



**Idaho Commission for the  
Blind and Visually Impaired**

VR Program Manual

July 1, 2024

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## Introduction

This manual of policies and procedures is intended only for use by the Idaho Commission for the Blind and Visually Impaired Vocational Rehabilitation staff in the administration of the VR program.

## Legal Citation

The legal authorities for the procedures contained in this manual are:

- P.L. 133-128 Workforce Innovation and Opportunity Act (WIOA) of 2014
- P.L. 93-112 Rehabilitation Act of 1973, as amended by WIOA.
- Title 34 CFR Parts 361, 363, and 397 issued August 19, 2016 in the Federal Register implementing the Rehabilitation Act Amendments.
- 20 U.S.C. 1400
- Federal Register Vol. 81 No.161
- Federal Register Vol.85 No. 40
- Idaho Administrative Rules: IDAPA 15.02.01 Subchapter A
- RSA-PD-19-03-RSA 911 Case Service Report
- DCL-23-24 September 28, 2023
- Guidelines: Supporting Documentation for the Case Service Report (RSA-911), Rehabilitation Services Administration, March 31,2017
- ICBVI Vocational Rehabilitation Policy Manual

## Definitions

CFR – Code of Federal Regulations

IEP – Individualized Education Plan

IPE – Individualized Plan for Employment

Known Blind – As required by Idaho Statute 67-5415, ICBVI is required to maintain a database of blind and visually impaired individuals in the state.

PD – Policy Directive

DCL – Dear Colleague Letter

Pre-ETS – Pre-Employment Transition Services

RSA – Rehabilitation Services Administration

RSA 911 – The quarterly program performance report submitted to RSA.

SWD – Students with Disabilities

WIOA – Workforce Innovation and Opportunity Act

## Protection, Use and Release of Personal Information

See VR Policy Manual

## Appeals Process

Individuals may appeal any service delivery decision made by ICBVI personnel. The VRC will notify and provide written information to all applicants and eligible individuals regarding the appeals process (Client Rights and Responsibilities).

Whenever possible, ICBVI will attempt to resolve conflicts through the Informal Review Process:

An informal review process is an option available to the individual as a method to resolve disagreements or dissatisfaction with the provision of services. An individual may request an informal review. The request must be in writing to the regional manager, describe the complaint, and be made within fifteen (15) calendar days of the agency notice regarding the provision or denial of services that are in question. The Rehabilitation Services Chief will function as the administrative review officer in the informal review process.

The Rehabilitation Services Chief will provide a written decision after conducting the informal review.

See VR Policy Manual for the complete Appeals Process.

## Client Assistance Program

See VR Policy Manual

## Program Referral

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. Evidence of the contact / attempted contact must always be documented as a note in the referral module; even if the counselor is taking an application on the same day (i.e. self-referral). ICBVI staff will inform the referred individual of application requirements and information necessary to initiate an assessment for determining eligibility.

## Informed Choice

Authority: 34 CFR § 361.52

Informed choice should be document at all critical junctures of the life of the case. The following are places (but are not limited) where informed choice must be documented:

- Application (Intake)
- Comprehensive assessment and employment goal selection
- Prior to the provision of Pre-Employment Transition Services
- At all IPE amendments
- Goal changes
- Trial Work
- Program exit (employed)

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

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

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.

### ***Informed Choice Guidelines***

Informed choice does not mean unlimited choice. A client's choices are limited by several factors:

- The choice must relate to and be necessary to achieving an employment outcome
- The choice must be consistent with the client's strengths, resources, priorities, abilities, capabilities, needs and interests.
- The choice must be made pursuant to all Federal, State, and ICBVI rules related to purchasing and providing services.

### **Record of Services**

Authority: 34 CFR § 361.47

The VR program is required to maintain for each applicant and eligible individual a record of services. A critical part of the record are the case notes, as these notes tell the story of the individual's journey in the VR program.

### **Case Note Guidelines**

Case notes provide a record of the client's interaction with our services, and in writing them it is important that staff are always mindful that they may be read by others (whether the clients themselves, or by legal practitioners and courts). It is staff's responsibility to be aware of relevant agency and government requirements associated with case notes.

Case notes may be subpoenaed by a Court or accessed by the clients themselves. Case notes should always be written as though this will happen, not might happen.

Case note entries are used to reflect significant contacts related to an individual regarding the provision of services. Entries should be done in such a way that an outsider would be able to

obtain a general overview of the individual, his/her needs, the services provided, your impressions/observations, and progress or lack thereof.

