobility and advancement.

*Labor market information must come from a reliable and valid database, such as *ONET, CIS or Career Index Plus, and this source must be documented as part of the LMI.*

When completing a comprehensive assessment for a student with a disability, it is not necessary to include labor market information until the counselor and the student have agreed upon a specific vocational goal.

- 6) Informed client choice.
- 7) Social and family support.
- 8) Training and academic test results (e.g. Compass test, TABE).
- 9) Reasonable accommodations required for the individual to participate in their IPE.
- 10) Transportation needs in order for the client to participate in their IPE.
- 11) Legal barriers and industry specific requirements related to those barriers.
- 12) All comparable benefits.
- 13) Whether a referral to IDVR is appropriate.
- 14) Pre-ETS Assessment (students only).

Content of the Individualized Plan for Employment

Mandatory Components

Regardless of the approach that an eligible individual selects for purposes of developing the individualized plan for employment, each individualized plan for employment must (CFR 361.46) -

- 1) Include a description of the specific employment outcome that is chosen by the eligible individual and is consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, career interests, and informed choice consistent with the general goal of competitive integrated employment (except in the case of an eligible individual who is a student or a youth with a disability, the description may be a description of the individual's projected post-school employment outcome).
- 2) Include a description of the specific rehabilitation services needed to achieve the employment outcome, including, as appropriate, the provision of assistive technology devices, assistive technology services, and personal assistance services, including training in the management of those services.
- 3) Identify comparable services and benefits that significantly contribute to the employment outcome.
- 4) In the case of a plan for an eligible individual who is a student or youth with a disability, identify the specific transition services and supports needed to achieve the individual's employment outcome or projected post-school employment outcome.
- 5) Provide for services in the most integrated setting that is appropriate for the services involved and is consistent with the informed choice of the eligible individual.
- 6) Include timelines for the achievement of the employment outcome and for the initiation of services.
- 7) Include a description of the entity or entities chosen by the eligible individual (or, as appropriate, the individual's representative) that will provide the vocational rehabilitation services and the methods used to procure those services.
- 8) Include a description of the criteria that will be used to evaluate progress toward achievement of the employment outcome.
- 9) Include the terms and conditions of the individualized plan for employment, including, as appropriate, information describing:
 - a) The responsibilities of ICBVI;
 - b) The responsibilities of the eligible individual, including
 - i) The responsibilities the individual will assume in relation to achieving the employment outcome;
 - ii) If applicable, the extent of the individual's participation in paying for the cost of services; and
 - iii) The responsibility of the individual with regard to applying for and securing comparable services and benefits.
- 10) Document the responsibilities of other entities as the result of arrangements made pursuant to the comparable services or benefits.

Supported employment requirements

An individualized plan for employment for an individual with a most significant disability for whom an employment outcome in a supported employment setting has been determined to be appropriate must -

- 1) Specify the supported employment services to be provided by ICBVI; and
- 2) Specify the expected extended services needed, which may include natural supports; and
- 3) Identify the source of extended services or, to the extent that it is not possible to identify the source of extended services at the time the individualized plan for employment is developed, include a description of the basis for concluding that there is a reasonable expectation that those sources will become available; and
- 4) Provide for periodic monitoring to ensure that the individual is making satisfactory progress toward meeting the weekly work requirement established in the individualized plan for employment by the time of transition to extended services; and
- 5) Provide for the coordination of services provided under an individualized plan for employment with services provided under other individualized plans established under other Federal or State programs; and
- 6) To the extent that job skills training is provided, identify that the training will be provided on site, and include placement in an integrated setting for the maximum number of hours possible based on the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of individuals with the most significant disabilities.

Post-employment services

The individualized plan for employment for each individual must contain, as determined to be necessary, statements concerning-

- 1) The expected need for post-employment services prior to closing the record of services of an individual who has achieved an employment outcome; and
- 2) A description of the terms and conditions for the provision of any post-employment services; and
- 3) If appropriate, a statement of how post-employment services will be provided or arranged through other entities as the result of arrangements made pursuant to the comparable services or benefits requirements.

Coordination of services for students with disabilities

The IPE for a student with a disability who receives special education and related services under Part B of IDEA or educational services under section 504 must be developed so that it is consistent with and complementary to the student's IEP or plan for section 504 services.

The IPE of a student with a disability must be completed within 90 days of eligibility determination.

Required Information

The VRC must provide the following information to each eligible individual or, as appropriate, the individual's representative, in writing and, if appropriate, in the native language or mode of communication of the individual or the individual's representative:

Options for developing an individualized plan for employment

Information on the available options for developing the individualized plan for employment, including the option that an eligible individual or, as appropriate, the individual's representative may develop all or part of the individualized plan for employment -

- 1) Without assistance from ICBVI or other entity; or
- 2) With assistance from –
 - a. A qualified vocational rehabilitation counselor employed by the ICBVI;
 - b. A qualified vocational rehabilitation counselor who is not employed by ICBVI;
 - c. A disability advocacy organization.

Additional Information

Additional information to assist the eligible individual or, as appropriate, the individual's representative in developing the individualized plan for employment, including -

- 1) Information describing the full range of components that must be included in an individualized plan for employment;
- 2) As appropriate to each eligible individual –
 - a. An explanation of agency guidelines and criteria for determining an eligible individual's financial commitments under an individualized plan for employment;
 - b. Information on the availability of assistance in completing ICBVI forms required as part of the individualized plan for employment; and
 - c. Additional information that the eligible individual requests or ICBVI determines to be necessary to the development of the individualized plan for employment;

- 3) A description of the rights and remedies available to the individual (appeals process);
- 4) A description of the availability of the Client Assistance Program (CAP) and contact information.

Mandatory Procedures

The VRC must ensure that:

- 1) The individualized plan for employment is a written document prepared on forms provided by the ICBVI;
- 2) The individualized plan for employment is developed and implemented in a manner that gives eligible individuals the opportunity to exercise informed choice in selecting –
 - a. The employment outcome, including the employment setting;
 - b. The specific vocational rehabilitation services needed to achieve the employment outcome, including the settings in which services will be provided;
 - c. The entity or entities that will provide the vocational rehabilitation services; and
 - d. The methods available for procuring the services;
- 3) The individualized plan for employment is –
 - a. Agreed to and signed by the eligible individual or, as appropriate, the individual's representative; and
 - b. Approved and signed by a qualified vocational rehabilitation counselor employed by the ICBVI;
- 4) A copy of the individualized plan for employment and a copy of any amendments to the individualized plan for employment are provided to the eligible individual or, as appropriate, to the individual's representative, in writing and, if appropriate, in the native language or mode of communication of the individual or, as appropriate, the individual's representative;
- 5) An individualized plan for employment for a student with a disability is developed –
 - a. In consideration of the student's individualized education program or 504 services, as applicable; and
 - b. In accordance with the plans, policies, procedures, and terms of the interagency agreement with the State Board of Education.

Implementation of the IPE

VRCs who do not meet the Comprehensive System of Personnel Development (CSPD) requirements will require approval for all plans by the Rehabilitation Services Chief or designated Senior Counselor for the Blind.

The VRC should ensure that the IPE is developed and implemented in a timely manner, within 90 days of the eligibility decision. If, for exceptional and unforeseen circumstances, the IPE cannot be written by the 90-day deadline, an IPE extension may be made and must be

documented in the case record. The documentation (case note) should include the timeframe for the extension and the reasons for the extension.

NOTE: The VRC can approve an IPE extension for a period up to 30 days. Additional extensions are required to be approved by the Rehabilitation Services Chief.

Amending the IPE

The individualized plan for employment is amended, as necessary, by the individual or, as appropriate, the individual's representative, in collaboration with a representative of the ICBVI or a qualified vocational rehabilitation counselor (to the extent determined to be appropriate by the individual), if there are substantive changes in the employment outcome, the vocational rehabilitation services to be provided, or the providers of the vocational rehabilitation services;

The individualized plan for employment is amended, as necessary, to include the postemployment services and service providers that are necessary for the individual to maintain, advance in or regain employment, consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

Amendments to the individualized plan for employment do not take effect until agreed to and signed by the eligible individual or, as appropriate, the individual's representative and by a qualified vocational rehabilitation counselor employed by ICBVI (CFR 361.45).

Annual Review of the IPE

The individualized plan for employment must be reviewed at least annually by a qualified vocational rehabilitation counselor and the eligible individual or, as appropriate, the individual's representative to assess the eligible individual's progress in achieving the identified employment outcome (CFR 361.45).

The following are examples of questions that need to be addressed in the annual review:

- 1) Is the client compliant? Are they an active participant in the process? Are they following through with reasonable requirements?
- 2) Is there progress being made towards the vocational goal? Do you need to change strategies? Does the client require new / additional services to move forward?
- 3) If client is not compliant, or progress is not being made, what is the corrective action?

Vocational Rehabilitation Services

Vocational rehabilitation services are any services described in the Individualized Plan for Employment (IPE) that are necessary to assist an eligible client in preparing for, securing, retaining, advancing or regaining an employment outcome that is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice of the client.

Pre-Employment Transition Services

Pre-employment transition services (Pre-ETS) are provided in collaboration with state and local education agencies to students with disabilities who need those services to achieve competitive integrated employment, and are eligible or potentially eligible for VR services. The 5 required activities are:

- 1) Job exploration counseling;
- 2) Work-based learning experiences, which may include in-school or after school opportunities, or experience outside the traditional school setting (including internships) that is provided in an integrated environment to the maximum extent possible;
- 3) Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education;
- 4) Workplace readiness training to develop social skills and independent living; and
- 5) Instruction in self-advocacy, which may include peer mentoring.

Training Services

Training services are defined in WIOA Sec 134(c)(3). For VR purposes, these training services are designed to help the individual improve educationally or vocationally or to adjust to the functional limitations of his or her impairment.

- 1) ***Graduate College or University***
Full-time or part-time academic training leading to a degree recognized as beyond a Baccalaureate Degree, such as a Master of Science, Arts (M.S. or M.A.) or Doctor of Philosophy (Ph.D.) or Doctor of Jurisprudence (J.D.). Such training would be provided by a college or university.
- 2) ***Four-Year College or University Training***
Full-time or part-time academic training leading to a baccalaureate degree, a certificate, or other recognized educational credential. Such training may be provided by a four-year college or university or technical college.

- 3) ***Junior or Community College Training***
Full-time or part-time academic training above the secondary school level leading to an Associate's Degree, a certificate, or other recognized educational credential. Such training may be provided by a community college, junior college, or technical college.
- 4) ***Occupational or Vocational Training***
Occupational, vocational, or job skill training provided by a community college and/or business, vocational/trade or technical school to prepare students for gainful employment in a recognized occupation, not leading to an academic degree. This would include selected courses or programs of study at a community college, four-year college, university, technical college or proprietary school or program.
- 5) ***On the Job Training***
Training in specific job skills by a prospective employer. Generally, the trainee is paid during this training and will remain in the same or a similar job upon successful completion. On-the-job training requires the completion and signing of the ICBVI OJT Agreement between the client, counselor, and employer, which states the hourly wage, the specific training needs, responsibility for Workers' Compensation coverage and any other conditions of employment. ICBVI pays a training fee for OJT, not reimbursement or wages.
- 6) ***Registered Apprenticeship Training***
A work-based employment and training program that combines hands-on, on-the-job work experience in a skilled occupation with related classroom instruction. Structured apprenticeship programs generally have minimum requirements for the duration of on-the-job work experience and classroom instruction, and/or could utilize competency-based elements but should have mechanisms in place to ensure quality and consistency of skills acquisition. The following elements distinguish apprenticeship programs from other work-based efforts including co-op education, on-the-job training, and internships: supervision and structured mentoring; providing for wage increases as an apprentice's skills increase; being based on an employer-employee relationship; and providing an industry recognized certificate of completion of the program.
- 7) ***Basic Academic Remedial or Literacy Training***
Literacy training or training provided to remediate basic academic skills that are needed to function on the job in the competitive labor market.
- 8) ***Job Readiness Training***
Training provided to prepare an individual for work (e.g., work behaviors, getting to work on time, dress and grooming, increasing productivity, etc.).
- 9) ***Disability Related Skills Training***
Disability-related augmentative skills training includes but is not limited to: orientation and mobility; rehabilitation teaching; use of low vision aids; Braille; speech reading; sign language; and cognitive training/retraining.

