



# STATE REHABILITATION COUNCIL

*Iowa Vocational Rehabilitation Services, Department of Education  
Announces the upcoming meeting of the State Rehabilitation Council*

## AGENDA

**Tuesday, September 13, 2016**

Knudsen Room  
Jessie Parker Building  
510 East 12<sup>th</sup> Street  
Des Moines, Iowa 50319

### 9:30 a.m. – Noon GENERAL MEETING

**\*\* Please note there will be no standing committee meetings \*\***

- |  |                               |
|--|-------------------------------|
| 1. Call to Order, Establishment of Quorum (9)                      | Rosie Thierer, Chair          |
| 2. Approval of <a href="#">March and June 2016 Meeting Minutes</a> | Rosie Thierer                 |
| 3. Public Comment  |                               |
| 4. SRC Orientation (all)   | Rosie Thierer, David Mitchell |
| 5. <a href="#">SRC Proposed New Bylaws</a> – Review/Q & A          | Rosie Thierer, Kelley Rice    |
| 6. <a href="#">Vote to Amend Bylaws</a>                            |                               |

### Noon – 12:45 p.m. WORKING LUNCH

- |                               |                                      |
|-------------------------------|--------------------------------------|
| 7. Business Services Training | Michelle Krefft, Business Consultant |
| Success Stories               | Vicki Carrington, Info Specialist    |

### 1:00 p.m. GENERAL MEETING

- |  |                               |
|--|-------------------------------|
| 8. <a href="#">Administrator's Report</a>                    | David Mitchell                |
| 9. <a href="#">Financial Overview</a>                        | Matthew Coulter               |
| 10. <a href="#">Rehabilitation Services Report</a>           | Kenda Jochimsen               |
| 11. CAP Report   | Page Eastin                   |
| 12. <a href="#">Independent Living and Partner Contracts</a> | Lee Ann Russo                 |
| 13. <a href="#">Legal Update/DD Council Update</a>           | Kelley Rice                   |
| 14. SILC Update  | Gary McDermott                |
| 15. State Workforce Board Update                             | David Mitchell/Marketa Oliver |
| 16. Adjournment  | Rosie Thierer                 |

Any Council member unable to attend is asked to notify Kathleen Slater at 515.281.6731 or [Kathleen.Slater@iowa.gov](mailto:Kathleen.Slater@iowa.gov). Anyone needing an accommodation to participate in the meeting, or will be attending by phone, should notify Kathy at least 3 business days prior to the meeting so arrangements can be made.

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## **Administrator's Report**

### **September 2016**

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Welcome to the beginning of a new State Rehabilitation Council year! We are excited to have our new members as well as returning members and look forward to activities that will challenge us and enhance service delivery for lowans with disabilities. We have worked diligently with the SRC leadership team and appreciate their efforts at considering ways we can involve the SRC to create effectiveness. Work has occurred to review and revise the bylaws and restructure the committee assignments to fully engage the SRC in the work that is occurring. We feel this will provide opportunities to have an increased global perspective and provide a key voice in service delivery.

Since our last meeting, the Work Innovation Opportunities Act (WIOA), has continued to be the focus of attention and attempted understanding of the regulations. In today's meeting, you will get updates on initiatives being impacted including:

- Intermediary Networks
- Section 511 (limitations on subminimum wage)
- Potentially Eligible services
- Business services/Job Candidates in danger of losing their job
- IVRS policies and procedure roll-out
- VR Business Training
- Video use – sharing our stories
- Department of Education Work-Based Learning Grant
- Dr. Groomes' update on quality assurance
- Online VR Portal

We also collaborated on statewide training efforts with the Disability Employment Initiative. This was a major conference with 500+ attendees involved, with a diverse range of employment service and WIOA discussions. We had an encouraging meeting with the state's Department of Administrative Services, Human Resource section on expanding the role of hiring for veterans to include individuals with disabilities. This is directly linked to our non-competitive hire work experience program for veterans with service-connected disabilities. If we can expand the eligibility of the program to include VR-eligible job candidates, it would be a significant change and market for state hiring managers,

I have completed six of my 13 area office visits, discussing strategic planning. These visits provide opportunities to solicit feedback from staff and communicate key talking points and visioning that impact service delivery.

I appreciate the Council's efforts to understand and guide the VR discussions. Hopefully you can see our efforts to align service delivery in a collaborative manner with our partner state systems, leverage the resources available in a manner to increase service capacity and to positively impact the workforce which will make up the Future Ready Iowa talent pool.

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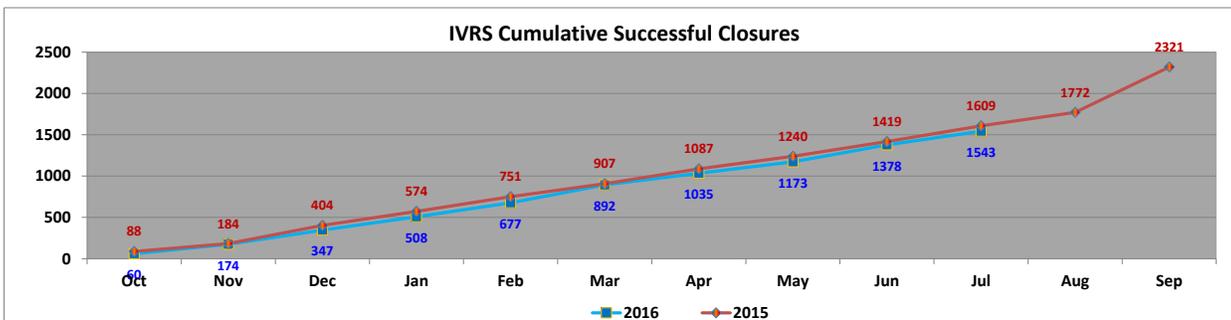
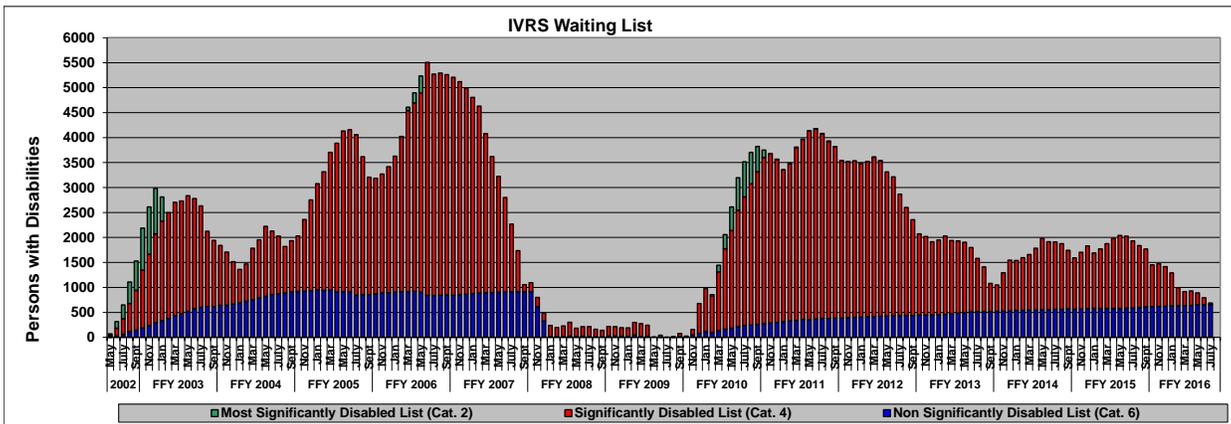
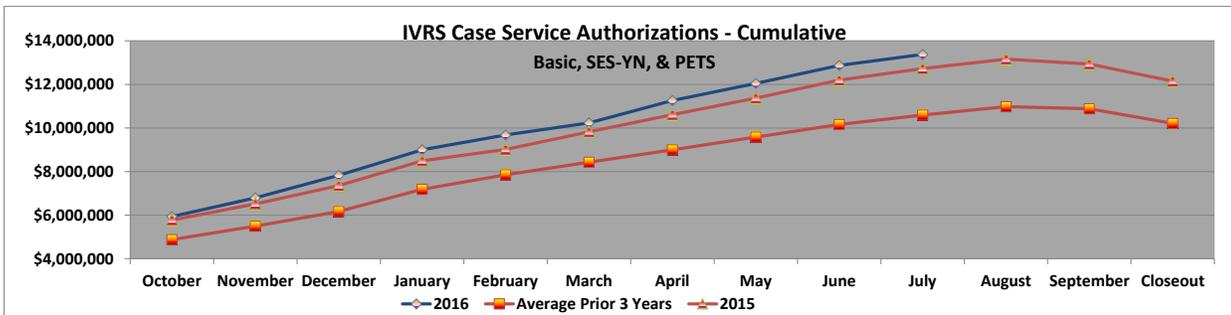
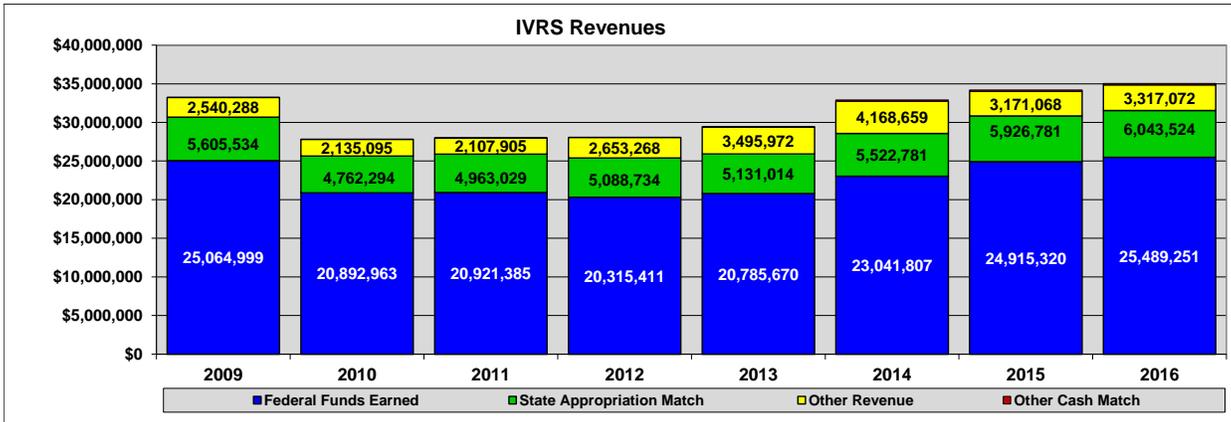
## Financial Overview