***Case notes serve many purposes:***

- Provide professional accountability by providing evidence of services and support being provided to clients.
- Ethical requirement
- Assist with rehabilitation planning and progress review by providing a record of interactions with clients.
- Meet the requirement of the funding body.
- Help jog staff's memories.
- Assist in client handover (either to another counselor or agency)

***Case notes criteria:***

- Empirical (experienced and seen) and reliable.
- Relevant and targeted.
- Legible and clear
- Recorded promptly.
- Consistent within the organization

***Case notes guidelines:***

- Include only information relevant to the service being provided and do not omit information that is relevant.
- Report facts and observations / interpretations that have supporting evidence (“the client appeared anxious ***as demonstrated by...***”)
- Avoid biased language, emotional language, value judgments, opinions, and street language / jargon (unless quoting the client)
- Acknowledge source of information (“The client reported that ...”)
- If unsure about whether to include something in your case notes, seek guidance and advice from your supervisor.
- Adherence to these guidelines will provide protection should your case notes be subpoenaed.

***What to include in case notes:***

- Objective component – Staff observations might include grooming/hygiene, affect, mood.
- Disclosure of ethical obligations / confidentiality (as appropriate).
- Specific services provided – This is the substance of the case note and should have some level of detail on the services provided / progress made / areas that need emphasis.
- Assessment – Was the client an active participant? Was the individual distracted or appear disinterested? Did the individual experience any difficulties? What did the client excel in and/or complete successfully?



- Progress and future goals. This might include homework for the client, or a follow-up appointment scheduled.

***Writing up case notes:***

- Record case notes as soon as possible after the session / event
- The length of your case note will be dependent on the purpose and content of the session undertaken. Staff should endeavor to keep their case notes succinct.
- Case notes can be written in first or third person.
- Use strong verbs.

***Electronic Communication (email and text messages) and case notes:***

While email correspondence can be valuable information for the record, a pattern of cut and pasting emails (and email strings) in a case note is discouraged. Best practices include:

- Do not cut and past email strings into a case note. These are extremely hard to follow by someone who is not familiar with the case (i.e. auditors, courts). Summarizing email correspondence (and referencing dates sent/ received) should be the standard.
- Issues or problems with vendors that involved a lot of back-and-forth communication do not belong in the client’s record of services. A case note(s) summarizing the issue(s) is preferred and best practice.
- Clients must always be informed at application that electronic communication is a part of their record of service.

Usually, the type or reason for the contact can dictate how an entry is made. For example, a telephone conversation to arrange an appointment may be only one or two sentences while a discussion with another program could be several paragraphs or several pages.

When entering case notes, keep in mind the questions: who; what; where; when; why and how.

One format to consider is called RAP (**R**eason for the contact, **A**ction taken, **P**lan for next meeting/future actions or services). This is a good, general guide to follow as it addresses why there was contact, what the contact entailed, and what will be done next.

## Application

Authority: 34 CFR 361.47

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

There are several required data elements that must be entered for all applicants. See the Quarterly Services Reporting Manual for guidance.

## 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. ICBVI may serve individuals in other states if the following conditions are met:

- The individual lives in a neighboring state, and is employed or seeking employment in Idaho; and
- The client is an applicant or receiving services from a VR program in their state of legal residence.

Prior approval from the Rehabilitation Services Chief must be obtained if these conditions are not met.

## Application Process

An individual is considered to have applied for ICBVI VR services when the following conditions have been met:

The individual or individual's representative, as appropriate,

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

The date of application is the date on which the VR agency received a completed and signed application. If the application is received via mail / electronically / 3rd party, the date received stamp by the agency is the date of application.

## Intake Interview

The intake interview is part of the application process and is the beginning of the assessment process to determine eligibility and potential services to be included on the Individualized Plan for Employment (IPE). Medical, psychological, social, vocational, educational, cultural and economic information is gathered to determine the unique strengths, abilities, and interests of the client.

Other activities conducted during the intake interview may include:

- Scheduling appointments for assessments
- Obtaining releases of information
- Scheduling follow up appointments

## Eligibility Determination

Authority: 34 CFR 361.42

### Eligibility Criteria

To be eligible for ICBVI Vocational Rehabilitation Services, an individual must:

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

<sup>1</sup>*Completion of the vocational rehabilitation application process is sufficient evidence of the beneficiary's intent to achieve an employment outcome. See Social Security Presumption.*

### Assessment for eligibility determination

Assessment is a critical part of the VR eligibility processes. As part of the eligibility process, clients will be required to participate in any assessment needed by the counselor for eligibility determination and priority for services.

The eligibility determination must be based on the basic eligibility requirements and will also include a review and assessment of existing data, including counselor observations, education records, and information provided by the client or family, particularly information used by education officials and determinations made by officials or other agencies. Current medical records will be utilized to determine the nature and extent of the disability as well as for justification for the procurement of additional medical data when required to identify/verify alleged medical restrictions.

To the extent that existing data does not describe the current functioning of the client, ICBVI will conduct assessments including, but not limited to: trial work experiences, activities of daily living, mobility, assistive technology devices and services, personal assistance services, and any other support services that are necessary in the eligibility determination and priority for services process.

### Eligibility Timeframe

Eligibility for VR services will be determined within a reasonable period, not to exceed sixty (60) days after the application for services unless the following occurs:

The client is notified that exceptional and unforeseen circumstances beyond the control of ICBVI preclude the counselor from completing the determination within the prescribed time frame and the client agrees that an extension of time is warranted, or

A Trial Work Experience including an exploration of the clients' abilities, capabilities, and capacity to perform in realistic work situations is carried out.