10) ***Miscellaneous Training***

Any training not recorded in one of the other categories listed, including GED or secondary school training leading to a diploma, or courses taken at four-year, junior or community colleges not leading to a certificate or diploma.

11) ***Randolph Sheppard Entrepreneurial Training***

Training for establishing a small business or individualized training through Randolph-Sheppard program and identified on an IPE.

12) ***Customized Training***

A training program designed to meet the special requirements of an employer who has entered into an agreement with a service delivery area to hire individuals who are trained to the employer's specifications. The training may occur at the employer's site or may be provided by a training vendor able to meet the employer's requirements. Such training usually requires a commitment from the employer to hire a specified number of trainees who satisfactorily complete the training.

Career Services

1) ***Assessment***

Assessment means services provided and activities performed to determine an individual's eligibility for VR services, to assign an individual to a priority category of a VR program that operates under an order of selection, and/or to determine the nature and scope of VR services to be included in the IPE. It also includes trial work experiences. Assessments to determine eligibility, assignment of a priority category or the nature or scope of services to be included on the IPE include, but are not limited to:

- a) Psychological assessments, audiological evaluations, dental and medical exams;
- b) Assessments of personality, interests, interpersonal skills, intelligence and related functional capacities;
- c) Educational achievements, work experience, vocational aptitudes, personal and social adjustments, and employment opportunities of the individual; and
- d) Medical, psychiatric, psychological, and other pertinent vocational, educational, cultural, social, recreational, and environmental factors that affect the employment and rehabilitation needs of the individual.

2) ***Diagnosis and Treatment of Impairments***

Diagnosis and treatment of impairments includes:

- a) Corrective surgery or therapeutic treatment that is likely, within a reasonable period of time, to correct or modify substantially a physical or mental impairment that constitutes a substantial impediment to employment;
- b) Diagnosis and treatment for mental and emotional disorders by qualified personnel who meet State licensure laws;
- c) Dentistry;
- d) Nursing services;
- e) Necessary hospitalization (either inpatient or outpatient care) in connection with surgery or treatment;
- f) Drugs and supplies;
- g) Prescription of prosthetics and/or orthotics related to the individual's diagnosed disability and necessary for the achievement of the employment outcome;
- h) Prescription of eyeglasses and visual services, including visual training, related to the individual's diagnosed disability and necessary for the achievement of the employment outcome;
- i) Podiatry;
- j) Physical therapy;
- k) Occupational therapy;
- l) Speech or hearing therapy;
- m) Mental health services;
- n) Treatment of either acute or chronic medical complications and emergencies that are associated with or arise out of the provision of physical and mental restoration services or that are inherent in the condition under treatment (34 CFR 365.1(c)(39));
- o) Special services for the treatment of individuals with end-stage renal disease, including transplantation, dialysis, artificial kidneys, and supplies;
- p) Other medical or medically related rehabilitation services; and
- q) Medical care for acute conditions arising during rehabilitation and constituting a barrier to the achievement of an employment outcome.

3) ***Vocational Rehabilitation Counseling and Guidance***

Vocational rehabilitation counseling and guidance includes information and support services to assist an individual in exercising informed choice and is distinct from the case management relationship that exists between the counselor and the individual during the VR process.

4) ***Job Search Assistance***

Job search activities support and assist an individual in searching for an appropriate job. Job search assistance may include help in resume preparation, identifying appropriate job opportunities, developing interview skills, and making contacts with companies on behalf of the client.

5) ***Job Placement Assistance***

Job placement assistance is a referral to a specific job resulting in an interview, regardless of whether or not the individual obtained the job.

6) ***Short Term Job Supports***

Support services provided to an individual who has been placed in employment in order to stabilize the placement and enhance job retention. Such services include short-term job coaching for persons who do not have a supported employment goal consistent with the employment goal on the IPE.

7) ***Supported Employment Services***

Supported employment services (34 CFR 361.5(c)(54)) means ongoing support services, including customized employment, and other appropriate services needed to support and maintain an individual with a most significant disability. (*Refer to Supported Employment Policy in this manual*).

8) ***Information and Referral Services***

Information and referral services are provided to individuals who need services from other agencies.

9) ***Benefits Counseling***

Assistance provided to an individual who is interested in becoming employed, but is uncertain of the impact work income may have on any disability benefits and entitlements being received, and/or is not aware of benefits, such as access to healthcare, that might be available to support employment efforts. This typically involves an analysis of an individual's current benefits, such as SSDI and SSI, the individual's financial situation, and the effect different income levels from work will have on the individual's future financial situation. This assistance is intended to provide the individual an opportunity to make an informed choice regarding the pursuit of employment.

Ongoing assistance may also be provided as the individual decides on employment goals, searches for jobs, and becomes employed.

10) ***Customized Employment Services***

(*Refer to Customized Employment Policy in this manual*)

11) ***Extended Services***

Extended services (34 CFR 361.5(c)(19)) are ongoing support services and other appropriate services that are needed to support and maintain an individual with a most significant disability including a youth with a most significant disability, in supported employment (see Supported Policy in this manual).

Other Services

1) **Transportation**

Transportation (34 CFR 361.5(c)(56)) means travel and related expenses that are necessary to enable an applicant or eligible individual to participate in a VR service, including expenses for training in the use of public transportation vehicles and systems. Examples of transportation services include, but are not limited to:

- a) travel and related expenses for a personal care attendant or aide if the services of that person are necessary to enable the applicant or eligible individual to travel to participate in any vocational rehabilitation service;
- b) purchase and repair of vehicles, including vans, but not the modification of these vehicles as modification would be considered a rehabilitation technology service;
- c) relocation expenses incurred by an eligible individual in connection with a job placement that is a significant distance from the eligible individual's current residence; or
- d) purchase of a bus pass for an individual to get to training or work.

2) **Maintenance**

Maintenance (34 CFR 361.5(c)(34)) means monetary support provided for expenses such as food, shelter and clothing that are in excess of the normal expenses of the individual, and that are necessitated by the individual's participation in an assessment for determining eligibility and VR needs or while receiving services under an IPE. Examples of maintenance expenses include, but are not limited to:

- a) cost of uniforms or other suitable clothing required for an individual's job placement or job seeking activities;
- b) cost of short-term expenses, such as food and shelter, that is required in order for an individual to participate in assessment or vocational training at a site that is not within commuting distance of an individual's home;
- c) cost of food and lodging expenses while an individual is participating in four-year or graduate college or university;
- d) initial one-time costs, such as security deposits or charges for the initiation of utilities, that are required in order for an individual to relocate for a job placement; and
- e) cost of an individual's participation in enrichment activities related to that individual's training program.

3) **Rehabilitation Technology**

Rehabilitation technology (34 CFR 361.5(c)(45)) means the systematic application of technologies, engineering methodologies, or scientific principles to meet the needs of, and address the barriers confronted by, individuals with disabilities in areas that include education, rehabilitation, employment, transportation, independent living, recreation, home and vehicular modification, other assistive devices including, but not limited to hearing aids, low vision aids and wheelchairs. This includes the hardware portion of neuro-prosthetic devices, such as cochlear implants, visual prosthetics, and motor

prosthetic devices, but does not include medical and surgical procedures required for implantation of neuro-prosthetic devices, which should be coded as diagnosis and treatment of impairments. Rehabilitation technology includes rehabilitation engineering, assistive technology devices, and assistive technology services. The term includes the following:

- a) **Rehabilitation Engineering Services** are the systematic application of engineering sciences to design, develop, test, evaluate, apply, and distribute technological solutions to problems confronted by VR individuals in functional areas such as mobility, communications, hearing, vision, and cognition, and in activities associated with employment, independent living, education, and integration into the community.
- b) **Assistive Technology Devices** are any items, piece of equipment, or product system, whether acquired commercially off the shelf, modified or customized, that is used to increase, maintain, or improve the functional capabilities of a VR client.
- c) **Assistive Technology Services** (34 CFR 361.5(c)(6)) are any services that directly assist an individual with a disability in the selection, acquisition, or use of an assistive technology device. Services may include:
 - i. the evaluation of the needs of an individual, including a functional evaluation of the individual in his/her customary environment;
 - ii. purchasing, leasing, or otherwise providing for the acquisition by an individual of an assistive technology device;
 - iii. selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
 - iv. coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
 - v. training or providing technical assistance for an individual or, if appropriate, the family members, guardians, advocates, or authorized representatives of the individual; and
 - vi. training or providing technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or others who provide services to, employ, or are otherwise substantially involved in the major life functions of individuals with disabilities, to the extent that training or technical assistance is necessary to the achievement of an employment outcome.

4) **Personal Assistant Services**

Personal assistance services (34 CFR 361.5(c)(38)) means a range of services, including, among other things, training in managing, supervising, and directing personal assistance services, provided by one or more persons, that are –

- a) Designed to assist an individual with a disability to perform daily living activities on or off the job that the individual would typically perform without assistance if the individual did not have a disability;

- b) Designed to increase the individual's control in life and ability to perform everyday activities on or off the job;
- c) Necessary to the achievement of an employment outcome; and
- d) Provided only while the individual is receiving other vocational rehabilitation services.

5) ***Technical Assistance Services Including Self-Employment***

Technical assistance includes consultation and other services provided to conduct market analyses, to develop business plans, and to provide resources to individuals in the pursuit of self-employment, telecommuting and small business operation outcomes.

6) ***Reader Services***

Reader services are for individuals who cannot read print because of blindness or other disabilities. Reader services include, in addition to reading aloud, transcription of printed information into Braille or sound recordings if the individual requests such transcription. Reader services are generally for individuals who are blind or deaf-blind, but may also include individuals unable to read because of serious neurological disorders, specific learning disabilities, or other physical or mental impairments.

7) ***Interpreter Services***

Interpreter services are sign language or oral interpretation services for individuals who are deaf or hard of hearing and tactile interpretation services for individuals who are deaf-blind. Specially trained individuals perform sign language or oral interpretation. Interpreter services also include real-time captioning services for persons who are deaf or hard of hearing.

8) ***Other Services***

These are other VR services that cannot be recorded elsewhere. Include in this category such services as the provision of funds for occupational licenses, tools and equipment, initial stocks and supplies.

Fiscal Policy and Fee Schedule

Purchasing of Goods and Services

All purchases must follow federal, state, and ICBVI purchasing guidelines.

Purchases require written authorization (Authorization for Purchase (AFP)), prior to initiation of the service or the purchase of any equipment.

The responsibility for authorizing services and approving payment of those services must be assigned to separate employees.

Purchases will be made consistent with the prevention of discrimination due to race, religion, color, national origin, sex, age, and disability.