### September 2016

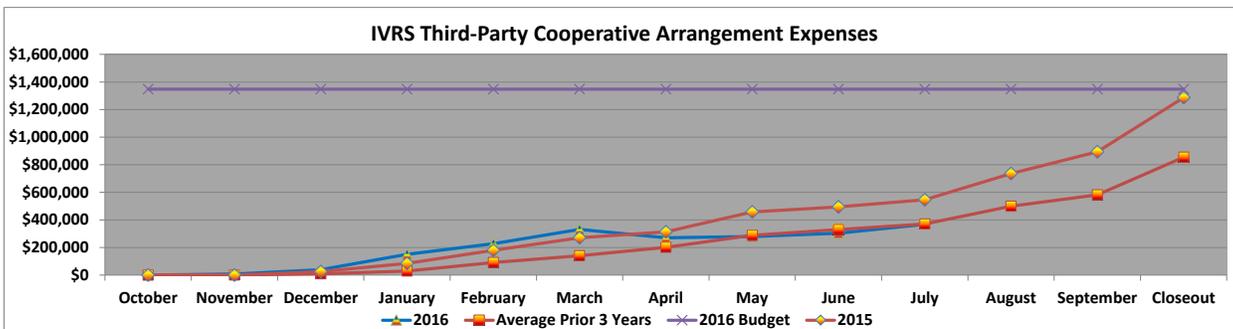
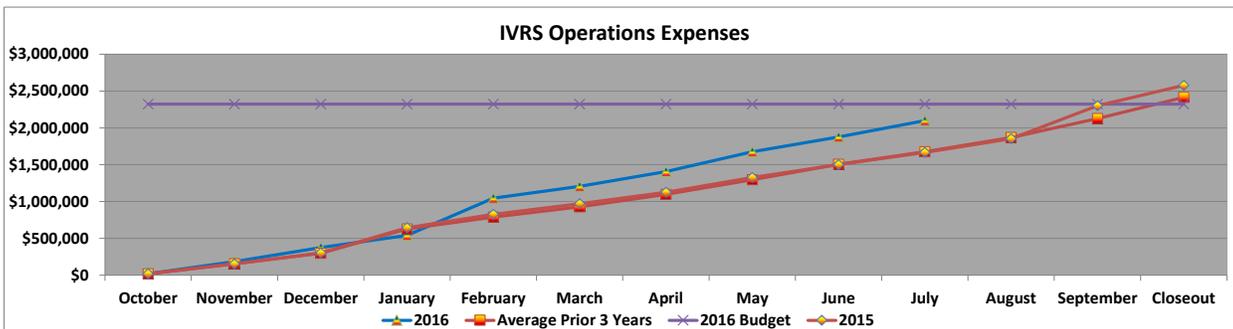
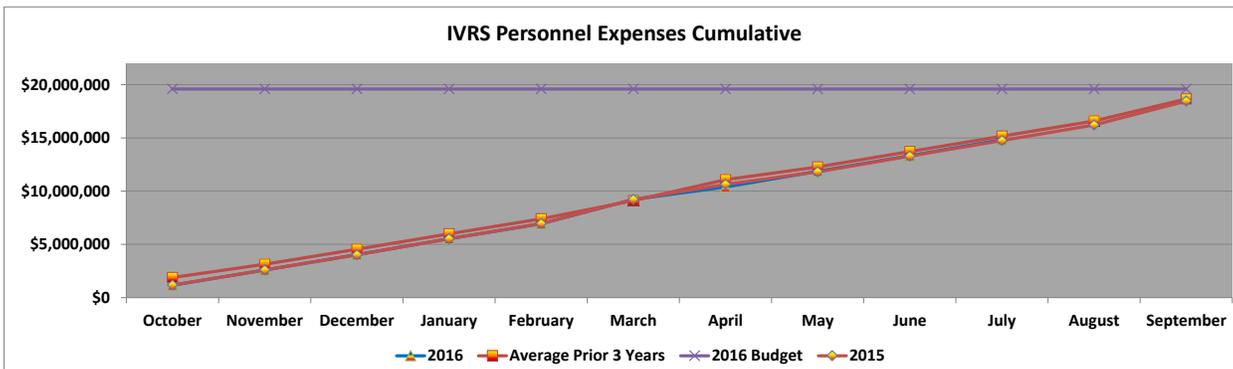
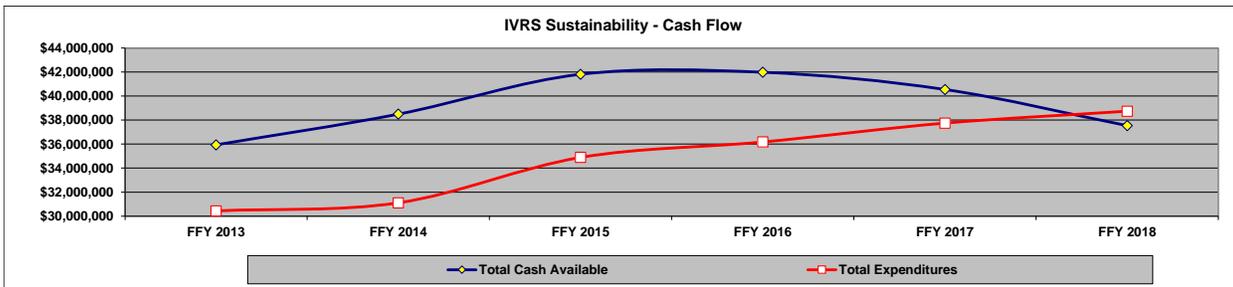
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- 2015 PETS expenses through July 31 total about \$3,212,180 of the \$3,829,966 target. This equals about 84% of the target. Projections for additional PETS expenses before 9/30/2016 indicate that IVRS will not be able to expend all 2015 PETS carry forward funds. It now appears that about \$617,786 of FFY 2015 PETS funding for IVRS will not be spent.
- 2016 PETS expenses are \$136,965 at this point. The 2016 target is \$3,823,388. Projections for PETS expenses between now and 9/30/2017 indicate that IVRS should be able to expend all 2016 PETS funds.
- The 2016 case service expense projection is \$12,800,377 at the end of July and this is basically unchanged from June.
- Operating expenses and Third Party Contract expenses continue to be within expected ranges.
- In July, 354 cases moved into active service status, including 222 SD cases. During 2016 to date, 4,561 cases have moved into active status. This is 253 less than one year ago at this time, July 31, 2015.
- The active caseload (without the waiting lists) contained 12,595 cases on July 31. This is 9 less than June 30, 2016, and 114 more than a year ago.
- The total caseload contained 13,283 cases on July 31. This is 113 less than June 30, 2016, and 1,128 less than a year ago, July 31, 2015.
- The waiting list on July 31 contained 34 SD and 654 OE for a total of 688; this is 104 less than June 30, 2016, and 1,242 less than a year ago, July 31, 2015.
- The number of 2016 cases with an authorization is 7,307 and is 5% less than a year ago, July 31, 2015.
- The total dollar amount authorized for all case services in 2016 is \$13,722,462 or 2% more than a year ago, July 31, 2015.
- The sustainability model shows positive cash flow and carry over amounts for 2016 and 2017 based on current information.
- IVRS Budget and Financial staff are working to close state fiscal year 2016, including completion of the Generally Accepted Accounting Principles (GAAP) report.
- IVRS Budget staff are working to prepare the state fiscal year 2018 and 2019 budget request that is due at the end of September. The 2018 and 2019 requests will be for the same level of state appropriations as 2017.
- The state auditors have begun the audit of 2016. No substantive issues have been reported. The auditors will return in the fall and again in late winter to complete their work.
- An IVRS job candidate worked in the Financial Processing Section through the summer as an intern. This was a positive experience for all involved.

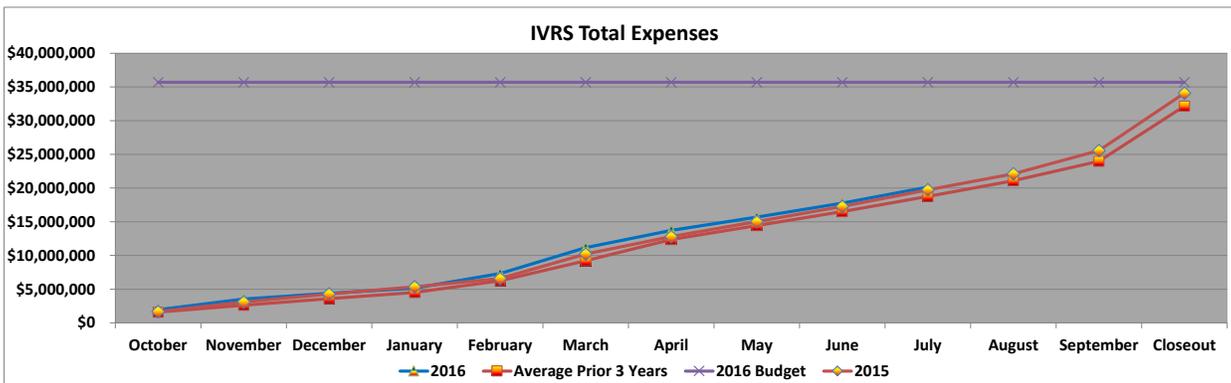
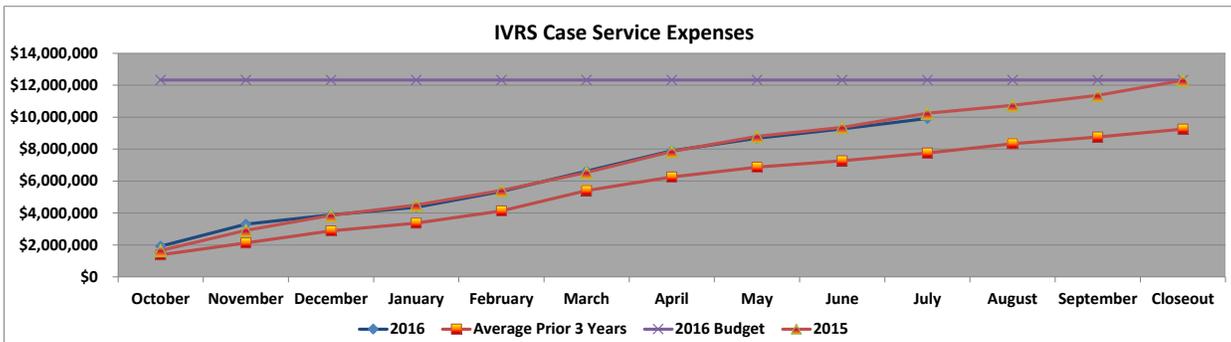
# IVRS Financial Graphs



# IVRS Financial Graphs, continued



# IVRS Financial Graphs, continued



# IVRS State Fiscal Year 2017 Budget Recap

<i>Iowa Vocational Rehabilitation Services SFY 17 Budget Recap</i>										
	Basic Support	Independent Living	EWD Program	CIL Grants	SSA Funds	DDS-DHS	Suppt. Employ.	DDS Funds	Contributed	Total
	Fund 0001-0167	Fund 0001-0168	Fund 0001-0180	Fund 0001-0192	Fund 0034	Fund 0231	Fund 0366	Fund 0394	Fund 0395	IVRS
<b>Revenues</b>										
State Appropriation	5,911,200	89,128	145,535	90,294	0	0	0	0	0	6,236,157
Federal Support	26,716,197	248,386	0	0	4,106	0	243,000	28,049,780	0	55,261,469
Other Funds	1,957,056	0	0	0	0	140,397	0	327,959	0	2,425,412
Balance Forward from Previous SFY	0	0	0	0	517,985	0	0	0	242,153	760,138
<b>Total Revenues</b>	<b>34,584,453</b>	<b>337,514</b>	<b>145,535</b>	<b>90,294</b>	<b>522,091</b>	<b>140,397</b>	<b>243,000</b>	<b>28,377,739</b>	<b>242,153</b>	<b>64,683,176</b>
<b>Expenditures</b>										
FTE Positions On Lined	244.00	1.00	0.00	0.00	0.00	0.00	0.00	163.50	0.00	408.50
101 Personnel	20,138,322	122,163	117,883	0	0	0	0	18,190,452	0	38,568,820
202 Personal TV-In State	160,527	50	0	0	0	0	0	606	0	161,183
203 State Vehicle	44,617	25	0	0	0	0	0	0	0	44,642
204 State Vehicle Depreciation	33,108	0	0	0	0	0	0	0	0	33,108
205 Personal TV-Out State	11,800	0	0	0	0	0	0	3,375	0	15,175
301 Office Supply	97,395	51	0	0	0	0	0	26,955	0	124,401
302 Facility Mt Supp	1,773	0	0	0	0	0	0	0	0	1,773
308 Other Supply	7,051	0	0	0	0	0	0	275	0	7,326
309 Printing & Binding	29,843	25	0	0	0	0	0	35,637	0	65,505
311 Food	1,325	0	0	0	0	0	0	150	0	1,475
313 Postage	60,886	125	0	0	0	0	0	286,959	0	347,970
401 Communications	275,978	50	0	0	0	0	0	111,920	0	387,948
402 Rentals	485,670	0	0	0	0	0	0	582,892	0	1,068,562
403 Utilities	40,753	0	0	0	0	0	0	0	0	40,753
405 Prof Services	10,000	50	0	0	0	0	0	22	0	10,072
406 Outside Services	97,608	25	0	0	0	0	0	236,675	0	334,308
408 Advertising/Pub	11,050	25	0	0	0	0	0	500	0	11,575
409 Outside Repairs	17,799	0	0	0	0	0	0	5,961	0	23,760
414 Other Reimburse	469,805	459	0	0	0	0	0	74,999	0	545,263
416 ITD Reimburse	148,945	282	0	0	0	0	0	46,138	0	195,365
418 IT Outside Services	0	0	0	0	0	0	0	0	0	0
432 Gov Transfer Attorney General	15,000	0	0	0	0	0	0	0	0	15,000
433 Gov Transfer Auditor of State	45,300	0	0	0	0	0	0	13,300	0	58,600
434 Gov Transfer Other Agencies	298,286	13,572	27,652	0	0	30,772	2,055	1,890,855	0	2,263,192
501 Equipment	19,200	0	0	0	0	0	0	5,000	0	24,200
502 Office Equipment	0	0	0	0	0	0	0	5,000	0	5,000
503 Equipment - Non Inventory	20,087	0	0	0	0	0	0	20,022	0	40,109
510 IT Equipment & Software	361,267	0	0	0	0	0	0	368,170	0	729,437
602 Other Expense	1,447,099	174,797	0	90,294	4,106	0	0	4,088	0	1,720,384
702 Fees	50	0	0	0	0	0	0	0	0	50
803 Aid to Individuals	10,233,909	25,815	0	0	0	109,625	240,945	6,467,788	0	17,078,082
Balance Forward to Next SFY	0	0	0	0	517,985	0	0	0	242,153	760,138
<b>Total Expenditures</b>	<b>34,584,453</b>	<b>337,514</b>	<b>145,535</b>	<b>90,294</b>	<b>522,091</b>	<b>140,397</b>	<b>243,000</b>	<b>28,377,739</b>	<b>242,153</b>	<b>64,683,176</b>

IVRS drafted policy using the language contained in the regulations to avoid having to make changes and modifications frequently. Moving to this more “pure” form of policy allows staff to understand the regulations and apply it according to the intention of the legislation. It also avoids having one person in policy development insert their opinions to influence practice, (e.g. in 1990s, the policy coordinator inserted into policy on college training that IVRS would not support a college training for anyone who did not have a FSIQ of 100 or more.)