## Eligibility Determination Extension

All eligibility extensions must be approved by the Rehabilitation Services Chief.

### 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])

### Qualified Personnel

Qualified personnel are those who meet existing licensure, certification, or registration requirements applicable to the profession, this includes VRCs who meet ICBVI's Comprehensive System of Personnel Development (CSPD) policy. The determination of the existence of impairment should be supported by medical and/or psychological documentation. Medical/psychological disabilities shall be diagnosed by qualified personnel who meet State licensure, certification, or registration requirements applicable to the practice of their profession within the state of Idaho. Medical reports on vision impairments from optometrists or ophthalmologists can be used for eligibility.

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

- Medical Physician or Doctor of Osteopathy
- Nurse Practitioner
- Physician's Assistant

For more information regarding occupations that have been licensed in Idaho to provide specific medical diagnoses within the specialized areas of competency, you may access the Idaho Board of Licensing and connect to “The Individual Board Pages.”

[www.ibol.idaho.gov](http://www.ibol.idaho.gov)

## Social Security Presumption

Any applicant, who has been determined eligible for Social Security benefits under Title II or Title XVI of the Social Security Act, based upon their disability, and intends to work, is presumed to meet the eligibility requirements for vocational rehabilitation services.

Once the client provides verification of benefit, the client is made eligible for vocational rehabilitation with a Presumption of Eligibility statement in the record of services.

The assessments needed to complete the eligibility process, and for determining rehabilitation services will continue, however, the Individualized Plan for Employment (IPE) will not be approved until the eligibility process is complete, and all assessments required for IPE development are completed.

## 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.

The VRC should use multiple sources of information to determine functional limitations and category assignment, including (but not limited to): functional limitations assessment (required), observations, interviews with family members / school personnel / case workers.

### **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:

- Who meets the criteria of an individual with a significant disability; and
- Who has a severe physical or mental impairment that seriously limits four 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
- 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:

- Who meets the criteria of an individual with a disability; and
- Who has a severe physical or mental impairment that seriously limits 2-3 functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome; and
- 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:

- Who has a physical or mental impairment, and
- Whose impairment seriously limits 1 functional capacity, and
- Whose vocational rehabilitation is expected to require one or more substantial services.

## **Eligibility / Ineligibility Determination**

For each applicant determined eligible or ineligible for vocational rehabilitation services, the record of services must include a dated Eligibility Determination completed by a qualified VRC.

An ineligibility notification must include the reason for the determination, rights and responsibilities, Client Assistance Program (CAP) information and information and referral to other appropriate agencies, which may include referral to the other Workforce Development System partners. An applicant should be referred to the Extended Employment Services Program (IDVR) for work services if the ineligibility reason is “Disability Too Significant to Benefit from VR Services.” (see Trial Work Experiences).

## **Trial Work Experience (TWE)**

Authority: 34 CFR 361.42 (e)

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.

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.

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

The TWE Plan must be reviewed at least every ninety (90) days to determine if there is sufficient evidence that the individual can benefit from VR services in terms of an employment outcome, or there is clear and convincing evidence that the individual is incapable of benefiting from VR services in terms of an employment outcome due to the severity of the disability. This determination will occur within 18 months.

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. Clear and convincing evidence must exist prior to closing the record of services that the client is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services.

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.

In order to have a fair and unbiased assessment for individuals who are blind or visually impaired, it is the policy of ICBVI that a rehabilitation teacher assist the CRP in these evaluations.

The CRP has the responsibility of:

- Site development
- Training of the essential functions of the job
- Conducting the evaluation
- Writing the final report and recommendations

The ICBVI instructor has the responsibility to provide evaluation, training, and supports at the work site which include, but are not limited to:

- An assessment of the individuals' alternative skills of blindness at the work site
- To provide direct client services (training), as required, which may include:
- Orientation and mobility training to the work site/station, and around the work site (i.e. bathrooms, breakrooms, other areas in the work site).
- Alternative skills of blindness training that the client requires to perform the essential functions of the job.
- Any rehabilitation technology training required to perform the essential functions of the job.
- Writing an assessment of the client's alternative skills of blindness and recommendations at each work site.
- Provide any training and support to the CRP (evaluator) that may be required.

The amount of time the instructor needs to be on site is highly individualized. Some individuals may require our staff to be on site 100% of the time, for others it may be less. Ultimately it is dependent on the needs of the client, and what is required to obtain an accurate, unbiased assessment of the individuals' skills at the work site.

Criteria for Trial Work Experience:

- The counselor determines that the client has a significant physical or mental impairment (disability) that is a substantial impediment (barrier) to employment.
- There are 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.

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.

*Sufficient variety* means that a minimum of 3 work experience sites that are not similar in work duties or tasks must be completed.