The Rehabilitation Act of 1973, as amended, and its implementing regulations mandate procedures in the provision of services and methods of procurement. Individuals served through the vocational rehabilitation program must be actively involved in choosing the vocational rehabilitation services they receive and the entities providing those services.

The following principles guide client purchases:

- 1) The IPE is the document that determines the scope, duration and provider of services. The client with a disability must agree to the terms and conditions of the IPE prior to services being provided.
- 2) Service providers and methods of procurement are determined in partnership with the client. The Commission prefers that a state Authorization for Payment (AFP) be provided to the selected vendor. Other methods are available, given the informed choice of the client, including reimbursement.
- 3) The provision of services must be consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, and informed choice of the client.
- 4) Staff will ensure fair and equitable treatment of all persons doing business with the Commission.
- 5) Purchases will be made consistent with the elimination and prevention of discrimination due to race, religion, color, national origin, sex, age, and disability.
- 6) The responsibility for authorizing services and approving payment of these services must be assigned to separate employees to ensure separation of duties:
 - a) The VRC is responsible for the authorization of the service;
 - b) The Rehabilitation Services Chief (or authorized designee) is responsible for approving the payment.

The case records will contain necessary evidence and documentation of adherence to these principles.

Purchase of Gift Cards for VR services

The purchase of gift cards for client services is prohibited. This includes (but is not limited to) cards for services such as:

- 1) Food / meals
- 2) Clothing
- 3) Fuel
- 4) Cards used for the purchasing application software (i.e. iTunes)

Financial Needs Assessment (FNA)

Purpose of the FNA:

ICBVI performs a Financial Needs Assessment for all eligible VR clients*. This assessment determines the amount of financial contribution, if any, that can be expected by the client toward meeting his/her vocational goal.

The assessment is designed to evaluate whether the client has a deficit or surplus income. Financial contribution, if any, by the client towards their vocational goal will be a mutual agreement between the VRC and the client.

The following is reportable income on the client's FNA form:

Monthly Income - Wages or other sources of income, including savings, and spouse income if applicable.

The following expenses are reportable on the client's FNA form:

Monthly Expenses - Housing, Utilities (subtract energy assistance), Disability Related Expenses, Food (subtract food stamps), Car and Insurance Expenses (include gasoline and car payment, Medical Expenses (include insurance premiums and medications), Other Transportation Expenses (cab fare or bus pass), Child Support, Credit Cards (minimum monthly payment), Communication and Entertainment Devices / Services (cell phone/internet service/television), Other expenses

Expenses are deducted from income to establish a surplus / deficit monthly income. Client self-report is acceptable for the purposes of the FNA.

A review of the FNA should occur when it becomes known that financial circumstances have changed.

**Individuals determined eligible for Social Security benefits under Titles II or XVI of the Social Security Act are exempt from an FNA and any financial participation in the provision of vocational rehabilitation services.*

Additionally, the FNA can be used as a counseling tool for all clients:

- 1) For counseling related to the client's level of debt and money management skills;
- 2) For career planning to determine the client's current financial status, and ability to participate in their Individualized Plan for Employment;
- 3) For career planning to determine client's economic needs for their employment goal;
- 4) To determine amount of client's ability to participate financially toward the costs of the rehabilitation plan.

NOTE: If client is a minor child (under age 18 or claimed as dependent on income tax), or is under legal guardianship, then the family income is required to be included on FNA.

The FNA of the individual will be applied uniformly to all clients across every region of the state of Idaho, and will be based on the individual's financial need, and will not be so high as to effectively deny an individual necessary services.

The FNA will be completed as a condition for the provision of all vocational rehabilitation services except the following:

- 1) Diagnostics and Evaluations
- 2) Vocational Guidance and Counseling
- 3) Referral and other services to assist applicants and eligible individuals to secure needed services from other agencies, including any component of the statewide workforce development system
- 4) On the Job Training (OJT) (fee only)
- 5) Rehabilitation Technology
- 6) Job Placement and Retention Services including Supported Employment Services
- 7) Personal Assistance Services
- 8) Interpreter or Reader Services
- 9) Mobility Training
- 10) Pre-Employment Transition Services

Client financial participation: The level of the client's participation (if any) in the cost of rehabilitation services must be: 1) Reasonable, and 2) based on client's individual need and not so high as to effectively deny a necessary service.

Comparable Benefits

Comparable services and benefits are:

- 1) Provided or paid for, in whole or in part, by other Federal, State, or local public agencies, by health insurance, or by employee benefits; and
- 2) Available to the individual at the time needed to ensure the progress of the individual toward achieving the employment outcome in the IPE; and
- 3) Commensurate to the services that the individual would otherwise receive from ICBVI.

Commonly encountered comparable benefits:

- 1) Medicaid
- 2) Medicare
- 3) Pell Grant
- 4) Any non-merit based scholarship
- 5) Private medical insurance
- 6) Any other medical insurance
- 7) Veteran's Administration (for health care and rehabilitation center programming)
- 8) Worker's Compensation (when a person has been injured on the job)

ICBVI will not require consideration of comparable services or benefits if to do so would result in:

- 1) Interrupting or creating a significant delay in the progress of the client toward achieving the employment outcome identified in the IPE; or
- 2) Jeopardizing an immediate job placement; or
- 3) Delaying the provision of service to any individual at extreme medical risk.

Student Loans:

ICBVI cannot require a client to obtain a student loan as a comparable benefit for participating in any training program. However, the client may choose to take a student loan to assist with living or other costs.

Scholarships:

Comparable benefits do not include awards and scholarships based on merit, however some scholarships stipulate that they must be used for tuition and school-related expenses. In these cases, the VRC will require clients to apply these funds to their tuition, books, or other required educational supplies and fees.

Other exemptions to comparable benefits:

The following vocational rehabilitation services are exempt from a determination of the availability of comparable services and benefits:

- 1) Assessments required for the determination of eligibility and vocational rehabilitation needs;
- 2) Vocational guidance and counseling;
- 3) Referral and other services to secure needed services from other agencies, including other components of the statewide workforce development system;
- 4) Rehabilitation technology;
- 5) Post-employment services.

Note: The IPE will include all comparable benefits that contribute to the employment outcome of the client.

Fee Schedule

The ICBVI fee schedule is designed to ensure reasonable costs to the program for VR services. These guidelines will recommend the maximum that ICBVI will contribute to the purchase. The services that will meet the client's need, at the least cost to ICBVI, should be the service purchased. All fees for services are uniformly determined, however they may vary in geographical areas across the state. The client may choose his or her preferred vendor, however the cost of the service should be reasonable and comparable to other vendors.

Rates of payment for the fee schedule and for contracted services are established to ensure a reasonable cost to the program for each service, and should be not so low as to deny an individual a necessary service, not absolute, and permitting exceptions so that individual needs can be addressed (34 CFR 361.50)).

The ICBVI fee schedule is determined based upon a competitive pricing analysis and an analysis of ICBVI costs for these services over a period of time of not less than one year, but no more than two years. As appropriate, ICBVI will set rates based upon approved State, County, or Federal rates for the same purchased services, and these rates will be applied uniformly across the state.

Rates of Payment

Exceptions to Usual, Customary and Reasonable Charges:

1) ***Idaho In-State Colleges, Vocational Technical Schools, Universities, and Other Education and Training Institutions education expenses.***

Public in-state institutions - Education expenses, including fees, tuition, and health insurance costs, for enrollment at public in-state institutions: Two (2) semesters per federal fiscal year at the institution of enrollment. If the client receives any grant or scholarship (except Merit Based Scholarships), those benefits need to be applied first for tuition or fees and books and supplies in that order before any expenditure of funds by the Commission.

Private in-state institutions - Education expenses, including fees, tuition, and health insurance costs, for enrollment at Idaho private in-state colleges, private in-state vocational technical schools, private in-state universities, and other private in-state education and training institutions and including enrollment in summer school: Two (2) semesters per federal fiscal year up to an amount not to exceed actual costs per federal fiscal year at public Idaho Colleges or Universities. If the client receives any grant or scholarship (except Merit Based Scholarships) those funds need to be applied first for tuition or fees before any expenditure of funds by the Commission.

2) ***Out-of-State Colleges, Universities, Vocational Technical Schools and Other Education and Training Institutions.***

Out-of-state institutions, including fees and tuition, for enrollment at out-of-state colleges, universities, vocational technical schools, and other education and training institutions, and including enrollment in summer school: Two (2) semesters per federal fiscal year up to an amount not to exceed actual costs per federal fiscal year that would be incurred at a public Idaho college, university, or other in-state education or training program. Any grant or scholarship (except Merit Based Scholarships), must be applied first for tuition or fees before any expenditure of funds by the Commission.

- a) If the client must attend an out-of-state institution because the course of study is not offered within the state of Idaho, the Commission, at its discretion may pay the “usual and customary” charges for fees and tuition up to the established limits.
- b) If the course of study is offered in-state, but because of the additional costs caused by the accommodation for disability, it would be more cost effective for the Commission to have the client attend the out-of-state educational institution, the Commission, at its discretion, may pay the usual and customary fees and tuition charges for the out-of-state educational institution up to the established limit.
- c) If the client chooses to attend an out-of-state institution even though the course of study or training program is offered within the state of Idaho, the Commission will only pay an amount equal to the maximum cost for fees and tuition, up to the

established limit, at the in-state-institution offering the course of study or training program that is closest geographically to the Commission regional office assisting the client.

3) ***Books and Supplies***

Actual costs of required books and supplies, including expenditures for books and supplies required for attendance of summer school. Any grant or scholarship (except for Merit Based Scholarships), must be applied first for books and supplies before any expenditure of funds by the Commission.

4) ***Advanced Degree***

ICBVI may assist with a second or advanced degree, based on the rehabilitation needs of the individual client. For example, ICBVI may assist if the client is unable to achieve competitive integrated employment with an undergraduate degree, or, if the advanced degree is required in order to advance in employment.

5) ***Medical exams with written report***

- a) Specialist exam by M.D. \$300 maximum, plus actual cost of related procedures (e.g. x-rays).
- b) Psychological exam by Licensed Psychologist \$250 maximum plus actual cost of psychometric tests.
- c) Ophthalmologist/Optomtrist exam \$300 maximum, plus actual cost of visual field exam or other necessary tests.
- d) Low vision exam to be paid at specialists' rate not to exceed \$200 maximum.
- e) Follow-up low vision consult \$100 maximum.
- f) Eye report \$25 maximum.
- g) Audiologist exam to be paid at specialists' rate not to exceed \$200 maximum.
- h) Physical exam (GBM) \$200 maximum, plus actual cost of additional procedures and tests.

6) ***Glasses / Lenses / Contacts***

- a) Frames - \$200 maximum
- b) Lenses - usual and customary cost
- c) Contact Lenses - usual and customary cost
- d) Bioptics - \$1,200 maximum.

7) ***Psychotherapy/Counseling Sessions***

Maximum: \$100 per hour, 10 sessions

8) ***Medication and Medical Supplies (including diabetic supplies)***

Maximum: \$300 per month for a maximum of 3 months, while client applies for reduced cost or free medication programs provided by drug companies or other sources of

comparable benefits, such as Medicaid, Medicare Part D or other insurance. We pay the state Medicaid rate.

9) ***Dental Work, including but not limited to cleaning, fillings, extractions, crowns, and dentures:***

Maximum: \$1,000 per case

10) ***Transportation***

- a) Public conveyance (bus, van, airfare) - actual cost.
- b) Transportation services not to exceed \$200 maximum within a 20-mile radius in-town commuting, or \$300 maximum out-of-town commuting per month. Exceptions can be approved by the Rehabilitation Services Chief.
- c) ICBVI may reimburse for state mileage rate for client services or may reimburse for cost of gasoline.
- d) Cab subsidy programs (Scrip) must be used where available.