**The following summarizes the changes in policy according to the newly-drafted regulations:**

**1. Competitive Integrated Employment and Employment at Subminimum Wage:**

- a. The definition is clearly defined and encourages work in a typical setting in the community that is not for the purpose of employing persons with disabilities. IVRS has not encouraged or supported extended employment since 2000 and had adopted this as our definition years ago. No real change to IVRS. (See new policy)

**2. Section 511:**

- a. Students with disabilities are required to participate in pre-employment transition services to encourage competitive integrated work. These activities between the school and IVRS are coordinated and documented. If the student still insists on pursuing extended employment at subminimum wage compensation, IVRS and the Local Education Agency (LEA) coordinate the documentation and provide that to the student. (See attached policy)
- b. Youth and individuals of any age who refuse services and instead desire to work in extended employment at subminimum wage must present documentation to the Community Rehabilitation Program (CRP) to remain employed or gain access to that employment. (See attached forms.)
- c. Individuals who are working in subminimum wage as of July must receive career counseling and information and referral every six months during the first year, and annually thereafter. Case managers in the State of Iowa provide this to these individuals every six months already and it is reflected in their Individual Plan and their reports. WIOA is explicit in stating that the work of the core partners should not be duplicative. Iowa is moving toward a combined plan the next time of which case management would be a required partner. Since they are already providing this and the goal of Case Management is to get all individuals into some competitive integrated employment within the next two years, IVRS and DHS have agreed that case managers will provide this service and IVRS will accept their documentation of those services under this rule. (See policy)

**3. Pre-employment Transition Services and Potentially Eligible:**

- a. IVRS must provide pre-employment transition services to students with disabilities regardless of whether they have applied for services. These services may be provided to the potentially eligible, who are considered recipients of services. (See policy)

**4. Eligibility for those in need of Job Retention:**

- a. IVRS may move any individual at risk of losing their job due to their disability – and not due to economic factors related to a layoff, into active services and provide only those services needed

to retain employment. If other services are requested and are not needed to retain employment, and the individual is not in a category being served, the individual must go back on the waiting list for those other services. (See policy.) This is to obtain feedback from the council to determine if the policy as it is written is satisfactory to the council.

**5. VR On- Line Portal:**

- a. IVRS is working with researchers to provide this new service delivery methodology. The researchers will track job candidate staff satisfaction with services (e.g. counseling and guidance, job coaching, etc via a confidential portal.

## **COMPETITIVE INTEGRATED EMPLOYMENT AND LIMITATIONS ON SUBMINIMUM WAGE PLACEMENT**

August 2016

### **Description**

Competitive integrated employment means work that:

1. Is performed on a full-time or part-time basis for which an individual is compensated at a rate that is no less than the higher of the rate specified in the Fair Labor Standards Act of 1938 or the rate required under the applicable State or local minimum wage law for the place of employment;
2. 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 in similar situations in similar occupations by the same employer and who have similar training, experience and skills;
3. In the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals who do not have disabilities and who are self-employed in similar occupations or perform similar tasks and have similar training, experiences, and skills; and
4. For the purposes of employment, are eligible for the level of benefits provided to other employees;
  - a. Is at a location typically found in the community;
  - b. Where the employee with a disability interacts, for the purpose of performing the duties of the position, with other employees within the particular work unit and the entire work site who are not individuals with disabilities to the same extent that employees who are not individuals with disabilities and in comparable positions interact with coworkers;
  - c. Quality integrated interaction does not include supervisory personnel or individuals who are providing services to such employees; and
  - d. Presents, as appropriate, opportunities for advancement that are similar to opportunities for individuals who do not have disabilities.

### **Scope of Services**

Competitive integrated employment requires an assessment by the rehabilitation counselor and/or supervisor with the Department of Human Services in determining if the job site meets the definition as follows:

1. Enclave and group employment - 361.5( c )(32)(ii) - the criteria of integrated setting, for the purposes of the VR program, when applied properly by IVRS staff, demonstrates that group and enclave employment settings operated by businesses formed for the purpose of employing individuals with disabilities will not satisfy the definition of competitive integrated employment.
2. “Typically found in the community” means that an integrated setting must be one that is typically found in the competitive labor market where people with disabilities engage in typical daily work patterns with co-workers who do not have disabilities and “where workers with disabilities are not congregated...” (Senate report 105-166, page 10, March 2, 1998.) “Settings established by community rehabilitation programs specifically for the purposes of employing individuals with disabilities do not constitute integrated settings because these settings are not typically found in the competitive labor market, the first of two criteria that must be satisfied if the setting is to be determined to be in an integrated location” (Preamble WIOA, page 81, July, 2016.). “Typically found” is defined as the purpose for which the business is formed.
3. “Level of interaction among individuals with and without disabilities” – 361.5(c)(9)(ii)(B) – is applied by considering the quality of the interaction among employees with disabilities and persons without disabilities when compared to that of employees without disabilities in similar positions. Determination on whether or not the setting is integrated should be on the interaction between employees with and without disabilities, and not solely on the interaction of employees with disabilities with people outside the work unit.

4. Work unit – 361.5(c)(9)(ii)(B) – properly focuses the consideration of the interaction of the person with the disability with employees without disabilities within the environment in which the work is performed. Work unit may refer to all employees in a particular job category or to a group of employees working together to accomplish tasks, depending on the employer’s organizational structure. This does not exclude settings where the employee works alone, such as telecommuting, so long as the employee with the disability interacts with employees of the employer in similar positions and interacts with other persons without disabilities to the same extent that employees without disabilities interact with others.
5. Interaction during performance of job duties – means the interaction between employees with disabilities and those without disabilities that is specific to the performance of the employee’s job duties and not the casual, conversational, and social interaction that takes place in the workplace. As such it would not be pertinent to consider interactions in the lunchrooms and other common areas of the work site in which employees are not engaged in performing work responsibilities.
6. Opportunities for advancement – 361.5(c)(9)(iii) - ensures that employment of persons with disabilities is equivalent in all respects to that of person without disabilities require that the employee with the disabilities has the same opportunities for advancement as employees without disabilities in similar positions, regardless of the size of the business.  
IVRS must determine on a case-by-case basis that the job is being performed in an integrated setting.

**Subminimum Wage Employment:** It is the philosophy and belief of IVRS that all individuals can and should be provided information on the opportunities of working in a competitive integrated environment. Whenever an individual who is working or desires to work at subminimum wage is made known to IVRS, IVRS will provide counseling to the individual about the benefits of working in a competitive integrated work environment. IVRS will also provide information on benefits planning and services available through IVRS to assist the individual to achieve competitive integrated work. IVRS also recognizes that there are times when an individual, even after that information is provided to them either through IVRS or through their case managers, still desire to work in extended employment. In such cases, IVRS does not facilitate those referrals and only provides the documentation to the individual with a disability or the parent/guardian. IVRS does not refer individuals to subminimum wage employment, only the individual with a disability may receive the documentation from IVRS.

**Students and Youth with Disabilities:** Students with disabilities seeking subminimum wage employment must be provided a meaningful opportunity in employment. IVRS must (in consultation with the State educational agency) provide a variety of activities including the receipt of transition services provided under IDEA by LEAs and pre-employment transition services provided by IVRS. IVRS must provide career counseling and information and referral within 30 calendar days of the date the youth known to IVRS is seeking extended employment. IVRS must provide documentation of the student completing pre-employment transition services and the determination of eligibility for VR services to the student and/or parent/guardian if applicable. IVRS does not provide the information directly to the entity providing subminimum wage employment. IVRS is a partner with the schools and will work with LEAs on appropriate referrals with common cases. Documentation provided to the student that is to be provided as evidence includes:

- a. Cover letter/e-mail detailing information being provided to the student with counselor’s signature, date, and method of transmittal;
- b. Eligibility justification summarizing the pre-employment transition services, specifically career counseling and information and referral services, and LEA transition required services;
- c. Documentation of the results of the student/youth’s work toward an employment outcome in the competitive integrated employment setting;
- d. IPE-2 and case note plan justification;

Determining Competitive Integrated Employment –

- e. Closure form (IPE-3) and closure summary case note summarizing pre-employment transition services and reason for closure; and
- f. Documentation from the LEA that summarizes the IDEA transition services provided to the student by the LEA.

Documentation must be provided within 45 days after the completion of the required services; or 90 days if additional time is needed for extenuating circumstances. Extenuating circumstances include the unexpected, lengthy absence of the LEA personnel or VR staff necessary for the production of the documentation (i.e. extended family illness, emergency or natural disaster). LEA staff absence due to summer break is not considered an extenuating circumstance and IVRS staff, in this situation, would provide to the student the IVRS documentation with a notation that the LEA staff failed to provide the information.

Youth and the parent/guardian must be advised that IVRS will maintain a record of the documentation and will review the youth's placement in subminimum wage employment every six months the first two years, and annually thereafter.

Youth Refusing Services: If a youth with a disability who is known to IVRS or, as applicable, the youth's parent or guardian, refuses, through informed choice, to participate in the activities required by section 511 or the implementing regulations in part 397, documentation must contain, at a minimum:

- a. the youth's name,
- b. description of the refusal and reason for refusal;
- c. signature of the youth or, as applicable, parent or guardian;
- d. date and signature of the IVRS staff person or the LEA personnel documenting the refusal;
- e. date and method by which the documentation was transmitted;
- f. statement that IVRS will retain a copy of all documentation; and
- g. acknowledgement that IVRS will follow up every six months for the first two years and annually thereafter.

This documentation must be provided to the youth within 10 calendar days of the youth's refusal to participate.

Requirements Related to Individuals of Any Age: Individuals who are known to IVRS and who have made the choice to work in non-integrated settings at a subminimum wage are reviewed semi-annually for the first year of that decision and annually thereafter. Individuals who are considered as being known to IVRS are those:

- a. Who have been made known to IVRS from a referral source, including self-referrals;
- b. Who have a record of service as either an applicant or eligible individual with IVRS; or
- c. Who after receiving IVRS services decided to work in extended employment compensated at subminimum wage.

For individuals with disabilities who meet the above criteria, IVRS must conduct a re-evaluation of the status of the individual to determine the interests, priorities, and needs in respect to competitive integrated employment or training for competitive integrated employment and:

1. Enable the individual and, if appropriate, the individual's representative to provide input into the review and must document that input into the record of services, with signed acknowledgement that the re-evaluation was conducted; and
2. Make maximum efforts to identify the VR services, reasonable accommodations, and other necessary support services to assist the individual in engaging in competitive integrated employment.

If the CRP has fewer than 15 employees and they refer an individual to IVRS, IVRS has 30 calendar days to inform the individual:

Determining Competitive Integrated Employment –

1. That he/she has been referred to IVRS; and
2. The specific opportunities for self-advocacy, self-determination and peer mentoring that are available in the community.

For cases that have been opened, documentation of the above activities are entered in a 413 case note. Documentation for individuals who continue to remain in extended employment must be provided within 45 days after the completion of the required services; or 90 days if additional time is needed for extenuating circumstances. Services must not be provided by the community rehabilitation program that has a financial interest in employment of the individual at subminimum wage.

For individuals in extended employment who are not known to IVRS, Case Managers with the Department of Human Services, Targeted Case Management, or Manage Care Organizations meet every six months with the individuals and they discuss competitive integrated employment and resources available from IVRS and other State and Federal programs to achieve competitive integrated employment. Case Managers routinely refer the individuals to IVRS from extended employment when, through those discussions and staffings, the individual decides to try competitive integrated work and require IVRS assistance in achieving an employment outcome. The Department of Human Services expects that within two years all individuals will be working in some capacity in competitive integrated work and IVRS is a partner in achieving that goal.