*A sufficient period of time* is unique to the needs of the individual and employer but must be agreed upon between the counselor and the client. A minimum of 20 hours at each work site would be expected. However, if the time frame needed to be less than this, the counselor would need to justify this.

The TWE plan must be reviewed 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.*

There is no maximum time limit for a TWE.



## Provision of VR Services Prior to IPE

Only the following services can be provided prior to an approved IPE:

- Assessments required for eligibility determination.
- Any assessments that are needed to determine VR needs (only allowable after eligibility determination)
- Supportive services required for a client to participate in any assessments required for the eligibility determination process, such as maintenance, transportation, disability related skills training, or rehabilitation technology).
- Pre-Employment Transition Services
- Community Based Work Evaluation (CBWE)
- Services required under an approved Trial Work (TWE) plan.
- Auxiliary aides or services (for communicative and sensory impairments only)
- Counseling and Guidance
- Information and Referral Services

If the counselor determines that Trial Work (TWE) is appropriate at application or eligibility, any VR services required for the TWE can be provided.

## Vocational Rehabilitation Services

Authority: 34 CFR 361.48 | 34 CFR 361.5

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. See the Pre-ETS manual for more guidance.

- ***Job Exploration Counseling***

Job Exploration 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.

- ***Work Based Learning Experiences***  
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 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.
- ***Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs***  
Counseling on opportunities for enrollment in post-secondary education 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.
- ***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.
- ***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.

### 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.

### Training Services

Training services are designed to help the individual improve educationally or vocationally or to adjust to the functional limitations of his or her impairment.

- ***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.
- ***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.
- ***Junior or Community College Training***  
Full-time or part-time academic training above the secondary school level leading to an associate degree, a certificate, or other recognized educational credential. Such training may be provided by a community college, junior college, or technical college.
- ***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.
- ***On the Job Training (OJT)***  
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 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.
- ***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.

- ***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.
- ***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.).
- ***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.
- ***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.
- ***Randolph Sheppard Entrepreneurial Training***  
Training for establishing a small business or individualized training through Randolph-Sheppard program and identified on an IPE.
- ***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.
- ***Work Based Learning Experience***  
Includes apprenticeships, internships, short-term employment, volunteer opportunities and other work-based learning experiences not elsewhere classified. These opportunities are provided in an integrated environment in the community to the maximum extent possible and may be paid or unpaid. This service is only to be used for participants who are not eligible for Pre-ETS. This service does not include registered apprenticeships or On-The-Job Training (OJT). Work Based Learning experiences cannot exceed 120 hours in any given placement.

## Career Services

- ***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 experience. 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:

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

Assessment services provided by staff fall under 4 general categories:

- Functional Limitations
- Rehabilitation Technology
- Assessments to determine VR needs
- Career or interest inventories
- Pre-ETS Assessment

### ***Functional Limitations Assessment***

This assessment is utilized by the counselors in their decision-making process when assigning individuals to priority categories and part of the eligibility determination process. This assessment can be conducted at any time during program involvement when the counselor determines that the eligibility needs to be updated, or when the client requests that a new assessment be completed.

*Reporting Requirements:* Case note indicating the assessment was completed. Details of the assessment are not required in the case note. A hard copy of the assessment must be retained in the record of services.

### ***Rehabilitation Technology Assessments***

These assessments are conducted only after the eligibility is completed by counselor and are used by the counselor and the client to determine VR service's needs. See the Pre-ETS Manual for special considerations for SWD.

*Reporting Requirements:* All assistive technology assessments should be reported as Rehabilitation Technology.

- ***Diagnosis and Treatment of Impairments***  
Diagnosis and treatment of impairments includes:
  - 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;
  - Diagnosis and treatment for mental and emotional disorders by qualified personnel who meet State licensure laws;
  - Dentistry;

- Nursing services;
  - Necessary hospitalization (either inpatient or outpatient care) in connection with surgery or treatment;
  - Drugs and supplies;
  - Prescription of prosthetics and/or orthotics related to the individual's diagnosed disability and necessary for the achievement of the employment outcome;
  - 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;
  - Podiatry;
  - Physical therapy;
  - Occupational therapy;
  - Speech or hearing therapy;
  - Mental health services;
  - 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));
  - Special services for the treatment of individuals with end-stage renal disease, including transplantation, dialysis, artificial kidneys, and supplies;
  - Other medical or medically related rehabilitation services; and
  - Medical care for acute conditions arising during rehabilitation and constituting a barrier to the achievement of an employment outcome.
- ***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.
  - ***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.
  - ***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.
  - ***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.
  - ***Supported Employment Services***  
Supported employment services 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*).

- ***Information and Referral Services***

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

- ***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.

- ***Customized Employment Services***

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

- ***Extended Services***

Extended services 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

- ***Transportation***

Transportation 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:

- 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.
- purchase and repair of vehicles, including vans, but not the modification of these vehicles as modification would be considered a rehabilitation technology service;
- 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
- purchase of a bus pass for an individual to get to training or work.