11) ***Maintenance***

Maintenance means monetary support provided to an individual for expenses, such as food, shelter, and clothing, that are in excess of the normal expenses of the individual and that are necessitated by the individual's participation in an assessment for determining eligibility and vocational rehabilitation needs or the individual's receipt of vocational rehabilitation services under an individualized plan for employment. (Ref: 34 CFR Part 361.5 (35).)

Counselors cannot pay maintenance for those existing living costs that an individual would normally incur regardless of the individual's participation in a plan of vocational rehabilitation services.

Maximum: \$3,000 total per federal fiscal year. No single monthly amount to exceed \$500. Over \$500 a month or \$3,000 per fiscal year requires approval from the Rehabilitation Services Chief.

These maximums also apply to Room & Board for post-secondary education or training programs.

Maintenance for the Assessment and Training Center (ATC):

Counselors are required to issue authorizations *3 weeks prior* to the arrival date of the client at the ATC in Boise. This will allow sufficient time required by fiscal for the processing of these payments.

If a client is participating in ATC and is not commuting to ATC for training; the maximum per month is \$300 for maintenance up to the \$3,000 per federal fiscal year. Over \$300 a month or \$3,000 per fiscal year requires approval from the Rehabilitation Services Chief.

Maintenance will not be paid during the ATC breaks.

12) *Copy Fees*

Maximum: \$20 for copy of report.

13) *Tools & Equipment (including computer equipment and AT)*

Maximum: \$2,000 per case, except for disability-related reasonable accommodation. Agency inventory tools and equipment will count towards the \$2,000 maximum. ICBVI counselors must always negotiate in the best interest of the agency on cost of services and may get three bids if tools & Equipment exceed \$2,000. Purchases that exceed \$2000 will require approval from the Rehabilitation Services Chief.

Exception: If there is a change in employment outcome, the client must return the original tools to ICBVI. After the tools have been returned, then ICBVI may purchase new tools up to the \$2,000 maximum for the new employment outcome.

14) *On Job Training (OJT) Fees*

Maximum: \$5,000

- a) Counselor must negotiate OJT fees based on:
 - Employer's cost to train client
 - Level of technical skills required for job
- b) IPE and OJT Agreement must include:
 - Cost of training
 - Length of time (# of months)
 - Evaluation of progress, including method (suggestion).

15) *Computers including hardware and software*

Maximum: \$2,000 per case, except for disability-related reasonable accommodation.

If a change in computers is necessary, as appropriate, the client must return the original computer to ICBVI. Upon its return, ICBVI may purchase a new computer up to the \$2,000 maximum.

16) ***Self-Employment Plans***

Maximum: \$3,000

Includes any materials, inventories, tools and/or equipment required for the self-employment start up. This maximum does not include:

- Small business consultation fees;
- Technical training and education related to small business development;
- Computers and assistive technology.

17) ***Child Care***

Maximum: \$300 per child per month.

Use the Health & Welfare Child Care Funding as a comparable benefit before expending ICBVI funds.

18) ***Vehicular Purchase***

ICBVI may assist to modify an already owned vehicle to make it accessible for the client's use (e.g. hand controls, van conversions, lift installation). Under the following circumstances:

- a) The cost of the modification cannot exceed the current Blue Book Fair Trade In value of the vehicle.
- b) The client must maintain insurance on the vehicle for replacement cost.
- c) ICBVI will encourage clients who require a vehicle for employment, but do not have one, to contact the Idaho Assistive Technology Project and Independent Living Center to determine if this agency can be used as a comparable benefit.
- d) ICBVI may pay for car repairs dependent on the employment goal and or Business Enterprise Program (BEP) vendor goal. VRC needs approval by the Rehabilitation Services Chief.
- e) ICBVI can aid in the purchase of a used vehicle and/or utility trailer as long as these services are on an approved self-employment plan (IPE) or Business Enterprise Program plan (IPE).

19) ***Physical and Psychological Services***

Surgery may be provided if it is not the *sole vocational rehabilitation service* needed for the client to return to work or to achieve an employment outcome.

ICBVI will only cover the cost of surgery if it will substantially reduce the client's functional limitations.

ICBVI will only cover the cost of surgery or therapy necessary to correct or substantially modify a physical or mental condition that constitutes a substantial impediment to employment, if it will reduce such impediment to employment within a reasonable length of time.

20) ***Physical, Occupational, and Speech Therapy***

\$100 per session at maximum of 10 sessions per case. Exceptions can be made by Rehabilitation Services Chief.

21) ***No Shows***

If a client "no shows" to an appointment with a vendor (i.e. a medical office, counseling appointment) and doesn't cancel or reschedule, the client will be responsible for payment of any charges, under the no show policy of the vendor, not ICBVI.

If ICBVI authorizes for an interpreter to be present and client no shows, ICBVI will cover cost of the interpreter through administrative authorization.

Exception Policy

The Rehabilitation Act of 1973, as amended, requires that ICBVI have a policy that allows for exceptions to the rates of payment, unless the exception would violate State or Federal laws. All exceptions will be reviewed on an individual case basis, and require approval by the Rehabilitation Services Chief or the Administrator.

Exception Process:

To be considered for an exception, the client (or guardian / client representative, as appropriate) and/or the VRC will submit the request for the exception in writing, via email or other means, to the Rehabilitation Services Chief.

The request must include:

- 1) A description of the requested exception.
- 2) Reasons why they believe the exception is warranted.

The Rehabilitation Services Chief reserves the right to deny any request. If a request for exception is denied, the client must be informed of the reason why and of his/her right to appeal the decision within 10 days of notification of the denial.

Reasons for Exception:

The items listed below are not all inclusive, but do contain the major reasons that will be considered in determining if an exception to policy will be granted. Financial need alone is not always sufficient grounds for asking for an exception. It is sometimes the nature and scope of the reason and not the number of reasons that may justify the exception:

- 1) The need is disability related;
- 2) The client has used all sources available, including client's own financial contribution, as well as all available Federal Financial Aid in post-secondary training situations, insurance, Medicaid, Medicare and other resources typically used by persons without disabilities;
- 3) Family issues such as legal separation, divorce or loss of income make resources unavailable;
- 4) Service is not available in certain geographical locations of the state within the fee schedule guidelines.
- 5) The service (such as an out of state college) is required due to disability related accommodations unavailable at comparable institutions in Idaho.

Competitive Integrated Employment

Definition

Competitive Integrated Employment is considered the optimal outcome under WIOA. The definition in the Rehabilitation Act of 1973, as amended by WIOA (34 CFR 361.5(c)(9)):

Competitive integrated employment means work that-

- 1) Is performed on a full or part time basis (including self-employment) and for which an individual is compensated at a rate that-
 - a) Is not less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act or the rate required under the state or local minimum wage law for the place of employment;
 - b) Is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills, and
 - c) In the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills; and
 - d) Is eligible for the level of benefits provided to other employees; and
- 2) Is at a location-
 - a) Typically found in the community; and
 - b) Where the employee with a disability interacts for the purpose of performing the duties of the position with other employees within the particular work unit and the entire work site, and, as appropriate to the work performed, other persons (e.g., clients and vendors), who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that employees who are not individuals with disabilities and who are in comparable positions interact with these persons; and
- 3) Presents, as appropriate, opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.

Required Documentation

The VRC will ensure that the client is employed (either PT or FT) in competitive integrated employment by including verification of the following in the case record:

- 1) Minimum wage or greater (through UI wage data or paycheck stub); and
- 2) Benefits and advancement opportunities (through client self-report or other means); and
- 3) Wages and benefits are within the customary range for all employees (through DOL/CIS); and
- 4) Wages meet the economic needs of the client; and
- 5) The employment is based on the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual.

Wage documentation is required, at minimum, at job placement and program exit. Wage data after program exit will be provided by the Idaho Department of Labor under the Data Sharing Agreement with ICBVI.

Customized Employment

Overview

Customized Employment (CE), is defined as competitive integrated employment, for an individual with a significant disability, that is based on an individualized determination of the strengths, needs, and interests of the individual with a significant disability, designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer, and carried out through flexible strategies, such as:

- 1) Job exploration by the individual;
- 2) Working with an employer to facilitate placement, including customizing a job description based on current employer needs or on previously unidentified and unmet employer needs;
- 3) Developing a set of job duties, a work schedule, specifics of supervision (including performance evaluation and review), and determining a job location;
- 4) Representation by a professional chosen by the individual, or self-representation of the individual, in working with an employer to facilitate placement;
- 5) Providing services and supports at the job location.

It is further understood that in CE, the employer of record is the owner of the business in which the employee is working. Historically, employment services for individuals with disabilities have acted as a proxy employer, managing contract agreements with the owners of businesses. In CE, the owner of the business must be the employer of record.

Customized employment is a relationship between an employer and an employee that is negotiated to meet the needs of both parties. It is based on an exchange of specific contributions by the employee for pay by the employer at or above minimum wage. CE is a universal employment strategy and is especially useful for employment seekers with significant life complexities and barriers to employment, such as severe disability. It is presumed that all employment seekers can work if CE is used as the employment strategy. Employment seekers with the most significant disabilities have traditionally been excluded from consideration for employment due to the pre-set demands of competitive personnel practices. CE provides a strategy to navigate these challenges and, thus, provides a possibility for any employment seeker to be successfully employed. The process comprises a set of pre-employment services designed to ensure that the employment seeker is the primary driver of the outcome received. CE is included in the definition of supported employment (SE) services in WIOA: “The term supported employment services means ongoing support services, including customized employment, needed to support and maintain an individual with the most significant disability.” The Essential Elements of CE dovetail with SE to assure the employer and employee with a disability work successfully together.

The Idaho VR programs are currently involved in CE pilot with the assistance of the Workforce Innovation Technical Assistance Center (WINTAC, <http://www.wintac.org>). Once the pilot is complete, the VR programs will have a statewide, universal policy for CE. Until that time, refer to the following publication “*The Essential Elements of Customized Employment*” for guidance:

<https://www2.ed.gov/rschstat/eval/rehab/essential-elements-of-customized-employment-for-universal-application.pdf>

Temporary Employment

The nature of staffing services (temporary employment agencies) has changed dramatically over the past several years. Temporary employment is a valuable pathway to career building and excellent jobs with full benefits.

Temporary employment can be competitive, integrated employment, and result in a successful employment outcome. Individual consideration is given to each temporary position based on regional economy, individual circumstances, hiring practices specific to an industry or employer type.

It is required that the VRC review temporary employment cases with the Rehabilitation Services Chief prior to initiating the start date of employment. This review needs to be documented in the case record.

For a temporary position to be considered competitive, integrated employment, the following criteria must be met:

- 1) Work that is part or full-time; and
- 2) Work that is performed in a competitive, integrated setting; and
- 3) Work for which an individual is paid at or above the minimum wage; and
- 4) Work for which an individual earns the same wages and benefits as other employees doing similar work who are not disabled; and
- 5) The participant is satisfied with temporary employment, understands the terms of case closure, and does not want to seek employment elsewhere; and
- 6) The salary and benefits meet the participant's needs, and the participant is not concerned about knowing when the position will end. The participant is gaining competitive skills in the position; and
- 7) Substantial services have been provided; and
- 8) Reasonable work accommodations have been carefully considered and resolved for current and/or multiple worksites.

Self-Employment

Introduction

The primary goal of the ICBVI is to assist the client in attaining a suitable competitive, integrated employment outcome that results in financial self-sufficiency. Self-Employment is one option that may be considered to assist the client in selecting a vocational goal.