Individuals Refusing Services: If an individual who is known to IVRS or, as applicable, the individual's legal guardian, refuses, through informed choice, to participate in the activities required above to include counseling on opportunities for competitive integrated employment and information and referral, the following documentation is required to be sent to the resource manager in charge of independent living:

1. the individual's name,
2. description of the refusal and reason for refusal;
3. signature of the individual or, as applicable, legal guardian;
4. date and signature of the IVRS staff person;
5. date and method by which the documentation was transmitted;
6. statement that IVRS will retain a copy of all documentation; and
7. acknowledgement that IVRS will follow up every six months for the first year and annually thereafter.

This documentation must be provided to the individual within 10 calendar days of the individual's refusal to participate.

### **Re-evaluation**

The semi-annual and annual re-evaluation requirements, provided by IVRS, are as follows:

1. Counseling and information services. IVRS must provide career counseling and information and referral services, on achieving competitive integrated employment, to individuals with disabilities, regardless of age, or the individual's representative as appropriate, who are known by IVRS to be employed at a subminimum wage level. Case managers also provide this to those individuals who are not known to IVRS but are working at subminimum wage employment at a community rehabilitation program.
2. The career counseling and information and referral services are provided using informed choice and may include benefits counseling.
3. For individuals not known to IVRS, the individual's case manager provides the above services and documents it in their case management reports.

### **Exceptions**

None

# **ASSESSMENT FOR DETERMINING ELIGIBILITY AND VOCATIONAL REHABILITATION NEEDS**

August 2016

## **Description**

Assessment for determining eligibility and vocational rehabilitation needs means, as appropriate in each case:

1. A review of existing data to determine if an individual is eligible for vocational rehabilitation services; and to assign priority for placement on the waiting list;
2. To the extent necessary, the provision of appropriate assessment activities to obtain necessary additional data to make the eligibility determination and waiting list assignment;
3. To the extent additional data are necessary to make a determination of the employment outcomes and the nature and scope of vocational rehabilitation services to be included in the individualized plan for employment of an eligible individual; and
4. A comprehensive assessment means an assessment of: the 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 the medical, psychiatric, psychological and other pertinent vocational, educational, cultural, social, recreational and rehabilitation needs of the individual. The assessment may include an appraisal of the patterns of work behavior of the individual and services needed for the individual to acquire occupational skills and to develop work attitudes, work habits, work tolerance, and social and behavior patterns necessary for successful job performance, including the use of work in real job situations to assess and develop the capacities of the individual to perform adequately in a work environment. To the maximum extent possible, relies on information obtained from experiences in integrated employment settings in the community and in other integrated community settings.

## **Scope of Services**

This comprehensive assessment:

1. Is limited to information that is necessary to identify the rehabilitation needs of the individual and to develop the individualized plan of employment of the eligible individual;
2. Uses as a primary source of information, to the maximum extent possible and appropriate and in accordance with confidentiality requirements:
  - a. Existing information obtained for the purposes of determining the eligibility of the individual and assigning priority for an order of selection;
  - b. Information that can be provided by the individual and, if appropriate, by the family of the individual and others;
  - c. Referral, for the provision of rehabilitation technology services to the individual, to assess and develop the capacities of the individual to perform in a work environment; and
  - d. An exploration of the individual's abilities, capabilities, and capacity to perform in work situations, which must be assessed periodically during trial work experiences, including experiences in which the individual is provided appropriate supports and training.

## **Eligibility Requirements**

The determination of eligibility for services can only be made by an IVRS Vocational Rehabilitation Counselor and must be based only on the following requirements:

1. The applicant has a physical or mental impairment;
  - a. Demonstrated by a stated diagnosis from an individual or entity licensed and qualified to provide the diagnosis; or
  - b. Demonstrated by the RSA Coding Rubric as the result of a VR Counselor analysis of existing information from a secondary institution.
2. The applicant's impairment constitutes or results in a substantial impediment to employment for the applicant;

- a. Demonstrated by the job candidate's statements, family member's statements, teacher's statements, etc., regarding the impact the impairment causes the job candidate in preparing for, obtaining, maintain, regaining or advancing in employment;
    - i. A review of existing data, including counselor observations, educational records, information provided by the individual or individual's family, information used by education officials, and determinations made by officials of other agencies;
    - ii. A review of information obtained from experiences in the integrated employment setting(s) in the community and observations from supervisors, if applicable; and
    - iii. A review of the documentation provided by the job candidate that demonstrates the applicant is a Social Security beneficiary due to his/her disability.
  - b. Demonstrated by medical records reporting impediments, applicant statements, and information received from family, others, and supervisors, or if necessary;
  - c. Demonstrated by assessment information detailing the impediments and functional limitations.
3. The applicant demonstrates significant limitations in at least one of the functional impediment areas in terms of an employment outcome: mobility, work tolerance, work skills, interpersonal skills, communication skills, self-determination skills, and self-care.
  - a. Demonstrated by a justification detailing how the functional impediment(s) has significantly impacted the individual in pertinent vocational, educational, cultural, social, recreational and living environments.
4. The applicant requires vocational rehabilitation services to prepare for, secure, retain, advance in, or regain employment that is consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.
  - a. Demonstrated by the justification narrative authored by the VR Counselor of record;
    - i. Description of the need for services, the anticipated expectation of how those services will remedy or significantly impact the impediments so that competitive integrated employment will be achievable, and where applicable;
    - ii. Relationship of additional assessment data to the individual's employment journey.
5. For purposes of an assessment for determining eligibility and vocational rehabilitation needs, an applicant is presumed to have a goal of an employment outcome and is presumed to be able to benefit.
6. Any applicant who has been determined eligible due to his/her disability, and is in immediate risk of losing the job due to the disability, and is determined to be in a category not currently being served, may only receive the services or goods needed to maintain that employment. The job must be in a competitive integrated setting. If services are needed for other purposes, they may not be delivered and the applicant must wait until his/her name is removed from a waiting list category and placed into active service. This means that if the individual needs services that are not directly tied to maintaining current employment, the individual's ability to receive those services from the VR program depends on the individual's placement on the waiting list.
  - a. Immediate need means that the individual would almost certainly lose his or her current job if not provided specific services or equipment in the very near future that would enable him or her to retain that employment.
  - b. Immediate risk of losing the job due to the disability does not include economic conditions and non-disability related factors.
7. Any applicant who has been determined eligible for Social Security benefits (SSI or SSDI) based upon their personal disability is presumed eligible and considered to be an individual with a significant disability. Any individual who self-identifies as a recipient of SSA benefits, the applicant or VR staff shall:
  - a. Produce appropriate evidence, such as an award letter, to support that assertion; or
  - b. Verifies the applicant's eligibility by contacting the Social Security Administration.
    - i. Such verification must be made within a reasonable timeframe such that IVRS determines eligibility for services within 60 days of the date the individual submitted an application for services.

- ii. Such verification may be documented in a narrative case note stating the date the contact was made, the SSA employee who verified the benefit, the benefit type (SSI or SSDI due to having a disability qualifies) and the amount of the benefit.
- 8. Any eligible individual must intend to achieve an employment outcome that is consistent with informed choice;
  - a. The applicant's completion of the application process for VR services is sufficient evidence of the individual's intent to achieve an employment outcome, and no additional documentation on the part of the applicant is required, other than their participation and follow-through with goals and activities.
- 9. Nothing in this section or in subsequent sections concerning service provision is to be construed to create an entitlement to any vocational rehabilitation service or support.

### **Priority for Service Requirements**

When IVRS is unable to serve all job candidates that apply for services due to financial limitations, then applicants are placed on one of three waiting lists. The priority for services as required by WIOA specifically requires that a State must first serve all "Most Significantly Disabled" (MSD) before serving those applicants determined to be "Significantly Disabled" (SD). Only after those categories are served may those who are considered "other's eligible" (OE) receive services. Individuals with disabilities who do not meet the categories served are referred to organizations such as Iowa Workforce Development, Iowa Student Aid Commission, Department of Human Services, Disability Rights Iowa, etc. Individuals on the waiting list are also referred to these organizations. The following requirements for determining placement on the waiting list must be met to identify which waiting list placement an individual is assigned:

1. Most Significantly Disabled means individuals who have three or more serious impediments to employment; and whose vocational rehabilitation can be expected to require multiple services over an extended period of time (defined as more than six months);
2. Significantly Disabled means individuals who have two or less serious impediments to employment; and whose vocational rehabilitation can be expected to require multiple services over an extended period of time.
3. Other's Eligible means individuals who do not require multiple services over an extended period of time, and who have a significant, but not serious, impediment to employment. A person may be "other's eligible" even if he/she only requires one service for employment.
4. Job Retention Eligible means individuals who are at immediate risk of losing their job due to their disability and require VR services in order to maintain employment and thereby move directly into active status and bypass the waiting list only for those services that will allow them to maintain employment. After having received said service(s) or good(s), the job retention eligible individual may return to the waiting list until that point where his/her priority of service is being served if additional services not related to the job retention are requested.
  - a. Individuals who are at risk of losing employment must allow IVRS to obtain documentation from the employer identifying the work performance problems the individual is having on the job. The IVRS Counselor's analysis of the work performance issues in relationship to the disability and what is needed for job retention provide the justification for eligibility and moving directly into service, regardless of the number of serious impediments.
  - b. When the goods and services that are required to maintain employment have been delivered and the job is stable, the job candidate may return to the waiting list for additional services needed but not required to retain current employment. No additional services are delivered while the job candidate is on the waiting list.
  - c. If the individual requires no further services, the file is closed successfully.

### **Exceptions**

None

## **POTENTIALLY ELIGIBLE or STATUS 02-0: REFERRAL for SERVICES**

### **Definition**

Individuals with disabilities, including individuals with the most significant disabilities, are presumed to be capable of engaging in gainful employment and the provision of individualized vocational rehabilitation services that may improve their ability to become gainfully employed. Any individual with a disability may self-refer or be referred to IVRS in order to achieve an employment goal. Individuals who are applicants for services or eligible to participate in such services must be active and full partners in the vocational rehabilitation process making meaningful and informed choices. The individual is engaged in an active discussion of the unique strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice as part of the assessment process. IVRS staff engage in a discussion with the referred individual to determine the barriers that are preventing the individual from accessing services or achieving their goals in the community setting. If after it is determined through consultation and technical assistance with the entity with whom the referred individual is interacting that the referred individual requires more intensive services that are not the legal responsibility of that entity, then to the referring entity completes and submits the Referral for Services form to IVRS. IVRS may provide technical assistance so the individual can access services and opportunities provided by the entity, whether or not the individual applies for services from IVRS. An opportunity to learn about IVRS and apply for services is provided within two weeks of the local IVRS office being notified of the referral (receipt of a completed Referral for Services or Request for Services/Application form) or self-referral, phone call or other referral request. The individual should be provided the opportunity to receive information either through an orientation or individual referral conference. During the orientation or conference, the referral process involves the completion of the Request for Services/Application (if not previously completed) and Pre-Intake data collection requirements and providing information on, at a minimum:

- an explanation of all phases of rehabilitation, and
- a discussion and review of the Rights and Responsibilities, and
- an explanation of application and eligibility requirements, and
- an explanation on services available as they pertain to the employment goal on through the case closure expectations.

It is essential that IVRS have a process that engages the individual who is interested in services to proceed and complete the pre-intake data discussion. Therefore, IVRS staff and partners complete much of the paperwork necessary. An individual is considered to have applied for services upon receipt of a request for services in the form of an application for services and when the individual has reviewed, signed and submitted the Rights and Responsibilities form. This may occur before an intake is scheduled or as part of the intake process. The individual is considered to have applied for services, regardless of if the intake interview has been completed if the application is received and the rights and responsibilities has been signed. Two copies of the IPE-1 are signed by the job candidate and the agency representative. The job candidate is provided with one copy and the other is placed in the case file. **IVRS has 60 days to determine eligibility from the most recent date of the signatures on the Rights and Responsibilities form.**

There are times an individual refuses to sign the Rights and Responsibilities form due to disability issues, political reasons, and other legitimate reasons. In such cases IVRS will proceed and consider the individual as an applicant even when the individual refuses to sign the Rights and Responsibilities if the IVRS staff person determines that the refusal to sign cannot be negotiated, but the individual desires to achieve an employment goal and understands and agrees to their responsibilities in working with IVRS toward that outcome. It is critical that job candidate's understand that eligibility is based on documentation of the disability(s) and IVRS is required to explore all disabling conditions that could impact the development of the IPE. If the job candidate agrees but refuses to sign the form, the IPE-1 should be marked indicating the refusal to sign and the counselor should sign and date both copies. One copy is filed and the other is given to the applicant with a 413 entry documenting the applicant's reasons for not signing. If an applicant is under the age of 18, the parent or legal guardian must sign in addition to the applicant. If the parent or guardian does not sign the form, IVRS may not proceed

with the case and must advise the job candidate to re-apply when they turn 18 years of age. IVRS staff may not meet individually with a student under the age of 18 for the purposes of eligibility or Individualized Plan for Employment approvals without the parent(s) present, unless provided written consent by the parent/guardian to do so. An applicant is one who resides in the State of Iowa and is available to pursue employment and participate in services that will result in employment. There is no durational residency requirement. Each person referred for services will be provided with a copy of the current Client Assistance Program (CAP) brochure with an explanation of those services. Each applicant must also be offered the opportunity to register to vote. This opportunity must also be given any time they change addresses. Forms are provided for documenting this action.