- ***Maintenance***

Maintenance 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:

- cost of uniforms or other suitable clothing required for an individual's job placement or job seeking activities.
  - 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.
  - cost of food and lodging expenses while an individual is participating in four-year or graduate college or university.
  - initial one-time costs, such as security deposits or charges for the initiation of utilities, that are required for an individual to relocate for a job placement; and
  - cost of an individual's participation in enrichment activities related to that individual's training program.
- ***Rehabilitation Technology***

Rehabilitation technology 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:

- ***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.
- ***Assistive Technology Devices*** are any item, 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.
- ***Assistive Technology Services*** ( 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:
  - the evaluation of the needs of an individual, including a functional evaluation of the individual in his/her customary environment.
  - purchasing, leasing, or otherwise providing for the acquisition by an individual of an assistive technology device.



- selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices.
  - coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs.
  - training or providing technical assistance for an individual or, if appropriate, the family members, guardians, advocates, or authorized representatives of the individual; and
  - 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.
- ***Personal Assistant Services***  
 Personal assistance services 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 –
  - 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.
  - Designed to increase the individual's control in life and ability to perform everyday activities on or off the job.
  - Necessary to the achievement of an employment outcome; and
  - Provided only while the individual is receiving other vocational rehabilitation services.
- ***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.
- ***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.
- ***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.

- ***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.

## Group Services

Legal Authority: 34 CFR 361.49

Transition services to youth with disabilities and students with disabilities who may not have yet applied or been determined eligible for vocational rehabilitation services, for which a vocational rehabilitation counselor works in concert with educational agencies, providers of job training programs, providers of services under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), entities designated by the State to provide services for individuals with developmental disabilities, centers for independent living (as defined in section 702 of the Act), housing and transportation authorities, workforce development systems, and businesses and employers. These specific transition services are to benefit a group of students with disabilities or youth with disabilities and are not individualized services directly related to an individualized plan for employment goal. Services may include, but are not limited to, group tours of universities and vocational training programs, employer or business site visits to learn about career opportunities, career fairs coordinated with workforce development and employers to facilitate mock interviews and resume writing, and other general services applicable to groups of students with disabilities and youth with disabilities.

## Individualized Plan for Employment

Authority: 34 CFR 361.45 | 34 CFR 361.46

There are several required data elements that must be entered for all program participants. These are completed at initial IPE and updated as appropriate throughout the duration of the plan. See the Quarterly Services Reporting Manual for guidance.

## 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 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 –

- Available from other programs and providers; and
- Provided by the individual and the individual's family; and
- Obtained under the assessment for determining the individual's eligibility and vocational rehabilitation needs.

## Comprehensive Assessment Case Note

The comprehensive assessment is a case note that lives in the case management system. Do not create multiple comprehensive assessment case notes. Required elements, at minimum, of the comprehensive assessment include:

- Statement of informed choice
- Summary and adjustment to disability
- Employment strategy (i.e. CIE, SE, BEP)
- Employment goal (career interests for SWD, as appropriate)
- Labor market information. Include only wage/salary information, opportunities and projected growth, benefits, opportunities for advancement. Always cite the database in which you retrieved the labor market information.
- Education / employment / social history
- Transportation<sup>1</sup>
- Internet access<sup>2</sup>
- Legal issues if any
- Comparable benefits if any
- Co-enrollment with other WIOA programs if any
- Anticipated VR services that will be required to achieve employment.

<sup>1</sup> *Transportation services must be addressed at initial IPE and all subsequent amendments. Transportation must be included in every participant IPE regardless of who is providing/paying for the service.*

<sup>2</sup> *Access to internet must be addressed in the comprehensive assessment, and if appropriate, included in the IPE (i.e. utility start -up).*

The structure of the case note is not critical; however, the content is. You can make the assessment a rolling narrative, or do it by element.

This case note is to be updated whenever the counselor obtains new information that will have an impact/influence on the participants involvement in their IPE (such as an employment goal change). Only the elements requiring revision need to be updated. For example, if a participant is changing their employment goal, the labor market information will need to be updated, and any other elements, as appropriate. *Never delete any elements of this case note when updating.* Indicated the revision date in the case note and include the new or revised information.

See the Share Point site for further guidance on the comprehensive assessment.

### 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 -

- Without assistance from ICBVI or other entity; or
- With assistance from –
  - A qualified vocational rehabilitation counselor employed by the ICBVI.
  - A qualified vocational rehabilitation counselor who is not employed by ICBVI.
  - 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 -

- Information describing the full range of components that must be included in an individualized plan for employment.
- As appropriate to each eligible individual –
  - An explanation of agency guidelines and criteria for determining an eligible individual's financial commitments under an individualized plan for employment.
  - Information on the availability of assistance in completing ICBVI forms required as part of the individualized plan for employment; and
  - Additional information that the eligible individual requests or ICBVI determines to be necessary to the development of the individualized plan for employment.
- A description of the rights and remedies available to the individual (appeals process);
- A description of the availability of the Client Assistance Program (CAP) and contact information.

