

FY 2016 TA Summary of RSA Site Visit Reports

for Arizona, Illinois, Kentucky, Nevada, Oklahoma, and Wyoming

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Competitive Integrated Employment

1. **Requirements for competitive integrated employment: including competitive earnings, integrated location, and the opportunity for advancement.**
 - a. Determining whether you've met the requirements for an Integrated work setting (Case-by-case factors i.e. enclaves and mobile work crews):
 - i. The individual's supervision and level of involvement and interaction with others should be comparable to non-disabled employees performing the same or similar work in businesses typically found in the community.
 - ii. Level of interaction with individuals with and without disabilities during the course of performing the duties of the job (level/quality of interaction with disabled and non-disabled employees within the work unit and the entire worksite. This is not based on a ratio of non-disabled employees, but rather interaction with interaction with non-disabled coworkers and customers
 - iii. "Work unit" would be dependent upon the organizational structure of the employer and whether it meets the requirements for level of interaction with other co-workers/customers without disabilities
 - iv. Employment established for the purpose of employing individuals with disabilities (i.e. sheltered work), regardless of the wage, does not meet this criterion.
 - b. Competitive earnings criteria
 - i. Compare rate of pay with prevailing wage for work performed at that location, individual's level of training, skills and experience to determine whether an individual is being compensated at a level comparable to individuals without disabilities working in a similar position.
 - ii. Individual should be provided the equal potential for raises in pay as well as paid vacation, sick leave and insurance benefits comparable to other employees without disabilities who work for the employer
 - iii. It is not appropriate to use of minimum wage as a default starting wage. Rather we must determine the worth of the job based on the wages paid for comparable work in the community.
 - iv. Self-employment can meet this criteria (it doesn't matter if it's a non-profit). There is not an establish a minimum percentage of ownership. This simply means that the person must be earning a wage comparative to that which is earned by people without disabilities with the same education/skills in a similar occupation.
 - c. Opportunity for advancement
 - i. Individuals should be provided equal opportunities for advancement as non-disabled coworkers.

- ii. Opportunities for advancement are not limited to a promotion to more advanced positions. It could simply mean increased job responsibilities, and/or increased work hours.

2. Definition/Application of Customized Employment as work outcome

- a. Customized employment is a revision to employment outcome's definition which includes now includes competitive integrated employment OR supported employment,
 - i. Customized employment is not limited to individuals pursuing a supported employment outcome, but an option for a supported employment or VR outcome.
 - ii. Placement must be in competitive integrated employment
 - iii. Placement must be based on an individualized determination of the unique strengths, needs, and interests of the individual with a significant disability;
 - iv. Placement must be designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer. Negotiate job tasks and/or reassign basic job duties to improve overall production in the workplace
- b. IPE must include a specific employment goal consistent with the general goal of competitive integrated employment.
- c. Must indicate that individuals must have a significant disability

3. Employment Outcomes-Uncompensated Outcomes

- a. It is a requirement for VR agencies to close all individuals with an active IPE which lists the goal of homemaker or unpaid family worker no later than June 30, 2017, unless specific cause requires an extension, which must be determined on a case-by-case basis. No new IPEs can be developed with an uncompensated employment outcome following the implementation of the final regulations on September 19, 2016.
- b. Whenever possible, seek to develop the individual to his or her career potential, providing training and opportunities for the person to develop the missing skills with or without reasonable accommodations.

4. Developed IPE within 90 days of the date of eligibility determination for each individual.

- a. Permits VR counselor/individual to agree to an extension of the 90-day timeframe to a specific date of completion
 - i. Agency must verify extension is warranted based on the particular circumstances/needs of individual
 - ii. Extension must not cause unnecessary delays in providing services

5. **VR agencies develop/implement written policy manual describing the nature and scope of each service delivered**
 - a. Policy manuals should outline specific guidance regarding the application of policy to practice (you can use factors outlined in previous RSA guidance and preamble to the final regulations)
 - b. Disseminate new policies and procedures to all stakeholders in a timely, effective and efficient manner.
 - c. Use monthly staff meetings to verify staff awareness, understanding, and implementation of current or updated requirements in its policy manuals, particularly relating to the requirements for competitive integrated employment
6. **Impact of an Order of Selection on Competitive Integrated Employment**
 - a. Permit the VR agency to elect to serve eligible individuals who require specific services or equipment to maintain that employment, whether or not those individuals are receiving VR services under the order of selection. Applies only to those services and equipment needed to maintain the individual's employment. It does not permit the VR agency to provide VR services and equipment not directly tied to maintaining the individual's current employment. If the VR agency elects to exercise this flexibility, it must indicate so in the VR services portion of the Unified or Combined State Plan.
 - b. Use fiscal forecasting and recommendations related to updating policies to include electing not to serve individuals who are at risk of losing employment outside an order of selection,
7. **Develop management methods to enhance the ability of the agency to assist individuals to achieve competitive integrated employment**
 - a. Establish community rehabilitation providers in underserved locations.
 - b. Foster relationships to create better collaborative planning with state workforce management team
8. **Develop policies and procedures congruent with the requirements of WIOA and the implementing regulations regarding Customized Employment and uncompensated work outcomes.**
 - a. Ensure that policy manual revisions properly define competitive integrated employment, integrated work setting, competitive wages, etc.
 - b. Eliminate the possibility of creating new IPEs with uncompensated work outcomes
 - i. Develop the necessary policies and procedures to assist individuals who apply for VR services in order to pursue uncompensated employment so that staff can provide the appropriate information and referral services