The successful self-employment enterprise is operated by a participant who can demonstrate an array of skills and abilities, including; organization, business and financial management, marketing and other talents, as well as, knowledge and expertise in the goods or services being produced. These may be accomplished through natural supports or other resources and would need to be included in the self-employment plan. It is essential that the participant is well informed of potential risks and that efforts are made to minimize those risks.

A vocational evaluation/career exploration may be used as a method of assisting the client and VRC in deciding if self-employment is a possible viable option. Vocational evaluators have a variety of instruments, work samples, inventories and other strategies to use in providing feedback and information related to self-employment.

There may be a need for VR services prior to a commitment from ICBVI on a self-employment plan. It could be appropriate for ICBVI to assist a client in services, such as training needed for blind skills or business knowledge before the decision is made by the client and VRC to pursue the development of a business plan.

ICBVI values self-employment as a viable vocational outcome. Self-employment is presented by the VRC within the repertoire of vocational options and may be considered by clients and counselors as they work toward the development of an appropriate vocational goal.

Eligibility Requirements

Participation in self-employment or supported self-employment as a vocational goal requires that:

- 1) The business venture is, at a minimum, 51% owned, controlled and managed by the client. For those in supported self-employment, some clients may require the assistance of a guardian or conservator in controlling or managing a business.
- 2) Businesses must be organized as Sole Proprietorships, Corporations, General and Limited Partnerships, and Limited Liability Companies, as noted in Definitions-Forms of Organization.
- 3) The business venture is considered legal in all jurisdictions in which it operates (Federal, Tribal, State and Local Governments). This includes business and other necessary licenses.

- 4) The business venture is accurately reporting to appropriate government agencies, including the Internal Revenue Service and State taxing agency or other applicable State or local authorities.
- 5) The business venture is organized as a for-profit entity.

The following activities are not supported by ICBVI as self-employment ventures:

- 1) Hobbies or activities that are not competitive-income producing ventures.
- 2) Businesses organized as Non-Profit / “not-for-profit”, or business plans that are determined (in agency’s best judgment) likely to not produce adequate competitive income and/or business revenue.
- 3) Business ventures that are speculative in nature* or considered high risk by the Better Business Bureau (www.bbb.org) or similar organizations.

**Examples of speculative ventures include multi-level marketing or investment schemes.*

Required Activities

The *Vocational Rehabilitation Self-Employment Guide* is an excellent resource for using with your client’s in the exploration and development of self-employment plans:

<http://vrselfemployment.org/>

The following activities will be required for all self-employment goals, including the BEP. Each of these activities should be documented in case record:

- 1) Assessment of the client’s appropriateness for self-employment;
- 2) Training and technical assistance;
- 3) Development of a business plan.

Assessment of the client’s appropriateness for self-employment

Activities may include, but are not limited to:

- 1) Evaluate the client’s interests, skills, aptitudes, and personality traits as they relate to self-employment. This may include the use of data gathering instruments, and formal vocational assessment to the degree necessary to ensure the client has the basic skills necessary to operate and manage a small business;
- 2) Ensure the viability of self-employment as it relates to the client’s ability to handle the physical, mental, emotional, and cognitive aspects of the business venture including their disability. Evaluate adjustment to blindness, adaptive skills, and any other disability-related barriers;

- 3) Discuss challenges, risks and rewards of self-employment;
- 4) Explore suitability of self-employment as a vocational option such as:
 - a) Informational interviews with business owners;
 - b) Attendance at an entrepreneurial workshop or other community trainings exploring the characteristics and realities of owning and running a business.
- 5) Explore critical skills for maintaining a business through community trainings and workshops, including:
 - a) Fiscal management skills;
 - b) Human resource and staff management skills;
 - c) Advertising and marketing strategies;
 - d) Soliciting and utilizing local market research and participant feedback;
 - e) Small business legalities: organizational options, taxation, licensing;
 - f) Job shadow or intern with blind business owners or at BEP sites;
 - g) Counseling & guidance around areas of self-employment that will be a personal challenge for participant to identify contingency plans to accommodate; and
- 6) Examine the client's financial goals related to self-employment, including consideration of issues such as, impact on social security benefits, supplementing family income versus primary source of support, and earning sufficient funds to maintain competitive, integrated employment standards. A referral for benefits planning may be appropriate.

Training and Technical Assistance

As appropriate, clients will be expected to attend training, when available, and participate in technical assistance services related to self-employment. This could include options such as training and technical assistance on subjects such as: exploring entrepreneurship, small business development, business plan development, small business management, accounting for business, or business financing. Service Corps of Retired Executives (SCORE) is an excellent resource, and is a no-cost service. (<https://www.score.org>)

Applicants to the Business Enterprise Program will be expected to fulfill all of the training requirements of that program.

Clients may require business specific skill training to eliminate skill gaps or prepare for the operation of the business. This could include coursework such as accounting/bookkeeping, using computers in business, human resources in business, vending operations, or additional blind skills training.

Development of a business plan

The business plan is viewed as an essential element in any business venture and will be the document used by ICBVI to determine whether or not to participate in capitalizing the business venture.

- 1) A basic business plan must be written and submitted to the VRC.
- 2) The client will prepare the business plan with (encouraged) or without external technical assistance from a service provider experienced in business plan development.
- 3) The business plan will be reviewed by no less than two individuals with small business start-up and management experience.
- 4) The VRC will have the client address the comments/recommendations indicated by the reviewers.
- 5) If revisions are needed the client will revise the plan with or without technical assistance.
- 6) If the client and ICBVI agree, then the VRC and client proceed to amend the IPE to initiate the self-employment plan.
- 7) The client may decide not to proceed with the identified business goal. If so, the client and the VRC proceed with developing a new IPE goal (this may or may not be a different self-employment option).

Supported Employment Services

Supported Employment

Supported employment means competitive integrated employment, including customized employment, or employment in an integrated work setting in which an individual with a most significant disability, including a youth with a most significant disability, may be working on a short-term basis (earning less than a competitive wage) toward competitive integrated employment that is individualized, and customized, consistent with the unique strengths, abilities, interests, and informed choice of the individual, including ongoing support services for individuals with the most significant disabilities. (34 CFR 363.1)

SE services may be provided by VR for a period of time not to exceed 24 months, unless the VRC and client jointly agree to extend the time to achieve the employment outcome identified in the IPE. Supported employment services will be provided on an individualized basis, with the VRC consistently evaluating the of service needs.

For the purposes of this policy, SE refers to support services (e.g. job coaching) provided after placement and before the individual reaches initial stability, and prior to utilization of extended services (long-term supports).

Key aspects of SE include:

- 1) Can be provided up to 24 months for both youth and adults.
- 2) Must be in Competitive Integrated Employment (with rare time-limited exceptions).
- 3) Extended Services for youth are available for clients under the age of 25 where external extended services are unavailable.

Supported Employment Strategy

Supported Employment (SE) is indicated for individuals for whom competitive integrated employment (CIE) has not historically occurred, or for whom competitive integrated employment has been interrupted or intermittent as a result of a significant disability; and because of the nature and severity of their disability, who need intensive supported employment services and extended services after the transition from ICBVI services in order to maintain their employment.

SE is identified as an appropriate employment outcome on the basis of a comprehensive assessment of rehabilitation needs including an evaluation of rehabilitation and career needs.

Ongoing Support Services

Ongoing support services are those services needed to support and maintain a client with a most significant disability, including a youth with a most significant disability, in supported employment.

Ongoing support services (OSS) are provided from the time of job placement and thereafter by extended services providers throughout the client's term of employment. Both Supported Employment under ICBVI and Extended Services (managed by IDVR) regardless of payer are considered forms of OSS.

These services include an assessment of employment stability and provision of specific services at the worksite that are needed to maintain stability based on, at a minimum, twice-monthly monitoring at the worksite or at the request of the client can be conducted off-site with the client.

Ongoing support services may consist of any of the following activities, after initial job placement:

- 1) Any supplementary assessment (to the comprehensive assessment);
- 2) Job skill training at the work site;
- 3) Social skills training;
- 4) Regular observation or supervision of the client;
- 5) Follow-up services including regular contact with the employer, the client, and other individuals authorized to participate by the client in order to reinforce and stabilize the job placement;
- 6) Facilitation of natural supports at the worksite;
- 7) Any other service identified in the scope of vocational rehabilitation services for clients.

Extended Services

Extended services (ES) are those services provided to youth and adults after initial stabilization that are required for an individual to maintain their employment. ES are based on the needs of the individual as specified in their IPE. For adults, extended services can only be funded through external sources, whereas ICBVI may provide extended services for youth.

The availability of extended services funding is not an eligibility issue, but one of resource availability: Federal regulations do not allow the VRC to find an individual ineligible for services because the source of extended services is not identified. A client should continue to receive supported employment services and be given the opportunity to obtain extended services, even if the source of funding is not known at the time the IPE is developed.

If funding for extended services is not available for adults, the VR counselor will:

- 1) Document that extended support services are required; and
- 2) Work with the client and/or guardian to seek out needed extended services, which may include natural supports; and
- 3) Provide necessary on-going supported employment services under an IPE until the availability of extended services are available, or until the supported employment services timeframe is exhausted.

Extended Services for Youth

ICBVI may provide extended services for youth when comparable extended services are unavailable in the community. Where an SE strategy is indicated for youth, and where youth will not be able to immediately access external extended services, ICBVI can provide Youth Extended Services once initial job stabilization is achieved. Prior to the provision of ICBVI funded extended services, the VRC will need verification provided by the client or guardian that external extended services are currently not available from other sources in the community.

These extended support services for youth can continue until:

- 1) Externally funded extended services become available; or
- 2) ICBVI has provided extended services for four years; or
- 3) The individual reaches the age of 25 (whichever comes first).

Natural Supports

Natural supports are extended services provided on the job site by a supervisor, co-workers, or, on a limited basis, family members. Natural supports should be used cautiously as they may be difficult to sustain on a long-term basis. The person responsible for implementing natural supports must make the commitment in writing to provide ongoing natural supports in the absence of funded extended services.

Employment Stabilization

Initial stabilization is the expected point of transition to extended services (sustained or maintained stabilization refers to stabilization that is maintained over the course of extended services provision). Day one of the 90-day requirement for a successful SE closure begins when the client has achieved initial employment stabilization (employment outcome) and the client begins extended services. A client is considered stabilized in employment if:

- 1) All reasonable support needs have been addressed including worksite accommodations and employer concerns; and
- 2) The individual is satisfied with the type of work and number of hours worked per week; and
- 3) The individual has achieved their highest expected level of independence on the job and has reached a predictable level of intervention; and
- 4) Fading (a decrease in on-the-job supports, such as job coaching) has occurred and the VRC has evidence that establishes the appropriate level of extended support needed by the individual.

Progress toward initial employment stabilization should be assessed on at least a monthly basis. Evidence of progress could include any of the following, and is not limited to:

- 1) an increase of hours,
- 2) increase of responsibilities,
- 3) mastery of job skills, or added tasks,
- 4) monthly Community Rehabilitation Providers' (CRP) progress reports and monthly check-ins with the client.

A rationale that initial employment stability has been achieved should be articulated in a case note.

Allowance for less than competitive wage on a short-term basis

WIOA creates an allowance for the short-term basis of a non-competitive wage for people with a SE employment goal. This allowance may only be used in limited situations to ensure competitive integrated employment can be reasonably achieved within six months of achieving an employment outcome in supported employment, or in limited circumstances, within a period not to exceed 12 months from the achievement of the supported employment outcome.