## **Mandatory Procedures**

The VRC must ensure that:

- The individualized plan for employment is a written document prepared on forms provided by the ICBVI.
- The individualized plan for employment is developed and implemented in a manner that gives eligible individuals the opportunity to exercise informed choice in selecting –
  - The employment outcome, including the employment setting.
  - The specific vocational rehabilitation services needed to achieve the employment outcome, including the settings in which services will be provided.
  - The entity or entities that will provide the vocational rehabilitation services; and
  - The methods available for procuring the services.
- The individualized plan for employment is –
  - Agreed to and signed by the eligible individual or, as appropriate, the individual's representative; and
  - Approved and signed by a qualified vocational rehabilitation counselor employed by the ICBVI.

- 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.
- An individualized plan for employment for a student with a disability is developed –
  - In consideration of the student's individualized education program or 504 services, as applicable; and
  - In accordance with the plans, policies, procedures, and terms of the interagency agreement with the State Board of Education.
  - Prior to high school graduation.

### Ticket to Work Assignment

When a participant has a Ticket to Work through SSA and an approved IPE, their ticket is automatically assigned to ICBVI, unless the ticket is already assigned to another employment network (EN). If the individual has a ticket assigned to another EN prior to ICBVI involvement, the individual will be requested to reassign the ticket to ICBVI. If the participant does not reassign their ticket, ICBVI will need a copy of the work plan from the EN that the ticket was assigned to, to ensure that no duplication of services occurs. It is the participants' responsibility to provide the ticket work plan prior to IPE implementation.

### Standards for Developing the Individualized Plan for Employment.

The individualized plan for employment must be developed as soon as possible, but not later than 90 days after the date of determination of eligibility, unless the VRC and the eligible individual agree to the extension of that deadline to a specific date by which the individualized plan for employment must be completed.

### 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 -

- 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 with a disability, the description may include the client's interests and aspirations).
- 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.
- Identify comparable services and benefits that significantly contribute to the employment outcome.

- 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.
- 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.
- Include timelines for the achievement of the employment outcome and for the initiation of services.
- 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.
- Include a description of the criteria that will be used to evaluate progress toward achievement of the employment outcome.
- Include the terms and conditions of the individualized plan for employment, including, as appropriate, information describing:
  - The responsibilities of ICBVI.
  - The responsibilities of the eligible individual, including
    - The responsibilities the individual will assume in relation to achieving the employment outcome.
    - If applicable, the extent of the individual's participation in paying for the cost of services; and
    - The responsibility of the individual with regard to applying for and securing comparable services and benefits.
- 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 -

- Specify the supported employment services to be provided by ICBVI and IDVR; and
- Specify the expected extended services needed, which may include natural supports; and
- 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
- 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
- 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
- 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.

#### 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.

Every IPE amendment must have corresponding documentation (case note) in the record of services that articulates the need and justification for additional services. The comprehensive assessment should be reviewed at every amendment and updated if appropriate.

#### 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. Content of the annual review should address critical elements such as progress, participation, identifying additional services or change in employment strategies.

See the Pre-ETS Manual for annual reviews for SWD.

#### Post-employment services

Authority: 34 C.F.R. | 361.5(c)(41)

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

Post-employment services are considered an amendment to the individuals IPE and can only be provided prior to program exit (see amending the IPE).

## Competitive Integrated Employment

Authority: 34 CFR 361.5(c)(9)

### Definition

Competitive Integrated Employment (CIE) has three primary components: compensation, integrated location, and opportunity for advancement. Determinations of whether a particular position meets the definition of CIE can be made by the VR counselor. All three of the following conditions must be met for employment to qualify as competitive integrated employment:

Competitive integrated employment means work that-

- Is performed on a full or part time basis (including self-employment) and for which an individual is compensated at a rate that-
  - 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.
  - 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
  - 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
  - Is eligible for the level of benefits provided to other employees; and
  
- Is at a location-
  - Typically found in the community; and
  - 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
  
- 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.



## Customized Employment

Authority: 34 CFR 361.5(c)(11)

### 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:

- Job exploration by the individual.
- 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.
- Developing a set of job duties, a work schedule, specifics of supervision (including performance evaluation and review) and determining a job location.
- Representation by a professional chosen by the individual, or self-representation of the individual, in working with an employer to facilitate placement.
- 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.

For additional guidance, refer to the following publication “*The Essential Elements of Customized Employment*” for guidance:

<https://tacqe.com/tag/customized-employment/>

## Self-Employment

Authority: 34 CFR 361.48(b)(19)

### 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.

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.

***All self-employment ventures must be approved by the Rehabilitation Services Chief prior to IPE development.***

### Eligibility Requirements

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

- 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.
- Businesses must be registered with the state, and organized as Sole Proprietorships, Corporations, General and Limited Partnerships, or Limited Liability Companies.
- 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.
- 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.
- 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](http://www.bbb.org)) or similar organizations.