An Assessment of Current General Health Status is a requirement in all cases. The requirement can be met by:

- Obtaining already available medical information from an examination within the past year which assessed all major body systems;
- Completion by the applicant and agency representative of the IVRS Health Assessment Questionnaire;
- Documentation from the SSA regarding the SSI or SSDI recipient's medical or psychological disability;
- IVRS arranging for a recent medical evaluation.

If the information is medically reviewed, the remarks of the medical consultant are noted in an R-413 entry. Any problem with approval or fees for reports needs to be resolved prior to release of payment. If further diagnostic procedures are recommended or indicated, these should be obtained immediately using Form R-450 to pay for services requiring a fee.

IVRS must seek the least costly and least obtrusive manner to document this that is possible. Individuals who pursue services through IVRS must be made aware that eligibility for services means:

- a. the individual has a significant disability that requires IVRS services in order to be successful;
- b. the services that would be needed would include disability specific services to assist the individual in developing or maintaining strategies that address their disability specific impediments in order to be employed;
- c. the services that are needed throughout the rehabilitation process may also require significant accommodations on the job in order to be successful;
- d. all services delivered are provided and monitored to make sure the individual is making progress toward their employment goal;
- e. all services are delivered because they are necessary in order for the individual to be employed;
- f. all available and accessible services are full partners in the rehabilitation process and must be accessed prior to IVRS expenditure of funds;
- g. the job candidate will be asked to supply financial information for planning and delivery of services, and failure to provide this results in the job candidate paying 100% of the financial participation rate for services; and
- h. the expected outcome of IVRS services is that the individual will achieve an employment outcome in a competitive, integrated employment setting.

Students transferring to another area of the state should have the application fields updated with the school address information (new residence, phone number, etc.). The contact information should contain the permanent address information. IVRS does not provide services to individuals whose primary disability is blindness unless the individual is served in the Iowa Self Employment Program or Transition Alliance Programs. Individuals with multiple disabilities may receive technical assistance and consultation from IVRS as a job candidate of IDB. Approval to open a case record of an individual who is blind must be obtained from the Bureau Chief. IRSS Support is notified in these cases to assure the job candidate receives the same unique identifier in both the IDB and IVRS case management systems.

An individual may have an active case in two state VR agencies at the same time and both VR agencies would be allowed to record a successful employment outcome. Contact the Bureau Chief to discuss

any cases that are open in another state VR agency or if the job candidate tells you they are going to apply for services from another state VR agency. A coordinated plan of services, that maximizes resources without duplicating services, must be developed.

When an individual demonstrates by present action or actions that they pose a threat to agency staff, they have forfeited the right to receive vocational rehabilitation services.

1. If a staff person considers an individual threatening, a discussion with the local area office supervisor should entail the observed actions and specific words that were exchanged which prompted the feelings of a threat.
2. If the case file is open, it should be closed until the individual can demonstrate that they are no longer a threat. The individual must be notified in writing of the closure and right to mediation or appeal.
3. If the file is not open, staff do not have an obligation to open a file on those individuals. These individuals must be notified in writing of the reason why the file is not being opened and of their right to appeal. A copy of that letter is sent to the Bureau Chief.

### **Potentially Eligible:**

Under the “*Workforce Innovation and Opportunity Act Sec. 113*” Iowa Vocational Rehabilitation Services “*in conjunction with the local educational agencies, shall provide or arrange for the provision of pre-employment transition services for all students with disabilities in need of such services, who are eligible or potentially eligible for services under this title.*” Potentially eligible students do not have a case record with IVRS, and IVRS only records basic data for reporting purposes. That data includes:

1. Student Name
2. Social Security Number (if available)
3. Date of Birth
4. Race
5. Ethnicity
6. Expected Graduation Date
7. School Information
8. Service under an IEP or 504 Plan
9. Start Date of Pre-Employment Transition Services
10. Pre-employment Transition Services (Direct Services and Comparable Benefits and Services).

Potentially eligible students are also considered students who may be referred or recruited into IVRS services as some later point in time.

IVRS Students are considered to be potentially eligible if they are participating in group activities in a school setting or receiving individual pre-employment transition services. There are no entitlement provisions for individuals who are potentially eligible and as such an individual who fails to proceed to apply for services must still go through the eligibility process before receiving individualized intensive services under an IPE. Students who are potentially eligible may participate in IVRS sponsored activities that are delivered in a classroom setting where other students who are eligible for services are receiving services under an IPE. Working with students who are “potentially eligible” does not require permission from the parents as IVRS staff are working in the same capacity as other consultants providing consultation to groups of students in the school. Only when the student is deemed to be an individual who requires intensive services must IVRS obtain permission from the parent to work one-on-one with the student and have an open case record. Students or youth who apply for services and are determined ineligible may no longer participate in the pre-employment transition services because they have been determined ineligible. Therefore, parents, teachers and the students/youth must be so advised so they can make an informed decision on the most appropriate time to complete an application for intensive services. Potentially eligible students may continue to receive pre-employment transition services that are needed until they reach high school graduation or age out of secondary education.

## **Scope of Services**

The referred individual is engaged through an interactive discussion of the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice. This comprehensive discussion provides an exchange of information that can be used in the determination of eligibility as it pertains to the functional impediments and need for services. The following identifies the scope of services available to referred individuals:

1. Students and Youth with Disabilities who are Potentially Eligible – may participate in individual or group pre-employment transition services.
2. All referred individuals must participate in an assessment for eligibility and required services.
3. All referred individuals must complete an intake interview and provide the necessary descriptive information required by the Rehabilitation Services Administration.
4. All referred individuals must be informed that prior to the development of an individualized plan of employment they will be required to produce evidence that they have permission to work in the United States of America.
5. All referred individuals will begin discussions on their personal goals, dreams, skills, ideas, concerns, priorities, and capabilities.
6. All referred individuals will begin exploration on the labor market and viable occupations within the geographic area.

## **Agency Expectations**

During the intake interview staff ask questions concerning the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice. Active listening using open ended questions and reflection will engage the individual and demonstrate the active interest in serving the individual with a disability to achieve their employment outcome.

### **1. Case Recording**

Successful staff demonstrate that their case recording is completed immediately following an appointment. There are times when such recording timeframes are not possible due to travel and scheduling issues. In such situations the case notations (R-413 narratives) must be completed within two working days of the appointment. The following should be discussed and documented in the case record:

- a) Disability and impediments as they pertain to past work history;
- b) Educational background and past training success;
- c) Employment history and transferable work skills;
- d) Legal issues and restitution requirements;
- e) Next steps to be completed and identification of roles and responsibilities.

### **2. Timeframes**

- a) An individual is considered an applicant until the eligibility determination is completed.
- b) Intake Appointment: Scheduled within two weeks of the referral.
- c) Case notes: best practice is immediately following an appointment, acceptable is within two working days of the appointment.
- d) Decision of Eligibility: within 10 working days of receiving the medical/psychological/SSA information and no later than 60 days from the date of the signed Rights and Responsibilities form.
- e) Extension for Eligibility: completed by the 45<sup>th</sup> day after the Rights and Responsibilities form was signed, with a specific date noted by when the decision will be determined and the reason for the extension.

## **Exceptions**

1. If the job candidate agrees to an intake appointment later than the two week requirement after referral, an email or signed note verifying that is sufficient with a follow-up date noted.
2. No other exceptions allowed.

## **SERVICES TO EMPLOYERS**

August 2016

### **Training and Services for Employers**

IVRS may provide training and technical assistance to employers regarding the employment of job candidates or individuals with disabilities. Technical assistance, consultation and support may be provided to employers on workplace accommodation, assistive technology and workplace access to enable employers to recruit, job match, hire and retain qualified job candidates. IVRS may assist employers with utilizing supports for hiring or accommodating job candidates.

Such training and support may include:

1. Training on disability awareness and person-first language;
2. Training and discussion on requirements under the American's with Disabilities Act of 1990, as amended;
3. Discussing employment related laws;
4. Developing opportunities for work-based learning experiences;(including internships, short-term employment, apprenticeships, fellowships, on-the-job trainings, and other workplace learnings and pre-employment transition services);
5. Developing accounts with employers to be a resource to them in their recruitment, hiring, and job retention practices;
6. Identifying and recruiting qualified applicants who are job candidates;
7. Developing special events, projects, and initiatives that connect business with a job candidate talent pool;
8. Identifying business needs related to sector partnerships including coordination with the workforce system;
9. Develop opportunities for connecting business needs with career pathways and job-driven models of employment; and
10. Educating hiring managers on the value that job candidates add to the work environment through their skills and unique talents.

### **Agency Expectations**

All IVRS staff are expected to network with business and industry in order to create opportunities for job candidates to prepare for, obtain, retain, or advance in employment:

1. Contact businesses in the local area to identify training and job opportunities;
2. Contact businesses to learn about their unique labor needs both currently and future projections;
3. Follow-up with business and industry regarding their needs, job development, placements, etc.;
4. Support business and industry in a timely manner when a job candidate requires additional support;
5. Connect special projects and initiatives to Sector Board needs and infuse career pathway details so job candidates understand the opportunities.
6. Begin discussions on initiatives with the needs of the business and then determine how to assist job candidates to meet those needs;
7. Provide on-the-job training opportunities;
8. Develop pre-apprenticeship opportunities so trainings result in quality employment;
9. Develop programs and services that focus on the needs of the businesses and the 21<sup>st</sup> Century Work Skills; and
10. Align initiatives, projects, and special events with Sector Boards and Career Pathways when delivering pre-employment transition services.

### **Exceptions**

1. Providing or paying for any good or service that is the legal responsibility of the business.

## **SERVICES TO GROUPS**

August 2016

### **A. Definition**

IVRS' mission is to create opportunities for all individuals with disabilities through system development, advocacy, and technical expertise. IVRS provides services that promise to contribute substantially to the rehabilitation of a group of individuals that are not related directly to the IPE of any one individual. Services to groups assumes the individuals participating have disabilities but those disabilities may or may not be significant for eligibility purposes. Examples of those other services might include the purchase of instructional materials that would benefit a group of students who would be potentially eligible, applicants or eligible individuals; or the purchase or lease of a bus to provide transportation to a group of applicants or eligible individuals.

### **B. Agency Expectations**

Services to groups are primarily consultative in nature or delivered in a group setting where there are job candidates on the IVRS caseload and individuals with disabilities who also could benefit from the experience but do not require the intensive services needed generally associate with an eligible job candidate. When such services are delivered in a group setting:

1. A class roster must be kept that identifies the names of the individuals participating;
2. Documentation of disability as evidenced by receiving services under an IEP or 504 plan or other documentation to support the individuals have a disability;
3. The service(s) delivered; and
4. The dates of service.

No specific expenditure from case services for intensive services for an individual is allowable if the individual is not on the IVRS caseload. Pre-employment transition services may be provided in a group or individual setting, and are also included in this provision. The following summarizes the type of services and conditions that allow for services to groups, but is not all-inclusive:

1. Consultation and technical assistance services to assist students and youth in transition to move from school to post-school activities, including employment.
2. Participation in cooperative agreement service contracts IVRS has with education agencies and community rehabilitation programs where eligible individuals are receiving services without case authorization costs.
3. Participation in pre-employment transition services delivered as part of an education program by IVRS staff.
4. Participation in study groups at a college setting that has been developed and funded for eligible individuals when such participation enriches the discussion and understanding of the participants.
5. Technical assistance to businesses that are seeking to employ individuals with disabilities.

### **C. Exceptions**

None

## **SERVING STUDENTS AND YOUTH IN TRANSITION**

August 2016

### **Description**

IVRS strives to serve students with disabilities in transition in a manner that will impact the broadest segment of students possible. The provision of transition services for the benefit of groups of students with disabilities is provided through pre-employment transition services. The VR program has been designed to provide a continuum of VR services, by providing pre-employment transition services to any student with a disability in a secondary program receiving special education services under an Individualized Education Program (IEP) or who are covered under Section 504 of the Rehabilitation Act, regardless of whether the student has applied for or been determined eligible for VR services.