This allowance can include non-competitive wages that exceed minimum wage, but will always be triggered where a subminimum wage is being paid to individuals. More common cases would involve 14(c) subminimum wage certificate holders or instances where an individual is under 20 years of age and the employer is utilizing a training wage not below \$4.25 for the first 90

consecutive calendar days as allowable under Idaho Code §44-1502(3). In all SE cases, Rehabilitation Services Chief consultation and approval is required prior to supporting a temporary non-competitive wage allowance on a short-term basis.

Strong rationale for the six-month extension must be documented in the case record. In these exceptional circumstances, and on a short-term basis, individuals with an MSD who are working in an integrated setting may be allowed to work for less than competitive wage, provided they are working towards CIE and are reasonably expected to be making a competitive wage within six months of achieving the supported employment outcome. Again, the short-term basis should only be used if there is progress towards a competitive integrated employment outcome. Progress towards competitive integrated employment could include, but is not limited to an increase of hours, increase of responsibilities, mastery of job skills, incremental wage increases, or added tasks.

In extraordinary circumstances, with Rehabilitation Services Chief approval, this extension may be expanded up to 12 months based on the needs of the individual coupled with evidence of interim progress toward a competitive wage. ICBVI cannot support SE services beyond the short-term basis period: In cases where a competitive wage has not been achieved within a short-term extension period, the VRC should review other CIE options with the client, or close the case. In no circumstances is Supported Employment allowable in a non-integrated environment.

Successful Closure Requirements

The following must be satisfied before a VRC can close a SE case successfully:

- 1) The individual must have completed SE services and is no longer receiving VR funded services including VR extended services for youth; and
- 2) The individual has achieved employment stability for a period of 90 days after transitioning to extended services; and
- 3) The job meets the definition of competitive integrated employment; and
- 4) The job is consistent with the vocational goal specified in the IPE; and
- 5) At the end of the 90 days the client and VRC agree that the client is performing well in employment; and
- 6) The individual is informed, through appropriate modes of communication, about the availability of Post-Employment Services.

Statewide Supported Employment Program

The Idaho Division of Vocational Rehabilitation (IDVR) manages the supported employment grant for the state. IDVR also manages the Extended Employment Support (EES) program for the state.

Since most, if not all, ICBVI SE cases are shared with IDVR, it is extremely important to identify these individuals for statewide WIOA reporting.

When VRC's complete an application for an individual who may be a candidate for a SE strategy, the counselor is required to:

- 1) Refer the client to IDVR for SE services, if the client has other disabilities in addition to visual impairment; and
- 2) Indicate in the case management system that the individual has a SE strategy; and
- 3) Have the client sign a Release of Information (ROI) with IDVR; and
- 4) The VRC needs to work collaboratively and in concert with IDVR in the development and implementation of the IPE.

If IDVR is unable to implement the IPE (either due to OOS or the individual is a student with a Pre-ETS case), the counselor needs to document this in the case record prior to the provision of services.

Services for Individuals Employed or Seeking Employment at Subminimum Wage

The Rehabilitation Act, as amended (34 CFR 397.1) emphasizes that individuals with disabilities, including those with the most significant disabilities, can achieve competitive integrated employment if provided necessary supports and services. The limitations imposed by Section 511 of the Act reinforce this belief by requiring individuals with disabilities, including youth, to satisfy certain service-related requirements in order to start or maintain, as applicable, employment for less than minimum wage.

Purpose of Section 511

The purpose of Section 511 seeks to ensure that individuals with disabilities have a meaningful opportunity to understand all potential employment options in their community including Competitive Integrated Employment (CIE). This process includes the requirement for Vocational Rehabilitation (VR) to arrange for the provision and documentation of career counseling and information and referral (CC/I&R) for all individuals with disabilities employed at or seeking subminimum employment, regardless of age.

Section 511 includes specific and additional service and documentation requirements for youth under the age of 25 who are seeking employment for less than minimum wage with employers who hold special wage certificates under Section 14(c) of the Fair Labor Standards Act of 1938. These requirements for youth must be satisfied, prior to beginning employment at subminimum wage, in addition to the career counseling and information and referral requirements that apply to all subminimum/potential subminimum wage employees.

These additional requirements for youth are intended to provide an increased level of engagement and information provision at a critical period for career development and to ensure youth and parents/guardians are aware that CIE is an option and that assistance is available from VR if they are interested in pursuing CIE.

General Requirements for CC/I&R

Current employees can choose to continue to work for less than minimum wage provided they engage in a recurring Career Counseling/Information and Referral (CC/I&R). This service addresses federal requirements allowing the employer to continue to employ individuals at less than minimum wage.

Those adults employed on or after July 22, 2016 must receive CC/I&R twice per year for their first year of subminimum wage employment, and once per year thereafter. Prospective adult

employees may begin subminimum wage employment prior to receiving CC/I&R services from ICBVI, however they must receive CC/I&R within their first six-months of employment.

Additional Requirements for Youth

Youth have additional requirements, including participation in the VR process prior to beginning work for less than minimum wage. Prior to youth entering subminimum wage employment, Career Counseling must be provided during the course of VR Counseling and Guidance. In addition, the Information and Referral packet must be given to the youth. Before providing documentation verifying the delivery of CC/I&R, the following must occur:

- 1) Evidence of transition services under the Individuals with Disabilities Education Act (IDEA) or documentation of the provision of Pre-Employment Transition Services (Pre-ETS) and
- 2) Application to ICBVI and eligibility determination. For those determined eligible for VR, an Individualized Plan for Employment (IPE) must be developed and the client should engage in their IPE services unless the client has a stated employment goal of subminimum wage employment. In these cases, the client will be closed and notified that they may reapply to VR at any time; and/or
- 3) Career counseling and information and referral are provided.

Documentation

Once individuals, working in subminimum wage employment, have completed the necessary requirements, ICBVI will provide the verification documentation necessary for them to work for subminimum wage. ICBVI will maintain documentation of 511 related services for a period of three years from date of completion of the service (2 CFR 200.333).

Transition Services

Preamble

The Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (WIOA) emphasizes the importance of the provision of transition services to students and youth with the most significant disabilities to ensure they have meaningful opportunities and experiences to achieve employment outcomes in competitive integrated employment. Additionally, Vocational Rehabilitation (VR) programs must reserve and use 15% of the federal VR grant for the provision of pre-employment transition services.

Definitions

Student with a Disability

The definition for student with a disability has three components including age requirement; education program attendance; and eligible for and either receiving special education or related services under the Individuals with Disabilities Education Act (IDEA) or is an individual with a disability for purposes of Section 504 of the Act:

- 1) **Age Requirements:** Individuals may begin receiving Pre-ETS services when they turn 15 and can continue to receive these services until their 22nd birthday; and
- 2) **Educational Programs:** Includes secondary education (including home schooling); non-traditional or alternative education (e.g., general education equivalency (GED) preparation programs); and postsecondary education and vocational education. Other recognized educational programs include those offered through the juvenile justice system; and
- 3) **Disability:** The student must be eligible for special education or related services under IDEA. Students must be receiving these services except for students with disabilities for purposes of Section 504 of the Act who are not required to be receiving services under Section 504 to receive Pre-ETS.

Youth with Disability

A youth with a disability is an individual with a disability between the ages of 14 and 24. There is no requirement that youth participate in an education program. Youth must apply for, and be determined eligible and have an IPE to receive transition related and VR services.

Potentially Eligible

Students with blindness or visual impairments, regardless of whether or not they have applied or been determined eligible for the VR program, may receive pre-employment transition services if the student is potentially eligible for VR services and meets the other requirements of a student with a disability, as defined above.

Transition Services

Transition services are VR services available to both students and youth with disabilities. They are a coordinated set of activities that are outcome oriented and promote movement from school to post-school activities; including postsecondary and vocational training and competitive integrated employment. Other transition services may include job-related services, job search and placement assistance, job retention services, follow-up and follow along services. Transition services are based upon the student or youth's needs including their preferences and interests that promotes the achievement of the employment outcome identified in the student or youth's IPE and includes outreach and engagement of parents or representatives, as appropriate. Transition services may be provided as group services or as individualized services.

Pre-Employment Transition Services (Pre-ETS)

Pre-employment transition services may be provided either to students eligible for VR services or to potentially eligible students who may have not yet applied for services.

These services are an early start at job exploration that:

- 1) Must be made available Statewide to all students with disabilities in need of such services, regardless of whether a student has applied for VR services; and
- 2) May begin once a student requests or is recommended for one or more pre-employment transition services and documentation of a disability is provided to the VR agency; and
- 3) Assist students with identifying career interests to be further explored through additional VR services, including transition services; and
- 4) Must be provided or arranged in collaboration with Local Education Agency (LEAs).

Required Activities

There are five required Pre-Employment Transition Services:

Job Exploration Counseling

Job Exploration Counseling, or Career Counseling can include a wide variety of professional activities that help individuals with career-related issues. Career counselors work with youth seeking to explore career options, experienced professionals contemplating a career change, parents who want to return to the world of work after taking time to raise their child, or people

seeking employment. Career counseling is also offered in various settings, including in groups and individually, in person or virtually.

Discussion or counseling of job exploring options are intended to foster motivation, consideration of opportunities and informed decision-making. Specific to youth, real-world activities ensure that students recognize the relevance of a high school and post-school education to their futures, both in college and/or the workplace. Job exploration counseling activities can be done in conjunction with private, for-profit, public or nonprofit businesses in your community and/or through web-based resources.

Job Exploration Counseling may include discussion or information on:

- The student's vocational interest inventory results,
- The labor markets,
- In-demand industries and occupations,
- Non-traditional employment options,
- Administration of vocational interest inventories, and
- Identification of career pathways of interest to the students.

Work-based learning experiences, which may include in-school or after school opportunities, experiences outside of the traditional school setting, and/or internships

Work Based Learning may include in-school or after school opportunities, or experience outside the traditional school setting (including internships), that is provided in an integrated environment to the maximum extent possible.

Work Based Learning (WBL) is an educational approach or instructional methodology that uses the workplace or real work to provide students with the knowledge and skills that will help them connect school experiences to real-life work activities and future career opportunities. It is essential that direct employer or community involvement be a component of the WBL to ensure in-depth student engagement. These opportunities are meant to engage, motivate and augment the learning process. These WBL opportunities can be done in conjunction with private, for-profit, public or nonprofit businesses in your community and/or through web-based resources. In addition, work-based learning requires in-depth engagement of youth and an evaluation of acquired work relevant skills.

Work-based learning experiences, may include:

- Job Shadowing
- Career Mentorship
- Career Related Competitions
- Informational Interviews

- Paid Internships
- Non-paid Internships
- Practicum
- Service Learning
- Student-led Enterprises
- Simulated Workplace Experience
- Paid Work Experience
- Non-Paid Work Experience
- Volunteering
- Workplace Tours/Field Trips

Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs

Counseling on opportunities for enrollment in post-secondary education occur at institutions of higher learning and may include but is not limited to: counseling on course offerings and career options, types of academic/occupational training needed to succeed in the workplace, and post-secondary education associated with career fields or pathways, academic curricula advisement, college admittance process assistance, help with financial aid forms, or information on scholarship opportunities.

Choosing a career requires student exploration and planning. It is important that students connect the present to the future. It is essential for them to see how skill development and knowledge relate to future opportunities in Post-Secondary Education (PSE) settings and employment.