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

**Required Activities**

The following are resources for using with your client in the exploration and development of self-employment plans. These materials can be found on the Share Point site:

- Vocational Rehabilitation Self Employment Guide: <http://vrselfemployment.org/>
- Tribal Vocational Rehabilitation Self-Employment Toolkit: <https://www.tvrselfemployment.org/home>
- Idaho State and Federal Resources for Business: <https://business.idaho.gov/>
- Social Security PASS Plan: <https://www.ssa.gov/disabilityresearch/wi/pass.htm>
- Small Business Administration: <https://www.sba.gov/>

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

- Assessment of the client’s appropriateness for self-employment.
- Training and technical assistance.
- Development of a business plan.
- Benefits Counseling (SSI / SSDI recipient).
- Registration of business with the state.

VRC’s are required to complete all the activities with their client on the Self Employment Checklist.

Prior to approving services related to the business venture (supplies, stocks, etc), the business entity must be registered with the state. Training / technical assistance, benefits counseling, and other training services can be approved prior to the registration of the business.

**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>). Assigning a business owner to mentor the client is also a technical assistance option.

Applicants to the Business Enterprise Program will be expected to fulfill all 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**

There are 3 types of business plans that can be pursued, all of which have their unique requirements. See the Share Point site for more resources.

- PASS Plan
- Lean Plan (around \$5000 VR investment)
  - A shorter version of a traditional business plan
  - Follows the same format, but only includes the most important information.
  - Can take as short as 1 hour to write and usually not longer than 1 page.
  - Often used to onboard new hires or modify existing plans for a specific target market.
- Traditional Plan (guideline: over \$10,000 VR investment)
  - The most common business plan
  - Include standard business elements.
  - Take longer to write and can be dozens of pages long.
  - Used for loans and venture capitalist firms.

### **Deciding on the appropriate business plan**

There is no black and white decision on the type of business plan required by the participant. This decision will be dependent on several factors, including complexity of the business venture and capital investment. Counselors are encouraged to consult with others when making this decision.

A business venture that includes a sole employee and requires around a \$7000 investment from VR for startup costs may only require a lean start up plan. An individual whose business venture requires 1-2 employees and/or a capitol investor / bank would require a traditional plan, regardless of the amount of VR funds. Also, an individual whose startup costs require a \$10,000 investment from the VR program will require a traditional business plan. An individual, who after benefits counseling, wants to take advantage of the benefits offered by SSA may require a PASS plan.

### **Self-Employed Individuals Applying for VR Services**

Self-employed individuals who apply to VR for assistance in maintaining may or may not require a business plan.

The counselor needs to explore with the individual details about why they are requesting assistance. Are substantial services required for the individual? Is the financial investment of the

VR program substantial? Is the business faltering / failing and need re-investment? Does the individual only require updated technology to maintain their employment? Answering questions such as these will help the VRC in determining if a business plan is needed.

Prior to the counselor's approving the support of any small business in the VR program, the VRC must document in the record of services that the individual's business is registered in the state. VR cannot support business ventures that are not registered.

### Wage Documentation

Self-employed individuals must provide any financial records or worksheets that can be used to determine an average hourly wage (see Quarterly Services Manual). These records can only be obtained from the client.

Since self-employed wages are not reported to the UI system, VR staff are required to follow up with self-employed client's 2<sup>nd</sup> and 4<sup>th</sup> quarters after exit to obtain this documentation for reporting purposes.

Client's must agree to provide this documentation up to one year after case closure, and to keep the VRC informed of any changes in their contact information during this time.

## Supported Employment Services

Authority: 34 CFR 363.1

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.

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.

Supported employment must be specified as the strategy in the IPE. Prior to establishing a goal of SE, the VRC must consider the following:

- A VRC cannot assume an individual requires supported employment service on observation or self-report alone. Just like any VR service, the counselor requires evidence (e.g. an assessment, a report or documentation for a Targeted Service Coordinator).

- Individuals who require SE generally need to be on one of the Medicaid waivers (HCBS, Katy Beckett, A&D) in order to fund the SE service.
- Individuals with a SE goal MUST be co-enrolled with IDVR.
- Students in secondary education never have an employment of SE goal until they are ready to exit the HS system. It does not matter if a 15-year-old is on the Medicaid Waiver. Counselors do not establish employment goals until students in secondary education are ready to exit HS (the 12<sup>th</sup> grade).
- Never do an OJT with a participant who has a SE goal.
- If you suspect an individual might need SE, that would be the time to refer to IDVR. While ICBVI can do them, IDVR generally conducts the CBWE to assess for employment support. A VRC would never assume that SE was required for an individual until you and IDVR completed the assessment process.

### Supported Employment Exit Requirements

The following must be satisfied before a VRC can exit a SE client with an employment outcome:

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

### Statewide Supported Employment Program Requirements

The Idaho Division of Vocational Rehabilitation (IDVR) manages the supported employment grant for the state. Health and Welfare manages the Extended Employment Support (EES) Work Services program for the state. Under a memorandum of understanding, ICBVI SE cases are required to be co-enrolled with IDVR.