Students who have not applied for services from IVRS are considered to be “potentially eligible” and considered recipients of services from IVRS if they are receiving pre-employment transition services and are known to IVRS. Students who are potentially eligible have not yet applied nor been determined eligible, therefore there is no grandfather clause attached to this policy. If after receiving pre-employment transition services as a potentially eligible student, the student and, if applicable, his/her parent or guardian then completes an application for VR services the eligibility process begins and the date of that decision is the date when intensive services may begin if the student is off the waiting list. The student may continue to receive pre-employment transition services while on the waiting list, if determined eligible, but may not receive intensive services. However, if the student had not received pre-employment transition services prior to an application for IVRS services, he/she may not participate in pre-employment transition services except for those provided to groups of students. No individualized pre-employment transition service may be provided to a student on the IVRS waiting list if that student had not received pre-employment transition services prior to the application for services.

All students who apply for vocational rehabilitation services, even if they are still receiving pre-employment transition services, will be subject to all relevant requirements for eligibility, order of selection and the development of the IPE.

### **Service Collaboration**

When students receive pre-employment transition services outside of having applied for or been determined eligible for VR services, the services are delivered by IVRS staff. These staff work with students with disabilities individually or in groups, but when it is clear that more intensive services are necessary the VR staff then receives or recruits the service recipient to apply. The referral requires that the VR staff, teacher, or other team member, who is working with the student with a disability, and guardian to complete or gather the following information:

- Application for services
- Release of Information forms
- Individualized Education Program (IEP) (if applicable)
- 504 Plan (if applicable)
- Medical documentation
- Appointment date with the counselor

Upon receipt of the information, IVRS staff meet with the student with a disability and the guardian to complete the intake. The IVRS counselor reviews the medical and education information, and discusses other information that may be needed for eligibility determination. The counselor must then work with the Local Education Agency (LEA) to coordinate services and supports, ensuring that IVRS does not supplant the required activities and services of the LEA.

IVRS partners with the LEAs to coordinate services in a manner that results in a seamless transition to employment. Under the IDEA, schools are required to provide the following based on the student's needs, preferences, etc.:

1. Instruction and related services;

2. Community experiences;
3. Objective for employment and post school adult living;
4. Daily living skills and a functional vocational evaluation;
5. Summary of Performance (academic and functional) with recommendations regarding post-secondary goals;
6. Write Individualized Education Programs (IEPs) that coordinate and provide services, demonstrate measurable goals, and engage the student to meet postsecondary goals; and
7. Track and report on student's postsecondary success in college or work within one year after exiting high school.

IVRS does not supplant the work of the LEAs but works in collaboration to support the student's goals by providing pre-employment transition services that enhance the student's transition. IVRS is responsible for services in the IPE and the LEAs are responsible for services required for transition under the IEP. The IVRS staff collaborates with the LEAs to develop a plan to deliver pre-employment transition services in a manner that maximizes staff resources, minimizes duplication and coordinates the teams' efforts.

### **Scope of Services**

- A. Pre-Employment Transition Services - may be provided to all students, regardless of whether they have applied for services; however, if a student applies for services and is found ineligible the student would no longer be able to participate in these activities. Pre-employment transition services are not exempted from the requirements to explore all comparable services and benefits. These services are an early start at job exploration that:
1. May begin once a student requests or is recommended for one or more of the services and documentation of the disability is provided to the VR agency.
  2. Assist students with identifying career interests to be further explored and must be provided or arranged in collaboration with the school.

The services include: Required Activities, Authorized Activities, and Pre-Employment Transition Coordination.

IVRS must provide the following **required activities**:

1. Job exploration counseling:
  - a. may be provided in a classroom or community setting and include information on in-demand industry sectors and occupations;
  - b. may include interest inventories and identification of career pathways; and
  - c. may include a discussion of the student's vocational interest inventory results and labor market information that pertains to those specific interests.
2. Work-based learning experiences, which may include in-school or after school opportunities, or experience outside the traditional school setting (including internships) that is provided in an integrated environment in the community:
  - a. may include coordinating school-based programs of job training and informational interviews to research employers, work-site tours to learn about necessary job skills, job shadowing or mentoring opportunities in the community;
  - b. may include work experiences to explore the student's area of interest through paid and unpaid internships, (does not include pre-apprenticeships or Registered Apprenticeships); supported employment experiences to learn about work and work habits; and
  - c. these services are those most beneficial in the early stages of employment exploration during the transition process to employment.

3. Counseling on opportunities for enrollment in comprehensive transition or postsecondary education programs at institutions of higher education:
  - a. may include information on class offerings, career options, the type of academic and occupational training needed to succeed in the workplace and career fields associated with pathways; and
  - b. may include advising students and parents or representatives of academic curricula, college application and admissions processes, completing the FAFSA, and resources that may be used to support the student in education and training, which may include disability support services.
4. Workplace readiness training to develop social skills and independent living:
  - a. May include programming to develop social skills and independent living, such as communication and interpersonal skills, financial literacy, job-seeking skills, understanding employer expectations and “soft skills” necessary for employment.
5. Instruction in self-advocacy (including instruction in person-centered planning) , which may include peer mentoring (including peer mentoring from individuals with disabilities working in competitive integrated employment):
  - a. May include lessons in which students learn about their rights, responsibilities, and how to request accommodations for services and supports needed in transition from secondary to post-secondary and employment;
  - b. May include sessions where students share thoughts, concerns, etc, in order to prepare them for peer mentoring opportunities; and
  - c. May include informational interviews or volunteering for boards, etc., and participate in youth leadership activities.

IVRS is a partner in improving the transition of students from school to postsecondary education or an employment outcome by providing the following **authorized activities**:

1. Implementing effective strategies to increase the likelihood of independent living and inclusion in communities and competitive integrated workplaces;
2. Developing and improving strategies for individuals with intellectual disabilities and individuals with significant disabilities to live independently; participate in postsecondary education experiences; and obtain, advance in and retain competitive integrated employment;
3. Providing instruction to vocational rehabilitation counselors, school transition personnel, and others supporting students and youth;
4. Disseminating information about innovative, effective, and efficient approaches to achieve the goals of transition;
5. Coordinating activities with transition services provided by LEAs under the IDEA;
6. Applying evidenced-based findings to improve policy, procedure, practice, and the preparation of personnel, in order to achieve seamless transition;
7. Developing model transition demonstration projects;
8. Establishing or supporting multistate or regional partnerships involving State, LEAs, VR agencies, developmental disability agencies, private businesses, or other participants to develop transition systems; and
9. Disseminating information and strategies to improve the transition to postsecondary activities of members of traditionally unserved and underserved populations.

IVRS staff are expected to participate in **pre-employment transition coordination** consisting of the following:

1. Attending individualized education program meetings for students and youth when invited;

2. Working with the local workforce development boards, one-stop centers, and employers to develop work opportunities for students and youth, including internships, summer employment and other employment opportunities available throughout the school year, and apprenticeships;
  3. Working with school, including those carrying out activities to coordinate and ensure the provision of pre-employment transition services; and
  4. When invited, attending person-centered planning meetings for individuals receiving social security benefits.
- B. **4+ Programs** -- Students participating in a 4+ program are funded by the local education agency at which their residency and prior schooling occurred. If the student requires additional tools and supplies **after having demonstrated success** in a career pathway that will lead to employment and the IPE is written for the stated occupation, then IVRS staff may request an exception from the supervisor as part of the transition to further training or employment. Transportation, tuition, maintenance are all the responsibility of the local education agency, unless it is for the student to interview for a job in the chosen career field. IVRS only purchases tools that become the property of the student and are used in their employment upon graduation.

### **IPE Development**

A student or youth with a disability, who is eligible and off the waiting list, may develop an IPE that outlines the projected employment goal and the intensive services that will be needed to obtain this goal. The IPE must be developed within 90 days of moving from the waiting list into active services. Development of an IPE may be extended for a reasonable period of time if the student and legal guardian agree to a specific date by when the plan will be developed. The IPE must be developed prior to the student graduating from high school. An extension must be justified due to extenuating circumstances which is defined as:

1. a death in the family;
2. extreme medical risk;
3. natural disasters;
4. extended health reasons, etc.

Students and youth may request to have a Disability Advocacy Organization provide assistance in developing the IPE (requirements are found in the IPE Development policy [LINK](#).) The employment goal on the IPE written with students and youth can be general and related to their post-secondary training goal or the projected post-school outcome. If a general goal is used, career exploration/assessments should be added to the plan. These assessments should be planned and focus on assisting to narrow down the student's employment goal. Once this occurs, the IPE should be updated to reflect the more specific goal. Additional pre-employment transition services needed to assist the student with identifying a specific employment goal should be included in the IPE. Any service that is provided to an adult may be provided to a student under an IPE; however, nothing in this policy reduces the responsibility of the LEAs or any other agency under the IDEA to provide and/or pay for transition services that are also considered to be special education or related services necessary for the provision of a free and appropriate public education or required by their transition to post-secondary life.

If a student or youth with a disability needs any additional individualized rehabilitation service, including those necessary for participating in pre-employment transition services, the student must apply and be determined eligible for vocational rehabilitation services and develop an IPE that includes the additional and necessary services. Such intensive services that might be needed and are covered by this provision include: job-coaching services, uniforms, sign language interpreters, reasonable accommodations, assistive technology, independent living supports, and other services and supports unique to the individualized needs.

### **Exceptions**

None

**STATUS 10- - ACCEPTED FOR SERVICES**  
**STATUS 04-0 - ACCEPTED FOR SERVICES,**  
**DOES NOT MEET SEVERITY CATEGORY BEING SERVED**

August 2016

**Definition**

“Individual with a disability means an individual (i) Who has a physical or mental impairment as identified by the RSA Coding; (ii) Whose impairment constitutes or results in a substantial impediment to employment; and (iii) Who can benefit in terms of an employment outcome from vocational rehabilitation services.” (34 CFR 361.5(c)(27))

All applicants with an impairment which constitutes or results in a substantial impediment to employment are presumed to be able to benefit. Standards for eligibility are found in the Eligibility Section of this manual.

The following fields must be entered and approved in IRSS:

1. RSA Disability Coding
  - a. Primary & Secondary Disabilities required (listed separately in IRSS)
    - i. Primary and Secondary Impairments
    - ii. Primary and Secondary Causes
2. Presumptive Eligibility (if applicable)
3. Priority for Service Category

**Analysis of Eligibility**

The determination of eligibility requires that a qualified rehabilitation professional employed by Iowa Vocational Rehabilitation Services (IVRS) perform a comprehensive analysis of the disabling conditions, impediments to employment, and justification of why the individual requires services from IVRS to be successfully employed. As such an eligibility justification is a process for the rehabilitation counselor to learn about the individual’s presenting disability and gain understanding of the implications. Through a process of analysis the rehabilitation counselor must consider the impact of the disabling conditions upon the person’s ability to work, and then synthesize the information to determine if the individual can be successful with IVRS simply providing technical assistance and consultation to existing systems or if the individual requires intensive services to be successful in employment.

Rehabilitation counselors consider the seven functional capacity areas for employment; if there are systems, organizations, laws, and supports that already exist for the individual to access for success; and the seriousness of the impediment that requires the intensive services from IVRS. The following are examples of when the impediment is considered serious but is not an all inclusive list:

1. **Mobility**: unable to drive without modifications or specialized training; unable to ambulate without adaptive equipment or personal assistance; unable to climb one flight of stairs or walk 100 yards without pause on a permanent basis; unable to drive due to a physical impairment; unable to access public transportation due to a physical impairment.
2. **Self-Care**: unable to live without supervision impacting one’s ability to obtain or maintain employment; unable to plan activities of daily living without personal assistance or rehabilitation technology as required for employment; unable to perform activities of daily living without personal assistance or rehabilitation technology as required for employment; requires an extended period of time beyond the norm to prepare oneself for work due to physical or emotional impairments; requires assistive technology to perform essential daily living skills.
3. **Self-Direction**: unable to adjust to new work conditions, new work routines, or new work expectations without personal assistance, specialized training, or an extended transition period;

unable to concentrate on the job for minimal periods of time in order to make appropriate work related decision, to problem-solve effectively on the job, and/or to complete multi-step work tasks without being easily distracted as a result of the disabling condition or medications prescribed that treat the condition; unable to make routine decision that would affect work tasks and work performance without structured intervention, personal assistance or specialized training; unable to learn from the consequences of poor decision-making on the job which results in repeated job loss for long periods of unemployment.