Individualized student strategies to support a smooth transition from high school to postsecondary education (PSE) may include:

- document academic accommodations
- advocate for needed accommodations & services
- identify interests, abilities talents, needs, learning style preferences and goals
- promote use of executive function skills
- assist with researching career & PSE options
- promote participation in PSE preparation classes, etc.
- connect to PSE resources/ services/websites
- promote use of self-advocacy skills
- assist with application/ enrollment process
- identify financial aid options
- take career vocational assessments
- familiarize with education and vocational laws
- identify technology needs
- identify admission tests accommodations
- attend college fairs & tours

- provide PSE information to family members
- access services & supports from developmental/ intellectual disabilities service agency.

Workplace readiness training to develop social skills and independent living

Workplace readiness traits describe a number of commonly expected skills that employers seek from most employees. Work readiness skills are a set of skills and behaviors that are necessary for any job. Work readiness skills are sometimes called soft skills, employability skills, or job readiness skills.

These abilities help employees learn how to interact with supervisors and co-workers. They help reinforce the importance of timeliness and build an understanding of how we are perceived by others. Employers value employees who can communicate effectively and act professionally. No matter what technical skills a job may require, every job requires good social skills/interpersonal skills.

Specific social/interpersonal skills may include:

- communication
- positive attitude
- teamwork
- problem solving
- talking/writing
- cooperation
- active listening
- decision making
- conflict resolution
- body language
- empathy
- professionalism
- good manners
- supporting others
- being respectful

Independent livings skills may include the following:

- good hygiene
- time management
- healthy lifestyle
- using a cell phone
- using transportation
- orientation and mobility skills

- money management
- nutrition/meal preparation
- accessing community
- services & supports
- community participation
- civic responsibility
- community safety
- developing friendships
- appropriate dress
- appropriate behavior
- other soft skills as need for employment

Instruction in Self-Advocacy

Self-advocacy refers to: an individual's ability to effectively communicate, convey, negotiate or assert his/her own interests and/or desires. Self-determination means that individuals with disabilities have the freedom to plan their own lives, pursue the things that are important to them and experience the same life opportunities as other people in their communities. It means taking the responsibility for communicating one's needs and desires in a straightforward manner to others. The development of self-advocacy skills should be started at an early age. These skills will be needed in education, workplace and community settings.

Self-determination is a concept reflecting the belief that all individuals have the right to direct their own lives. Students who have self-determination skills have a stronger chance of being successful in making the transition to adulthood, including employment and independence. To accomplish this goal, students must be prepared to participate in planning for their future.

Self-advocacy skills may include:

- self-awareness
- disability understanding
- disability disclosure
- decision making
- setting goals
- evaluating options
- identifying independence
- accommodations
- requesting & utilizing accommodations
- knowing your rights & responsibilities
- self-determination
- knowing how to request & accept help
- intrinsic motivation

- taking a leadership role
- assertiveness
- listening to the opinion of others
- problem solving
- monitoring progress
- positive self-talk

Auxiliary Aides and Services

If a student with a disability, including a potentially eligible student, requires an auxiliary aid or service, e.g., interpreter, reader services, or accessible informational materials, to access or participate in pre-employment transition services, VR may pay for the service, if not customarily provided by another entity, including local educational agencies. Auxiliary aids and services are those services necessary to ensure equal access to pre-employment transition services, as required by the Americans with Disabilities Act, as amended, and Section 504 of the Rehabilitation Act.

Auxiliary aids and services may include, but are not limited to: qualified American Sign Language (ASL) interpreters; note takers; written materials; telephone handset amplifiers; assistive listening devices or systems; telephones compatible with hearing aids; open and closed captioning, including real-time captioning; text telephones (TTYs), videophones, and captioned telephones, qualified readers; taped texts; audio recordings; Braille and large print materials; screen reader software; or magnification software.

Authorizations for auxiliary aids and services will correspond to the appropriate Pre-ETS category.

Note: If a student with a disability requires additional services (e.g., job coaching, transportation, or assistive technology, etc.) to participate in pre-employment transition activities, he or she will need to have an approved IPE in order to obtain these services. These types of expenses are not eligible to be allocated to the 15% reserved for pre-employment transition services.

Coordination Activities

Pre-Employment transition coordination consists of:

- 1) Attending individualized education program meetings for students with disabilities, when invited;
- 2) Working with the local workforce development boards, one-stop centers, and employers to develop work opportunities for students with disabilities, including internships, summer employment and other employment opportunities available throughout the school year, and apprenticeships;
- 3) Working with schools, including those carrying out activities under section 614(d) of the IDEA, to coordinate and ensure the provision of pre-employment transition services; and
- 4) When invited, attending person-centered planning meetings for individuals receiving services under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

Authorized Activities

There are 9 authorized activities ^{1 2}:

- 1) Implement effective strategies that increase independent living and inclusion in their communities and competitive integrated workplaces;
- 2) Develop and improve strategies for individuals with intellectual and significant disabilities to live independently, participate in postsecondary education experiences, and obtain and retain competitive integrated employment;
- 3) Provide training to vocational rehabilitation counselors, school transition staff, and others supporting students with disabilities;
- 4) Disseminate information on innovative, effective, and efficient approaches to implement pre-employment transition services;
- 5) Coordinate activities with transition services provided by local educational agencies under IDEA;
- 6) Apply evidence-based findings to improve policy, procedure, practice, and the preparation of personnel;
- 7) Develop model transition demonstration projects;
- 8) Establish or support multistate or regional partnerships that involve States, local educational agencies, designated State units, developmental disability agencies, private businesses, or others; and
- 9) Disseminate information and strategies to improve the transition to postsecondary activities of those who are traditionally unserved.

¹ *Fiscal forecasting will be completed at the beginning of every FFY to evaluate the availability of funds for the authorized activities.*

² *Field staff are allowed to engage only in activities 3 and 8. Field staff involvement in the other 7 activities will require prior approval from the Rehabilitation Services Chief.*

Time Tracking

ICBVI staff are required to track their time in the arrangement and provision of pre-employment transition services in the statewide I-Time payroll system for state employees, and the Pre-ETS Time Tracking application in the Orion case management system.

Refer to the publication “Pre-Employment Transition Services Time Tracking” for the ICBVI policies on Pre-ETS time tracking.

Transition Services under an Order of Selection

Neither the statute nor the regulations exempt students with disabilities from any of the order of selection requirements.

A student with a disability who needs individualized VR services, in addition to pre-employment transition services, must apply and be determined eligible for the VR program and have an approved IPE.

Should a student with a disability be determined eligible and placed in a closed priority category, he or she may not receive individualized VR services until they are moved off the waitlist, and have an approved IPE.

If a student with a disability were receiving pre-employment transition services prior to applying for VR services and being placed in a closed category, he or she may continue to receive pre-employment transition services.

For students who have not received pre-employment transition services and are determined eligible for the VR program and placed into a closed order of selection priority category, the individual can receive group transition services or other available VR services to groups, but cannot receive pre-employment transition services, individualized transition services, or other individualized VR services.

Required Data Elements

Staff will need to capture the required data elements on students with disabilities who participate in pre-employment transition services, *including the potentially eligible*, regardless of whether it is for individualized or group activities.

The required data elements for a student with a disability to participate in pre-employment transition activities are:

- 1) Unique identifier
- 2) SSN (if available)
- 3) DOB
- 4) Race & Ethnicity – required if student is in secondary education
- 5) Student with Disability (documentation)
- 6) Start date of Pre-Employment Transition Services
- 7) Pre-Employment Transition Services being provided

Program Exit

Competitive Integrated Employment

The record of services of an individual who has achieved an employment outcome may be closed only if all of the following requirements are met:

- 1) ***Client has achieved the requirements of competitive integrated employment;*** and
- 2) ***Employment outcome achieved.*** The individual has achieved the employment outcome that is described in the individual's individualized plan for employment and is consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice; and
- 3) ***Employment outcome maintained.*** The individual has maintained the employment outcome for an appropriate period of time, but not less than 90 days, necessary to ensure the stability of the employment outcome, and the individual no longer needs vocational rehabilitation services; and
- 4) ***Satisfactory outcome.*** At the end of the appropriate period the individual and the VRC consider the employment outcome to be satisfactory and agree that the individual is performing well in the employment; and
- 5) ***Post-employment services.*** The individual is informed through appropriate modes of communication of the availability of post-employment services.

Supported Employment

The record of services of an individual who has achieved a Supported Employment outcome may be closed only if all of the following requirements are met:

- 1) The individual must have completed SE services and is no longer receiving VR funded services including extended services for youth under VR; and
- 2) The individual has achieved employment stability for a period of 90 days after transitioning to extended services; and
- 3) The job meets all of the conditions of “Requirements for Successful Case Closure – Without Supports” (see above); and
- 4) The job is consistent with the vocational goal specified in the IPE; and
- 5) At the end of the 90 days the client and VRC agree that the client is performing well in employment; and
- 6) The individual is informed, through appropriate modes of communication, about the availability of Post-Employment Services.

Case Note Documentation for a Supported Employment Exit:

- 1) That services provided under the IPE contributed to the achievement of the employment outcome.
- 2) That the employment outcome is consistent with the client's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.
- 3) That the employment outcome is in competitive integrated employment, consistent with the client's informed choice, that the client is compensated at or above the minimum wage and his/her wages and benefits are not less than that customarily paid by the employer for same or similar work performed by non-disabled individual, and has opportunities for advancement (*see Supporting Documentation section of this manual*).
- 4) The case note must reflect the VRC's effort in the confirmation of the client's competitive integrated employment placement. This can be confirmed through:
 - a) Employer contact
 - b) Counselor or ICBVI staff observation
 - c) Self-report from the client
 - d) CRP report
- 5) That the employment outcome has been maintained (after stabilization) for a minimum of 90 days.
- 6) That the client and the VRC consider the employment outcome to be satisfactory and agree that the client is performing well on the job.
- 7) That the client was informed regarding the purpose and availability of post-employment services, should the need arise.
- 8) That ownership of tools and equipment has been transferred to the client, as appropriate.
- 9) That the client was made aware of the Client Assistance Program.

Program Exit Without an Employment Outcome

The following are reasons for program exit without an employment outcome:

- 1) ***Individual is No Longer Available for Services Due to Residence in an Institutional Setting Other Than a Prison or Jail:*** Individual entered an institution other than a prison or jail, and will be unavailable to participate in a VR program for an indefinite or considerable period of time. This category of institution includes hospitals, nursing homes, and residential treatment centers.
- 2) ***Health/Medical:*** Individual is receiving medical treatment that is expected to last longer than 90 days and precludes entry into unsubsidized employment or continued participation in the program.
- 3) ***Death of Individual***
- 4) ***Reserve Forces Called to Active Duty:*** Individual is a member of the National Guard or other reserve military unit of the armed forces and is called to active duty for at least 90 days.
- 5) ***Foster Care:*** Individual is in the foster care system, and has moved from the area as part of such a program or system (applies to youth only).
- 6) ***Ineligible:*** After the individual was determined to be eligible, he or she is later determined not to have met eligibility criteria.
- 7) ***Criminal Offender:*** Individual entered a correctional institution (prison, jail, reformatory, work farm, detention center) or other institution designed for confinement or rehabilitation of criminal offenders.
- 8) ***No Disabling Condition:*** Individual is not eligible for VR services because no physical or mental impairment exists.
- 9) ***No Impediment to Employment:*** Individual is not eligible for VR services because their physical or mental impairment does not constitute a substantial impediment to employment.
- 10) ***Does Not Require VR Service:*** Individual does not require VR services to prepare for, enter into, engage in, or retain gainful employment consistent with his or her strengths, resources, priorities, concerns, abilities, capabilities, and informed choice.
- 11) ***Disability Too Significant to Benefit from Services:*** - Individual whose mental and/or physical disability and resulting functional limitations are so significant that the individual cannot benefit from VR services. Also use this code for eligible individual who later acquire additional disabilities and/or functional limitations that are so significant that the individual cannot continue to benefit from VR services.
- 12) ***Transferred to Another Agency:*** Individual needs services that are more appropriately obtained elsewhere. Transfer to another agency indicates that appropriate referral information is forwarded to the other agency so that agency may provide services more effectively. Include individuals transferred to other VR agencies.
- 13) ***Extended Employment:*** Individuals who received services and were placed in a non-integrated or sheltered setting for a public or private nonprofit agency or organization that provides compensation in accordance with the Fair Labor Standards Act.

