

## **SECTION 13: SUPPORTED EMPLOYMENT**

Supported Employment is a service that is integrated into the existing vocational rehabilitation delivery system. Supported Employment services expand employment options for consumers, including youth the *most significant disabilities*. Supported employment is:

- Competitive integrated employment including customized employment; or
- Employment in an integrated setting in which an individual with a most significant disability is working on a short-term basis toward competitive integrated employment; and
- Employment that is individualized and customized, consistent with the individual's unique strengths, abilities, interests, and informed choice, including ongoing support services for individuals with the most significant disabilities.

### **A. APPLICABILITY AND REQUIREMENTS OF THIS POLICY**

Supported employment services funded under Title I and Title VI, Part B of the Rehabilitation Act must adhere to the provisions in this addendum. This policy does not apply to short-term job coaching and other related services to consumers who do not require supported employment services to enter or retain competitive employment. The Program is required to make available fifty percent (50%) of its supported employment funds or VR program funds for providing extended services to youth with the most significant disabilities. The Program must also ensure that there is a minimum of at least ten percent (10%) match for the fifty percent of the allotment reserved to serve youth with the most significant disabilities. Supported Employment or VR funds may be used to provide extended services *only* to youth with the most significant disabilities; it may not use either source of funding to provide extended services to individuals with the most significant disabilities who are not youth.

### **B. REFERRAL PROCESS**

Requests to the OVR for supported employment services are made to the Rehabilitation Counselor who determines eligibility for vocational rehabilitation services and evaluates the consumer's need for supported employment.

### **C. DETERMINATION OF ELIGIBILITY FOR SUPPORTED EMPLOYMENT**

An individual is eligible for supported employment services if:

1. The individual has been determined eligible for vocational rehabilitation services;
  2. The individual is determined to be an individual with the most significant disabilities;
  3. Supported employment has been identified as the appropriate employment outcome based on a comprehensive assessment of rehabilitation needs and an evaluation of rehabilitation, career and job need;
  4. Competitive integrated employment has not historically occurred;
  5. Competitive integrated employment has been interrupted or intermittent; and
  6. Intensive supported employment services and extended services are needed in order to perform the work involved, because of the nature and severity of their disability.
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#### D. ASSESSMENT OF NEED FOR SUPPORTED EMPLOYMENT SERVICES

The following criteria are assessed to determine the individual's need for supported employment:

1. The consumer is an individual with a most significant disability for whom competitive employment has not traditionally occurred or for whom competitive employment has been interrupted or intermittent as a result of the severity of the individual's disability; and,
2. The consumer has the ability or potential to engage in a training program leading to supported employment, a need for intensive ongoing support services or extended services in order to perform competitive work and the ability to work in a supported employment setting.

The determination that the above criteria for supported employment are met is first documented in the case record and IPE under the heading, "Determination of Need for Supported Employment Services". Intensive ongoing support services or extended services must be noted.

#### E. SUPERVISORY REVIEW AND APPEALS

The Rehabilitation Counselor may review the determination of need for supported employment with their immediate supervisor prior to referral of the consumer to a community-based supported employment service provider or off-island referral when such service provider is not available on-island.

Appeals resulting from dissatisfaction with determinations regarding a need for supported employment services may be referred to the Client Assistance Program and handled through the conventional appeals process.

#### F. REFERRAL TO COMMUNITY-BASED SERVICE PROVIDER(S)

Following the determination of eligibility and need for supported employment services, the consumer is referred to a community-based supported employment service provider. Consumers are served on a first come, first serve basis.

Consumers who are waiting for services over three (3) months are staffed by the Rehabilitation Counselor and a representative of the community-based services provider. A report of the staffing is recorded in the case record. Progress toward initiation of services and continued need for supported employment services is reviewed quarterly and recorded in the case record.

#### G. SCOPE OF SERVICES

In addition to the full scope of services provided by the OVR, the consumer may receive ongoing supported employment services at or away from the work site, that are needed to maintain employment stability.

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*Ongoing support services*, as used in the definition of *supported employment in WIOA*, means services that—

1. Are needed to support and maintain an individual with a most significant disability, including a youth with a most significant disability, in supported employment;
2. Are identified based on a determination by the rehabilitation counselor of the individual's need as specified in an individualized plan for employment;
3. Are furnished by the Program from the time of job placement until transition to extended services, unless postemployment services are provided following transition, and thereafter by one or more extended services providers throughout the individual's term of employment in a particular job placement;
4. Include an assessment of employment stability and provision of specific services or the coordination of services at or away from the worksite that are needed to maintain stability based on—
  - a. At a minimum, twice-monthly monitoring at the worksite of each individual in supported employment; or
  - b. If under specific circumstances, especially at the request of the individual, the individualized plan for employment provides for off-site monitoring, twice monthly meetings with the individual;
5. Consist of—
  - a. Any particularized assessment supplementary to the comprehensive assessment of rehabilitation needs;
  - b. The provision of skilled job trainers who accompany the individual for intensive job skill training at the work site;
  - c. Job development and training;
  - d. Social skills training;
  - e. Regular observation or supervision of the individual;
  - f. Follow-up services including regular contact with the employers, the individuals, the 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;
  - g. Facilitation of natural supports at the worksite;
  - h. Any other service identified in the scope of vocational rehabilitation services for individuals, described in § 361.48(b); or
  - i. Any service similar to the foregoing services