4. **Work Skills:** unable to learn new work tasks, learn appropriate work behaviors and skills, and/or organize work functions on the job without direct intervention or specialized training; unable to utilize previous job training and skills because of disability-related impediments and retraining that is required; will require rehabilitation technology on a permanent basis in order to perform resume job skills; requires compensatory strategies, created by a third party, such as visual cues, illustrations, color-coding, numbering in order to complete work tasks.
5. **Work Tolerance:** unable to perform sustained work activity for 2 or more hours without rest on a permanent basis beyond what is allowed for a regular work shift; requires a permanently modified work schedule or work environment for disability related needs; unable to perform job tasks that require repetitive motion without modifications to the work environment in order to maintain employment; cannot work around chemicals, dust or fumes without having a serious reaction; unable to work around environment extremes such as temperature changes, noise or visual stimuli without aggravating the disability and causes a reduction in stamina; unable to demonstrate the psychological stamina to work a full-time job due to the disability.
6. **Interpersonal Skills:** unable to establish or maintain appropriate interactions with coworkers and supervisors without specialized training and/or personal assistance; unable to establish or maintain appropriate interactions with coworker and supervisors without prescribed medication; unable to maintain current or future employment due to documented history of job loss resulting from on the job interpersonal problems; demonstrates a serious lack in maintaining appropriate eye contact, understanding visual cues and personal work space to the point it creates discomfort on the part of the person with whom the interaction occurs.
7. **Communication:** unable to perform/understand written communications in the workplace without accommodation or interventions; unable to perform/understand oral communication in the workplace without accommodations or interventions; unable to perform functional communications required for completing job applications and participating in interviews without accommodations or interventions; unable to speak or understand individuals without accommodations or interventions; demonstrates job loss due to failure to communicate effectively, which caused misunderstandings and extreme difficulty in the work environment.

### **Scope of Services**

The eligibility of an individual for vocational rehabilitation services is based on: 1) the individual being an individual with a disability, as defined above; and 2) the individual requiring vocational rehabilitation services to prepare for, enter, engage in, retain or advance in gainful employment.

Individuals receiving SSDI or SSI are presumed to be eligible.

### **Agency Expectations**

1. If the applicant is a recipient of SSI or SSDI, verification of that status from the Social Security Administration is needed. Verification may be received through:
  - a. Telephone verification with the local Social Security office that the applicant is a recipient due to their own disability. The contact person's name is documented in an R-413 case note.

- b. A letter or other correspondence provided by the job candidate that documents their receipt of a disability benefit. A copy of the letter or correspondence is retained in the case file.
  - c. Verification of a disability benefit that is printed and retained in the case file from the applicant's online social security account.
  - d. Records received from the Social Security Administration from a signed SSA Release of Information verifying a disability benefit.
2. In all cases check to be sure that there is either: 1) information in medical reports comparable to a current general systems review; 2) a completed IVRS Health Assessment Questionnaire; 3) the report of a purchased general history and physical exam; or 4) documentation the individual is an SSI or SSDI recipient.
  3. Additional assessments for purposes of determining the proper waiting list placement can be done in Status 04.
  4. Eligibility determination:  
If the job candidate meets the eligibility criteria, complete the R-413 Face Sheet:
    - a. Check the "Does" box indicating that the individual has a physical or mental impairment that results in a substantial impediment to employment (R-413 Face Sheet, Eligibility item C.1).
    - b. Check the "Does" box indicating that the individual requires vocational rehabilitation services to prepare for, enter, engage in, or retain gainful employment (R-413 Face Sheet, Eligibility item C.2).
    - c. List each impairment, the applicable code, the date of the report, and the name of the source, who provided the information for coding, or the name of the treatment facility, or agency. On SSDI and SSI recipients where medical material is not available, use the verification method and date. (R-413 Face Sheet, Eligibility item D.)
    - d. Check "is" under ELIGIBILITY.
    - e. Counselor must sign and date the Certification of Eligibility on the Face Sheet. This date must be the same or earlier than the IPE-2 which outlines the first vocational goal and plan of services.
    - f. Complete the Significance of Disability section of the form. If the individual is a recipient of SSDI or SSI, that item is checked and the person is automatically considered SD. If the counselor believes the individual to be MSD, the areas in which there are three or more serious limitations must be shown on the back of the form.

If not an SSDI or SSI recipient, the two criteria under B. must be answered in the affirmative. The functional capacities in which serious limitations have been found are indicated on the back of the form which can be completed in conjunction with side 2 of the Health Assessment Questionnaire.

If it is determined the individual meets the criteria of B.1. and B.2., "Yes" should be checked and the date certified. If one of the two criteria is not met, check "No".

If serious limitations are shown in three or more functional capacities, the individual is considered to be Most Significantly Disabled. Enter the date of that determination on the line in item C.

An individual may be determined to be SD or MSD at any time after eligibility is determined. Once determined to be SD or MSD, an individual's classification is never downgraded during the time that the file is open. If the case has been upgraded to a higher category served, the priority category is initialed and dated.

- g. The counselor must make a narrative entry in the R-413 section of the case file. The narrative analyzes and describes how the disability results in limitations and impediments to employment. The counselor provides a justification through this analysis by connecting this

information to the rehabilitation services that are necessary in order for the individual to benefit in terms of employment.

5. Information and Referral Services for persons on the waiting list:

- a. Individuals who are determined eligible for services (Status 04) but are placed on the waiting list can receive Information and Referral Services. At the time of eligibility determination individuals will be advised of and offered services under Information and Referral.

Individuals can be referred to other Federal and State programs, including programs carried out by other entities in the statewide workforce investment system. The program the individual is being referred to should be notified that the referral is being made. The individual should be provided a specific contact point within the agency to which they are being referred and information and guidance regarding the most suitable services to assist the individual to reach employment.

An agency representative may participate with an IEP Team in providing general guidance to the planning team for a student. If this is done before the case file is opened it is considered technical assistance. If it is done while the student is on the waiting list, it is considered Information and Referral. No special resources (money or staff time) may be provided to job candidates on the waiting list.

The agency representative may participate in the staffing of a waiting list job candidate if they are already in the building to serve non-waiting list job candidates. Comprehensive planning may only be provided to an eligible individual who is off the waiting list.

b. Limitation of Services for Job Candidates on IVRS Waiting List:

- (1) If the job candidate had received pre-employment transition services prior to applying for and being placed in a priority of services category, the job candidate may continue to receive pre-employment transition services either individually or in group setting.
- (2) If the job candidate had not received pre-employment transition services prior to applying for and being placed in a priority of services category, the job candidate may only receive pre-employment transition services that are provided to groups of students. No individualized pre-employment transition services may be provided to a job candidate who had not received them prior to application.
- (3) No programs will be specifically created by IVRS for this group of individuals.
- (4) No purchase of services will be allowed while on a waiting list unless it is interpreter or personal attendant services to allow the individual to communicate with IVRS and participate in assessment activities that may increase their priority of services category.
- (5) No participation in an IVRS Job Club or JSST program is allowed; however, if a class is being provided and a waiting list job candidate desires to sit in and there is room, then the job candidate may participate but no materials or specialized instruction is allowed because these are training programs. However if there are not enough job candidates available to have a class, the class is not conducted just so waiting list job candidates can attend. Job candidates in status 04 are allowed to attend the Iowa Self Employment Orientation for information purposes only.

**NOTE: CASES IN STATUS 04-0 DO NOT PROCEED BEYOND THIS POINT** until they come off the waiting list or are closed. If the individual moves to an area covered by another office, the file should be transferred to that office. Cases closed from Status 04 are closed in Status 38.

## **STATUS 10**

6. A comprehensive assessment of vocational rehabilitation needs is basic to the determination of the nature and scope of services to be provided to a job candidate to accomplish their vocational rehabilitation goals and objectives. If the comprehensive assessment has not been completed prior to eligibility it must be formally initiated to facilitate planning and development of the IPE. The job candidate will remain in Status 10-0 or 10-1 while the IPE is developed and written. Movement from one Status 10-\_\_ to the other is allowed only to correct an error. This can only be done by the IRSS Support section. The assessment may include updated medical and psychiatric information that could impact planning. Planning may not proceed when IVRS staff are aware of medical or psychological factors that could impact the planning and employment outcomes, but the information is not on file. However, planning may continue if the job candidate has been forthcoming with the information and the ROI is in transit.
7. R-413 - Record the next action to be taken, including the activities needed to complete the comprehensive assessment of vocational rehabilitation needs.
8. IPE - Within 90 days following eligibility, the counselor and job candidate will complete the IPE-2. Cases in Status 10-1 should be have a plan developed within 90 days but may require an esxtension of a specific timeframe. In those instances the case will have the IPE-2 completed no later than graduation. Students in transition, should have a plan written when a goal is selected and services are necessary. Students participating in a 4+ program should have an IPE written upon entrance into the program so that services can be provided and the comparable services provided by the school district are coordinated to achieve a successful outcome. Once the IPE-2 is completed, the case is moved to the appropriate service Status, 14-0, 16-0, or 18-.

Students will not have to have the IPE signed by the time they exit the school in the following circumstances:

- a. The job candidate and counselor cannot agree on a plan (mediation and appeal rights must be provided);
- b. The student decides he/she is not ready to write a plan; or
- c. The referral was made late in the school year and a comprehensive assessment was not possible for planning.
- d. Cases where the student graduates within the month they are removed from the wating list will be moved to status 10-0 and the planning time should not exceed the federal standard.

The reason for not meeting the timeframe must appear in a case note. When the reason for the delay is related to item "c" then the staff must work with the school personnel on the referral process so more timely referrals are made. An entry must reflect the discussion and decision. The federal standard requirement would then apply.

When a longer time is needed for program planning and development, an extension may be approved that identifies the reason for the extension and the specific date by when the plan will be developed. Multiple extensions are allowed. For reasons involving "a" and "b" above an exception letter/email must be received from the student.

## **SUPPORTED EMPLOYMENT SERVICES**

August 2016

### **Description**

Supported employment services are services provided only to the most significantly disabled individual (MSD) who requires on-going support and extended services to achieve competitive integrated employment. Supported employment is for those individuals for whom competitive integrated employment has not historically occurred; or has been interrupted or intermittent as a result of a most significant disability; and because of the nature and scope of the disability requires supported employment and extended services in order to perform work in a competitive integrated environment.

Supported employment may include progressive employment or a customized employment opportunity. (link to customized employment definition.) Supported employment services are provided for up to 24 months, at which time a review determines if an extension of time is necessary.

### **Scope of Services**

Supported employment includes assistance with finding a job, job seeking skills training, job keeping skills training, and training on the job simultaneously. Development of the IPE for supported employment requires not only the identification of the extended services to be provided, but also development of the plan for natural supports. The following are critical components required in supported employment services:

1. **Provisions for Students**: Supported employment services may last up to 24 months and may be provided as early as is necessary for the student to achieve stability on the job by the time of graduation as long as the long-term supports can be assured by the graduation date. Staff should make arrangements with the local education agency to provide the job coaching and also work to arrange for the long term supports. IVRS considers job coaching to be an instructional service and as such is the responsibility of the local education agency until, and at which time, the student qualifies for the long term support from the county/Medicaid waiver. A student may be stabilized on the job prior to graduation, at which time the long-term supports are then provided thereby allowing the case to be considered stabilized and then closed 90 days after graduation.
2. **Ongoing Support Services**: means services that are needed to support and maintain an individual with the most significant disabilities in supported employment. These services must be specified in the IPE and arranged or furnished by IVRS from the time of job placement until movement to extended services. The ongoing support services must consist of: any assessment supplementary to the comprehensive assessment of rehabilitation needs; the provision of skilled job trainers who accompany the individual for intensive job skill training at the work site; job development and social skills training; regular observation or supervision of the individual; follow-up services including regular contact with the employers, individuals, parents, family members, guardians, advocates or authorized representatives of the individuals, and other suitable professional and informed advisors in order to reinforce and stabilize the job placement; facilitation of natural supports at the worksite; and any other service or similar service to the services described. These services are:
  - a. needed to support and maintain an individual with the most significant disabilities in employment;
  - b. based on an assessment by the state of the individual's needs as specified in an IPE; and
  - c. provided for a period not to exceed 24 months, unless a longer period to establish job stabilization has been established in an IPE, before transition is made to extended services provided under a cooperative agreement between IVRS and other appropriate state agencies and private non-profit organizations to ensure collaboration in a plan to

provide supported employment services to individuals with the most significant disabilities.

3. Extended services: means job coaching after stabilization (status 22-0) and follow-along services that are required after 90 days of stabilized employment. IVRS staff must obtain a commitment from the funding source to provide, at a minimum, twice-monthly monitoring of these services at the work site to assess employment stability. If it is determined in the IPE that off-site monitoring is most appropriate, then it must, at a minimum, consist of two meetings with the individual and one contact with the employer each month. The IVRS counselor must assure that the plan of natural supports is implemented.