- 14) ***Extended Services Not Available***: Individual has received VR services but requires long term extended services for which no long-term source of funding is available. This reason is used only for individuals who have received VR services.
- 15) ***Unable to Locate or Contact***: Individual has relocated or left the State without a forwarding address, or when the individual has not responded to repeated attempts to contact the individual by mail, telephone, text or e-mail.
- 16) ***No Longer Interested in Receiving Services or Further Services***: Individuals who actively choose not to participate or continue in their VR program at this time. Also use this code to indicate when an individual's actions make it impossible to begin or continue a VR program. Examples would include repeated failures to keep appointments for assessment, counseling, or other services.
- 17) ***All Other Reasons***: This is used for all other reasons not included in 1 through 16.

It is the responsibility of the VRC and VRA to complete the case record audit prior to exiting an individual from the VR program.

Post-Employment Services

Post-employment services are one or more of the services that are provided subsequent to the achievement of an employment outcome and that are necessary for an individual to maintain, regain, or advance in employment, consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

These services are available to meet rehabilitation needs that do not require a complex and comprehensive provision of services and, thus, should be limited in scope and duration. If more comprehensive services are required, then a new rehabilitation effort should be considered.

Post-Employment Services may include any VR service or combination of services needed for the client to retain or advance in employment that are minor in scope and duration.

The guideline for the purposes of this policy are 6 months / \$2000.

Post-Employment Services (PES) Closure

The following are closure reasons for a PES case:

- 1) *Closed unemployed; opening a new VR case* - The VRC has decided that the scope of services is inappropriate for PES and the client has agreed to apply for a new VR case.
- 2) *Employment maintained or regained* - The client and VRC agree the job is or has been maintained, regained or the individual has achieved upward mobility.
- 3) *Lost job; no further services at this time* - The client's employment was not maintained, regained, or advanced in and no VR services are appropriate at this time.

Order of Selection

Order of Selection (OOS) is a strategy used when vocational rehabilitation services cannot be provided to all eligible clients due to a lack of adequate funding and/or personnel. Federal regulations require that ICBVI ensures that clients with the most significant disabilities are served first.

Factors that *will not* be used as criteria for establishing an Order of Selection Priority include:

- 1) Type of disability;
- 2) Duration of residency, provided the client is present in the state;
- 3) Age, gender, race, color or national origin;
- 4) Source of referral or cooperative agreements with other agencies;
- 5) Type of expected employment outcome;
- 6) The need for specific services or anticipated cost of such services;
- 7) Client and/or family income.

Under an Order of Selection, ICBVI must:

- 1) Continue to accept new applications and make determinations of eligibility. This includes the provision of diagnostic services necessary for the determination process and the individual's priority under the Order of Selection for VR services.
- 2) Continue to provide services to every individual under an IPE who has begun to receive services prior to the effective date of the Order of Selection, regardless of the severity of the individual's disability.
- 3) Implement the Order of Selection on a statewide basis.
- 4) Notify all eligible individuals of the priority categories and their assignment to a particular category.
- 5) Notify eligible individuals of their right to appeal their category assignment.
- 6) Provide adequate referral assistance to individuals with disabilities who are:
 - a) Not eligible for services; or
 - b) Are eligible, but are currently on a waitlist.

When the VR counselor makes an eligibility determination, they also determine the severity of the disability based upon the MSD/SD/D criteria. The severity of the client's disability is categorized into one of the following three priority categories:

PRIORITY #1 – Most Significant Disability (MSD)

PRIORITY #2 – Significant Disability (SD)

PRIORITY #3 – All Other individuals with Disabilities (D)

Individuals will be released from the statewide waitlist based on priority category first and second by earliest date of application. Prior to any change in categories served, the field staff and impacted clients will be notified.

After assignment to a priority category an individual will be served or placed on a waitlist if their category is restricted.

Written notification will be provided to the client informing them of:

- 1) Their eligibility determination.
- 2) The priority categories of ICBVI's Order of Selection.
- 3) Their assignment to a particular category.
- 4) Their placement on a waitlist (if applicable).
- 5) Their right to appeal the assignment.
- 6) Their requirement to respond to agency contact within 30 days to avoid case closure and removal from the waitlist.
- 7) The availability of the Client Assistance Program (CAP).

ICBVI will conduct periodic projections of fiscal resources, and its ability to serve clients in all priority categories.

Based upon current and projected fiscal resources, ICBVI will determine when it is appropriate to open a priority category and begin serving eligible individuals on the OOS waitlist and notify field staff this change in status.

Upon receipt of the case from the OOS waitlist, VR staff will do the following:

- 1) Contact the client to determine if services are still needed and schedule an appointment, if appropriate.
- 2) If initial attempts to contact are unsuccessful, a letter will be sent to notify the client of their change in status, and their need to contact ICBVI to verify their continued interest in VR services.
- 3) Make reasonable efforts to locate updated phone numbers and/or addresses.
- 4) If the client has not responded within 30 days from the date the letter was sent, the VR counselor will proceed with case closure.

Information and Referral (I&R)

When operating under Order of Selection, ICBVI is required by federal regulation to offer Information and Referral services to clients who cannot be served and must wait for services due to the Order of Selection.

VR staff must:

- 1) Provide clients with vocational guidance and counseling.
- 2) Refer clients to other State or Federal programs that are best suited to address their individual employment needs, including partners in the Workforce Development System.
- 3) Maintain accurate documentation of referrals in the case notes, and comply with all State or Federal documentation requirements for referrals

Post-Employment Services (PES) under an OOS

Order of Selection does not impact or alter the provision of Post-Employment Services. Since PES is a plan amendment, clients do not have to wait for PES when the ICBVI is operating under an OOS.

Special Exemption to OOS

Employed individuals, who are eligible for VR services and require immediate equipment or services to maintain employment, are exempt from the Order of Selection policy, as authorized in the Rehabilitation Act, as amended by WIOA, 34 CFR 361.36(a)(3)(v).

Supporting Documentation for Case Service Report (RSA-911)

The purpose of these guidelines is to assist staff in maintaining appropriate supporting documentation in individual service records that verify the validity of the required data elements in the Case Service Report (RSA-911). By maintaining appropriate supporting documentation, ICBVI will be able to ensure compliance with 34 CFR 361.12, which requires VR agencies to implement policies and procedures that ensure the proper and efficient administration of the VR program. These methods must include procedures to ensure accurate data collection and financial accountability, that include adequate source documentation for data reported through the RSA-911.

The examples of supporting documentation in these guidelines illustrate the types of documents the Rehabilitation Services Administration (RSA) would consider to demonstrate the validity and accuracy of certain key data reported through the RSA-911. This is not an exhaustive list, and there may be other documents that RSA would find as sufficient support to verify the data.

Date of Application

The date of application is the date on which the VR agency received a completed and signed application form for VR services from the applicant.

Examples of Supporting Documentation

- 1) The application received via mail with the date received by ICBVI stamped on it.
- 2) The intake completed at the one stop.
- 3) The electronic submission of the application.
- 4) The signed copy of the Application Signature Page.

Date of Eligibility Determination

The date of eligibility determination is the date on which the eligibility determination form was completed and signed by the VR counselor.

Examples of Supporting Documentation

- 1) A copy of the eligibility determination letter sent to the individual.
- 2) Functional limitations worksheet.
- 3) Medical information in the case record by a qualified professional.

Date of IPE

The IPE is effective on the date on which both the VRC and individual reach agreement, as indicated by the signatures and dates on the IPE. If the two signatures bear different dates, the later date should be considered the effective date of the IPE.

Examples of Supporting Documentation

- 1) A copy of the signed IPE.

Start Date of Employment in Primary Occupation

The start date of employment in primary occupation is the date when the individual began the job.

Examples of Supporting Documentation

- 1) Pay stub identifying the individual's start date.
- 2) Hiring letter; with start date.
- 3) Copy of email or fax from the employer indicating the start date of employment.
- 4) Detailed case notes signed by the counselor in the case service record, including the date that the employment start date verification was received and justification for individual not providing formal documents.
- 5) Automated data base systems indicating the individual's start date (UI data from DOL).
- 6) Self-employment worksheets or other documents indicating the individual's start date.
- 7) Verification received from employer (as appropriate) documenting the employment start date in the case service record, including date of verification or copy of email, fax, or letter.

Employment Status at Closure

Employment status at closure describes the employment outcome that the individual had achieved when the case service record was closed.

Examples of Supporting Documentation

The supporting documentation is the documentation received/recorded for *Start Date of Employment in Primary Occupation* (see above)

Weekly Earnings at Employment

Weekly earnings at employment is the amount of money (to the nearest dollar) the individual earned in a typical week after achieving an employment outcome consistent with the employment goal on the individual's IPE at the time the service record was closed and includes all income from wages, salaries, tips, and commissions received as income before payroll deductions of Federal, State, and local income taxes and Social Security payroll tax.

Earnings also include profits derived from self-employed individuals.

Earnings for salespersons, consultants, self-employed individuals, and other similar occupations are based on the adjusted gross income.

The documentation must include the individual's hourly wage rate, or average hourly rate if compensated through commission. The client's hourly pay must be at the minimum wage rate for the location (Federal, State, or local, whichever is higher).

Examples of Supporting Documentation

- 1) Unemployment Insurance (UI) wage match, Federal employment records, or military employment records that verify the hourly wage rate (not aggregate for the quarter).
- 2) Pay stub identifying the individual's hourly wage rate or annual salary.
- 3) Income earned from commission in sales or other similar positions.
- 4) Detailed case notes signed by the counselor in the case service record, including the date verification was received and justification for individual not providing formal documents.
- 5) Automated database systems.
- 6) One-Stop operating systems' administrative records, such as current records of eligibility for programs with income-based eligibility (e.g., TANF or SNAP).
- 7) Self-employment worksheets or other documents.
- 8) Verification received from employer (as appropriate) documented in the case service record, including date of the verification or copy of email, fax, or letter.

Type of Closure

The type of closure is a description of the individual's status in the program at the time of closure.

Examples of Supporting Documentation

- 1) Copy of the letter sent to the individual indicating that the case was closed.
- 2) Employment and wage documentation; as appropriate (e.g. any employed individual closed with an IPE; successful or unsuccessful).
- 3) Case notes.

Date of Closure

The date of closure is the date that the individual exited from the VR or Supported Employment program consistent with the requirements in the regulations.

Examples of Supporting Documentation

- 1) Copy of the letter sent to the individual indicating that the case was closed.

Revision History

November 2018 – Significant changes throughout to be reflective of the language of WIOA and corresponding federal guidance. Changes incorporated from approved changes in IDAPA 15.02.02 (March 28, 2018). Minor, non-substantive, policy updates throughout. ICBVI Board approval October 22, 2018.