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

- Refer the client to IDVR for SE services (unless the client is IDVR client at application); and
- Indicate a shared case in the case management system to ensure accurate tracking of co-enrollment in between agencies; and
- Have the client sign a Release of Information (ROI) with IDVR; and
- 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 potentially eligible student with a Pre-ETS case), the counselor needs to document this in the case record prior to the implementation of the IPE.

ICBVI SE policies reflect the policies of IDVR. See the VR Policy Manual for the full policies on the statewide Title IV Supported Employment program.

## Services for Individuals Employed or Seeking Employment at Subminimum Wage

Authority: 34 CFR 397.1

The Rehabilitation Act, as amended, 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 to start or maintain, as applicable, employment for less than minimum wage.

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).

IDVR coordinates and provides the required CC/I&R for the Title IV program.

Once individuals, working in subminimum wage employment, have completed the necessary requirements with IDVR, ICBVI will retain copies of 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).

See VR Policy Manual for policies on sub-minimum wage.

## Program Exit With an Employment Outcome

Authority: 34 CFR 361.56

The record of services of an individual who has achieved a competitive integrated employment outcome may be closed only if all of the following requirements are met, and documented in the case record:

- ***Client has achieved the requirements of competitive integrated employment;*** and
- ***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
- ***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

- ***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.

Cases being closed with a CIE outcome do not require the approval of the RSC. The critical case audit must be completed (Survey Money audit) and the participant satisfaction must be sent out.

## Program Exit Without an Employment Outcome

Authority: RSA-PD-19-03

The reasons for program exit without an employment outcome are described in detail in the Orion Manual.

All exits without employment must be justified and documented.

Cases being closed prior to IPE do not require the approval of the RSC.

Cases being closed with an IPE require the approval of the RSC. Critical case documentation audit must be completed and participant satisfaction survey must be sent. For case going on the closure “waitlist” (Share Point) these activities should be completed prior to putting them on the list. A final case note should indicated these activities have been completed and the file is waiting for closure approval.

### Client’s Preferred Communication

Just as with any written materials, correspondence and communication must be in the client’s preferred mode of communication. Counselors need to document this at intake. When attempting to contact clients, all preferred methods of contact should be utilized.

- For individuals who prefer large print / braille: This must be documented in the record that the communication was sent out in either of these formats.

### There are enhanced polices around 2 exits reasons:

#### **Unable to Locate or Contact**

*Definition:* 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.

A client’s leaving the state does not automatically initiate a file closure. Every effort should be made to engage the individual in the VR program in the state to which they are re-locating. Cases should not be closed when the client is engaged with a VR program in another state, but rather, the case should be shared to support the individual to a successful CIE outcome.

There must be evidence in the record of an attempted contact (at minimum every 2 months) for a period of one year in all of the individuals preferred modes of communication. However, once evidence is obtained and documented that the contact information is no longer valid (i.e., phone disconnected, mailing returned no forwarding address) there is no need to make any further



attempts via those modes of contact. Attempts to contact can cease and file closed once all preferred modes of contact have been exhausted.

### **No Longer Interested in Receiving Services or Further Services**

*Definition:* Individuals who actively choose not to participate or continue in their VR program. 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.

For individuals who no longer want VR services – This is an informed choice decision and should be handled and documented as such. The record must have evidence of this discussion.

For individuals whose actions make it impossible to begin or continue with their VR program – The record must contain clear and convincing evidence of this.

Clear and convincing evidence is defined as the following:

- A pattern of the following over a period of one year; documented monthly -
  - Missed appointments / no shows.
  - Lack of follow through on obligations / services.
  - No response to attempted contacts (must be in preferred mode of communication).

### Special Considerations for Students and Youth

Students and youth in the age range 14-26 with an IPE can only be exited under these two reasons if the counselor can provide the following evidence:

- The VRC has exhausted all attempts (following unable to locate / guidelines) to locate the individual, over the period of one year. All resources have been tapped (i.e. family, friends, schools); or
- The parent does not want their child to participate (16 or younger only). Students 17 years old student files should not be closed, but rather, should be re-approached on their 18<sup>th</sup> birthday.

### Potentially Eligible

Students who are potentially eligible (Pre-Case status) cannot be closed until they age out of Pre-ETS (22<sup>nd</sup> birthday)

### Preparing Files for Closure

Case notes should contain a summary of the reasons for the closure, focusing on the policy guidelines for exiting the program.

## Order of Selection

Authority: 34 CFR 361.36 | IDAPA 15.02.02.356

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.

See the VR Policy Manual for the OOS policy.

## Revision History

March 2023 – Integration of RSA 911 Manual and Pre-ETS Manual, along with elements from the VR Policy Manual to create this desk manual.

5/16/23 – Added policies on program exit and OOS.

7/1/23 – Removed fiscal and payment policy

10/3/23 – Updated MSG and Credential section. Updated section on potentially eligible.

7/1/24 – Repeals and replaces the 2023 Desk Manual. Minor revisions and updates throughout.