The above services are provided for a period of time not to exceed 24 months, unless under special circumstances the eligible individual and the Rehabilitation Counselor jointly agree to extend the time in order to achieve the rehabilitation goal and objectives identified in the IPE.

### ***Short-Term Basis***

Supported employment is required to be in competitive integrated employment or, employment in an integrated work setting in which the individual is working on a short-term basis toward competitive

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integrated employment.

**Short-term basis** means employment in an integrated work setting in which an individual with a most significant disability, including a youth with a most significant disability, is working toward competitive integrated employment that is individualized, and customized, consistent with the unique strengths, abilities, interests, and informed choice of the individual, including with ongoing support services for individuals with the most significant disabilities:

- For whom competitive integrated employment has not historically occurred, or for whom competitive integrated employment has been interrupted or intermittent as a result of a significant disability; and
- Who, because of the nature and severity of their disabilities, need intensive supported employment services and extended services after the transition from support provided by the designated State unit, in order to perform this work.

When utilized, a short-term basis occurs after the achievement of the supported employment outcome, and for purposes of this part, an individual with a most significant disability, whose supported employment in an integrated setting does not satisfy the criteria of competitive integrated employment, is considered to be working on a short-term basis toward competitive integrated employment so long as the individual can reasonably anticipate achieving competitive integrated employment:

- Within six months of achieving a supported employment outcome; or
- In limited circumstances, within a period not to exceed 12 months from the achievement of the supported employment outcome, if a longer period is necessary based on the needs of the individual, and the individual has demonstrated progress toward competitive earnings based on information contained in the service record.

Competitive integrated employment means that earnings are (a) equal to or greater than the federal, State, or local minimum wage rate, whichever is higher, where the place of employment is located, and comparable to the customary rate paid by the employer to employees without disabilities in similar positions with comparable skills, experience and training and (b) employment is in a setting typically found in the community (a setting in the competitive labor market) and in a setting where the individual with the disability interacts while performing his or her job duties with employees without disabilities in the work unit and the entire employment site, and others (e.g., vendors and customers) without disabilities to the same extent that employees without disabilities in similar positions interact with these persons.

## H. EXTENDED SERVICES

Extended services are specific ongoing support services that are provided, organized and made available in such a way as to assist the participant to maintain supported employment.

Extended services are provided, at a minimum, twice monthly at the work site of the consumer, or, at the request of the consumer or work site. The specific method used to provide extended services may vary according to the employment setting, the funding source and resources available. Sources may include interagency agreements with other agencies, such as Mental Health and Developmental Disabilities Services, or natural supports, such as family members, supervisors or coworkers at the work

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site or residential care givers.

Title I and Title VI, Part B, funds may be used for the provision of extended services for youth with the most significant disabilities with the parameters of the federal regulations. Youth is an individual with a disability who is not younger than 14 years of age, and not older than 24 years of age. WIOA mandates that extended services paid through Supported Employment dollars to youth with the most significant disabilities, not exceed a period of four (4) years or until such time that a youth reaches the age of 25, whichever occurs first. Although the Program must discontinue Supported Employment funding of extended services once the youth reaches age 25, other sources of funding should be explored.

#### I. INDIVIDUALIZED PLAN FOR EMPLOYMENT (IPE)

An IPE is jointly developed with the consumer, the consumer's parent, guardian or representative. In addition to the standard contents of the IPE, the following must be included for any consumer for whom supported employment services are planned:

1. A description of the supported employment services to be provided.
2. The identification of the provider of extended services.

#### J. REPORTING REQUIREMENTS

Community-based vendors are required to submit invoices with a monthly progress report (this requirement will be noted on the authorization) for each consumer receiving direct job training services.

1. OVR Reports: The OVR designated representative is responsible for:
    - a. Monitoring the monthly reports submitted by the vendor,
    - b. Monitoring supported employment fund expenditures; and,
    - c. Preparing quarterly reports of supported employment services.
  2. Federal Reporting Requirements: The Rehabilitation Counselor reports consumers served under supported employment when checking the box on the IPE titled "Supported Employment". Supported employment outcomes are tracked as work status is entered at time of consumer's move to Employment.
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