4. Developing a Plan for Natural Supports: Before a plan for supported employment can be initiated at a work site, a plan for natural supports must be developed. Developing a plan must be well documented in which the following items are addressed:

- a. Identification of the natural support and backup natural support should one of the supports be absent or resign;
- b. Training of the natural supports that includes:
  - (1) Disability awareness for the natural supports, and best practice would include the entire work unit;
  - (2) Training strategies and techniques, taught to the natural support, that facilitates the learning and skill acquisition of the person with a disability;
  - (3) Communication strategies and person-first language that foster teaming and a welcoming environment;
  - (4) Communication and business culture specifics that aligns the work and chain of command protocols between the person with a disability and the employer;
  - (5) Work station design that facilitates co-worker relationship development;
  - (6) Reasonable accommodations and assistive technology that enhances the skill development without disrupting the workflow.

5. Requirements for Transitioning to Extended services: means extended services provided by a state agency, natural support, [\(INCLUDE LINK TO DEFINITION PAGE\)](#) a private non-profit or any other appropriate resource.

- a. The funding source for this service is any organization other than IVRS that makes the commitment. The financial support for the extended services is paid from funds other than those received from the state and federal VR program.
- b. Supported Employment Services for Students and Youth with Disabilities: The MOAs developed with the Department of Education and the Department of Human Services outlines the obligations of all three state agencies as it pertains to students and youth in need of supported employment services. Youth who are still in high school would receive the job coaching services through the LEA according to the MOA with the Department of Education. In rare and unusual circumstances, a youth who requires extended services after achievement of a supported employment goal in a competitive integrated environment may require IVRS to fund those services when they are on the waiting list for the waiver. After the student/youth graduates from high school, if the job is stable and consistent with the IPE and the student/youth is on the waiver waiting list, IVRS can fund the extended services on a time limited basis. Said services are provided at a rate of no more than 3 units per month and only provided when the natural supports plan has been implemented and supervisory approval is obtained. In no circumstance may extended services be funded when the job candidate is age 25 and older.

After six months, the case must be reviewed and evaluated to determine if continued funding is necessary and supervisory approval is obtained each time it is evaluated. This process continues every six months until one of the following conditions is met:

1. the service is no longer needed,
2. another funding source is identified,
3. the service has been funded for four years, or
4. the youth's 25<sup>th</sup> birthday.

The IVRS case record may not be closed successfully, even if the employment stabilized, until the extended supports have transitioned to the Medicaid waiver or other public/private funding. A plan of natural supports should be implemented simultaneously with the extended services.

For youth who are age 24 and younger, and for whom waiver funding had not yet been sought at the time the plan for supported employment was first developed, IVRS staff will discuss the options of extended services funding:

1. Private pay
2. Waiver funding
3. PASS plan
4. IRWE

IVRS staff will provide the necessary information and referral to the youth and his/her representative so they apply for waiver funding, If they decide they do not want the other options for extended services. Assisting them to complete the application process is critical in these situations so that by the time the program of supported employment stabilizes, he/she will have the waiver available. This discussion should occur no later than the sophomore year of high school when it is clear that supported employment is a necessary service and written into the IPE.

If the youth with a disability is on the waiting list for waiver funding for supported employment, IVRS may fund extended supports on a time-limited basis with supervisory approval. In these cases IVRS staff may fund a maximum of 3 units per month, for a period of six months.

### **Integrated Work Setting**

#### **LINK to Assessment for Determining Competitive Integrated Work:**

Supported Employment Plan Requirements: An IPE for an individual with a most significant disability for whom a competitive employment outcome is needed must:

1. Specify the supported employment services to be provided by IVRS;
2. Specify the expected extended services needed, which includes natural supports;
3. Identify the source of extended services or, to the extent that is not possible to identify the source of extended services at the time the IPE is developed a plan for natural supports and a description of the basis for concluding that there is a reasonable expectation that those services will become available;
4. Provide for periodic monitoring to ensure that the job candidate is making satisfactory progress and the criteria for satisfactory progress, as it pertains to the weekly work requirements, will be achieved by the time of transition to extended services;
5. Provide for the coordination of services with other Federal and State programs;

6. Identify the training that will be provided on the work site;
7. Include placement in a competitive integrated setting for maximum number of hours possible based on informed choice; and
8. The need for post-employment services;
  - a. Identify the expected need for post-employment services prior to closing the record of services for job candidates who achieve stabilized competitive employment;
  - b. Description of the terms and conditions for the provision of post-employment services; and
  - c. Description of how post-employment services will be arranged with other entities.

### **Exceptions**

1. Providing extended supports while the job candidate is on a waiting list for waiver services. No exception can be granted for providing this for job candidates age 25 and older as there is no statutory authority to do so.
2. Paying extended supports.
3. Paying for more than 3 units per month of extended supports.
4. Exceeding the short duration of IVRS funding for extended services (6 months).
5. No exception allowed to exceed the age limit, as the age limit is statutory.

## UTILIZATION OF COMMUNITY REHABILITATION PROGRAMS

August 2016

### Guidelines

#### A. Authorization and Payment:

IVRS purchases employment services from approved Community Rehabilitation Program (CRP) services using a fee schedule. The fee schedule is aligned with the policy and funding protocols between DHS and IVRS, in support of effective resource sharing and service provisions. The fee schedule system utilized by IVRS increases the array and quality of employment supports and services available to individuals with disabilities.

1. **Fee Schedule:** IVRS has implemented a fee schedule system that is consistent with Medicaid funding and enables IVRS to provide equitable fees to CRPs. Descriptions of the services available are included in the Menu of Services.
2. **Authorization:** IVRS staff may authorize necessary services per unit, with each unit equal to 15 minutes. IVRS does not allow rounding up to a whole hour when .25 (15 minutes) is the actual unit.
  1. Providers can bill as often as they desire.
  2. A report is required with each billing that itemizes unit charges, the service provided and a summary of issues, decisions and next steps.
  3. Depending on the service, there are specific limits to the number of units that can be authorized; an exception is necessary for additional hours past the specified limit.
  4. The R-450 claim must have the signatures of both the facility representative and the authorized staff member. [LINK TO MENU OF SERVICES](#)

B. Specific vocational skill training secured from or arranged through CRPs must include a specific SOC in accordance with an IPE and must include the planned training services required to achieve proficiency in the occupation, and require monthly progress reports. The costs of such training programs should compare favorably with the cost of similar training that may be received through traditional training facilities.

C. Services may be purchased from programs not listed on the IVRS Internet (Map of CRPs) only with advance approval of the Area Office Supervisor. The daily charges for services from non-authorized programs may not exceed the per diem rate paid by other state agencies for similar services. When a supervisor approves the use of a CRP with which the Agency does not have a fee agreement, they must immediately contact the Resource Manager for CRPs.

#### D. Extended Employment:

While the goal of the WIOA legislation and IVRS is to focus on competitive integrated employment, some individuals may select extended employment as their employment option of choice outside of the VR program. [LINK TO ASSESSMENT FOR DETERMINING COMPETITIVE INTEGRATED EMPLOYMENT](#)

IVRS does not place individuals with disabilities into enclaves for the purpose of employment even if the compensation is in accordance with the Federal Fair Labor Standards Act of 1938 or above the minimum wage rate. Enclaves do not meet the requirements of the integration component necessary for IVRS to place an individual in employment because the individual with a disability's co-workers are primarily those with disabilities.

### Exceptions

1. Paying more than the established rates.
2. Using vendors not listed on the IVRS Internet (Map of CRP's).
3. Exceeding timeframes allowed under the Menu of Services.

- \* **IVRS staff met with two Independent Living partners** between July – August 2016 to meet staff and board members, review processes and update changes with IL providers. IVRS Accountant Holly Johnson and Resource Manager Lee Ann Russo represented IVRS during a July 18 visit to *Access 2 Independence* in Cedar Rapids; and SILC Executive Director Dawn Francis accompanied Lee Ann to Lincoln, Nebraska, to meet with *League of Human Dignity* board members on Aug. 24. Additionally, IVRS staff and Administrator Mitchell participated in *Iowa Community Conversation on Disability and Aging Advocacy* to reinforce collaborative efforts, learn about issues and discuss service provision.
- \* **A proposed partnership is currently being explored between IVRS and *Healing Hearts, Inc.***, currently approved by DHS to provide chore services to help individuals remain in their home, as well as animal therapy. Dawn Francis, CICIL Executive Director Reyma McCoy McDeid, and Lee Ann met with the Director of *Healing Hearts* to discuss additional partnership opportunities.
- \* With the passage of the *Workforce Innovation and Opportunity Act* Section, **IVRS staff have looked for ways in which Centers for Independent Living can play an active role in outreach to individuals earning subminimum wages who are involved in segregated workshop settings**, commonly known as Community Rehabilitation Programs or “CRP.” WIOA requirements mandate that CRPs inform individuals in their workshops of **self-determination, self-advocacy and peer mentoring** training opportunities, all of which need to be provided by an entity that does not have a financial interest in the person’s outcome like a CIL (as opposed to another CRP). There are opportunities for CILs to provide resource information on community services to enhance an individual’s independence and options for community integrated employment. This can be a strategy for outreach efforts as well as a means to increase the CIL’s visibility within their geographic region.
- \* **IVRS has communicated with the SILC regarding a 5% increase in appropriations** which will come from IVRS program income monies. The SILC will need to outline specific tasks that are prioritized for expenditure.
- \* **David Mitchell is a member of the state-wide Workforce Development Board and is chairing a newly approved standing committee named, Disability Access Committee.** This Committee will be tasked with providing information to assist with issues relating to the provision of services for individuals with disabilities, including program and physical access along with other activities of the workforce development system impacting employment. The Standing Committee will report to the State Board on related activities and progress as well as provide guidance and oversight with the Disability Access Committees that are formed at the Local Regional Board Level.

**Recommendations for permanent members of the Disability Access Committee include appointments or representation from:**

- Director, Iowa Department of Education
- Director, Iowa Workforce Development
- Director, Iowa Department of Aging
- Administrator, Iowa Vocational Rehabilitation Services
- Director, Iowa Department for the Blind

**Representatives from:**

- Iowa Department of Human Rights, Client Assistance Program
- Protection and Advocacy
- Iowa Association of Community Providers
- Provider of training services
- Business, Labor/Chamber of Commerce/Economic Development Representative (Either State Board representation or recommended by State Board representative)
- Olmstead Task Force Member employment services group
- Individual recipient or family member of recipient of workforce center services

**Each local regional workforce board will also develop a standing committee and will report back to the Standing Committee of the State Board progress achieved** in carrying out the functions of the committee. Their local make-up will consist of – on a minimum basis, representatives from:

- Iowa Department for the Blind
- Iowa Vocational Rehabilitation Services
  - (One of the above would be chair, the other vice-chair)
- Community-Based Organization
- Adult Education/Literacy
- IWD (appointed by IWD Workforce Field Administrator)
- Local business
- Union Affiliated apprenticeship or labor management position

## **Legal Update**

State Rehabilitation Council Meeting  
September 13, 2016

One of our partners in serving persons with disabilities is the Iowa Developmental Disabilities Council. Kelley Rice represents IVRS on the DD Council.

The DD Council was created in response to a federal law, the Developmental Disabilities Assistance and Bill of Rights Act. The purpose of the law is to assure that people with developmental disabilities and their families help design and have access to necessary services, supports, and other assistance.

The DD Council is a federally funded state agency that advocates for the development of services and supports so that Iowans with developmental disabilities can make choices and take control of their lives. The council is made up of 20+ volunteers who represent Iowans with disabilities, family members, service providers, state agencies, and organizations concerned with developmental disability issues.

The DD Council promotes the development of a coordinated system of services and supports that provides opportunities for people with developmental disabilities to be independent, productive, integrated, and included in their communities. The DD council does this with different projects and activities that:

- Influence changes to laws, policies, and attitudes that affect supports and services used by Iowans with developmental disabilities;
- Build the ability of Iowans with disabilities to make choices and have control over their lives, and/or build the capacity of communities to create welcoming accommodations for people with developmental disabilities;
- Assist Iowans with developmental disabilities to be advocates and leaders involved in the decision-making processes that affect them.

One of the major activities of the DD Council is the annual ID Action Make Your Mark! Conference held in October. The conference is targeted at Iowans with disabilities who want to be more involved in advocacy at a local, state or federal level. While the conference attracts parents/family members, caregivers/direct support staff, service providers and others affected by disability, the primary target audience is Iowans with disabilities. This year's conference is October 5 - 7, 2016.