Pre-employment Transition Services

1. **Create a formalized system of reporting/tracking and reporting requirements for RSA-911**
 - a. Students: identify pre-employment transition services received, total amount expended service, who provided service, dates of the service, basic demographic information (i.e. unique identifier, social security number (if available), birth date, race, ethnicity, start date of pre-employment transition services, type of pre-employment transition services provided, provider type, amount expended for each service, and supporting documentation)
 - b. Track agency personnel time, ensuring that only expenditures for VR agency personnel time spent on the provision of pre-employment transition services to students with disabilities is reported as such in FFRs.
2. **Pre-Employment Transition Services**
 - a. If the definition of disability is met, pre-employment transition services can be extended as soon as individual meets the age requirements. Students may qualify for transition services at varying ages depending on state IDEA parameters.
 - b. Once eligibility is determined, an IPE must be developed within 90.
 - i. Be sure to understand provision of competitive wages or stipends for students with disabilities who are participating in unpaid work experiences when creating IPE
 - c. Pre-employment transition services can be provided in the following settings: individual, classroom, employment, or community.
 - d. Individualized support services (job coaching, transportation, etc) are beyond the scope of pre-employment transition services but can be provided if only if such services are authorized under an approved IPE and funded using non-reserved VR funds.
 - e. Conduct an assessment/evaluation of specific services and activities for both students and youth with disabilities with most significant disabilities within underserved populations
 - f. Improve/expand pre-employment transitions services (establishing collaborative partnerships with underserved or unserved schools, expanding the availability of all pre-employment transitions services to every region of the state, coordinating transition service activities with teachers and other educational personnel, and developing/implementing strategies to increase competitive integrated employment for students with disabilities.)
 - g. Required Activities
 - h. Transition Committee/Pre-employment transition coordinator/case manager
 - i. Establish formalized coordination of pre-employment transition activities necessary for the provision of required activities to students with disabilities
3. **Provision of the Five Required Activities for pre-employment transition services**
 - a. Five required activities include: Job exploration counseling, work-based learning experiences provided in an integrated setting to the maximum extent possible,

counseling opportunities for enrollment in comprehensive transition or post-secondary education, workplace readiness training, and self-advocacy instruction.

- b. Pre-employment transition services are to be made available statewide to students with disabilities eligible or potentially eligible for VR services and needing services. All students with disabilities are potentially eligible for VR services, regardless of whether they have applied or been determined eligible for VR services. Students do not have to be an applicant of or eligible for VR services to receive ANY required activities under pre-employment transition services.
- c. Explore state and local resources to ensure availability of pre-employment transition services
- d. Create formalized State Education Agency (SEAs)/Local Education Agency (LEAs) agreements to allow for referrals to pre-employment transition services

4. Pre-employment transition services authorized activities must support the provision or arrangement for the provision of the required activities.

- a. Nine authorized activities include (found in §361.48(a)(2)):
 - i. implementing effective independent living/community and employment inclusion strategies
 - ii. developing strategies for individuals with intellectual and other significant disabilities to live independently, participate in post-secondary education/training, and obtain/retain/advance within competitive integrated employment.
 - iii. Providing instruction to VR counselors, school transition personnel, and others who support students with disabilities.
 - iv. Disseminating information about innovative/efficient support for students with disabilities
 - v. Coordination of transition services using SEAs/LEAs under IDEA
 - vi. Utilizing evidence-based practices to improve policy, procedure and personnel preparation
 - vii. Developing model transition demonstration projects
 - viii. Establishing/supporting multistate/regional partnerships between state and local educational agencies, designated state units, developmental disability agencies, private businesses, and others to achieve goals
 - ix. Disseminating information/strategies to improve the transition of students with disabilities into post-secondary activities
- b. Authorized activities may be provided concurrently with required activities and pre-employment transition coordination activities so long as funds reserved for the provision of pre-employment transition services remain beyond the targeted amount necessary for the required activities as identified in the CSNA, fiscal forecasting or other planning activities.
- c. Order of Selection: Closed order of Selection/Continuation of Services/Exploring other services (workforce development partners)

- i. If an individual has been placed in a wait list because the order of selection precludes them from services temporarily, VR can only provide the pre-employment transition services—required activities.

5. State Educational Agency (SEA) agreements/student outreach

- a. Develop plans, policies, and procedures (including mandated timelines) for coordination between the VR agency and the SEA to facilitate the transition of students from the receipt of educational services (including pre-employment transition services), to the receipt of VR services as required educational services using State Educational Agency (SEA) and Interagency (MOU) Agreements
- b. Strengthen SEA language placing responsibility with educational official for providing appropriately documented referrals (appropriate documentation/parental consent forms) to improve identifying eligible students.
- c. Identify and establish internal controls to ensure costs of VR services provided to students with disabilities who are potentially eligible/eligible for VR services are allocated to the VR program vs educational system

6. Constructing policies regarding pre-employment transition services

- a. Develop and maintain comprehensive policies, policy manual, and procedures regarding the nature and scope of updated regulations and WIOA requirements pertaining to pre-employment transition services, new definitions, pre-employment transition services, and third-party cooperative arrangements.
- b. Include in policies specific protocols to inform clients of client assistance programs
- c. Do not use pre-employment services as an assessment tool to determine necessity of additional VR services/successful employment potential
- d. Provide agency training for the new policies & procedures

7. Comprehensive Statewide Needs Assessment (CSNA)

- a. Develop a CSNA based on new WIOA requirements and implementing regulations
- b. Identify VR needs of youth and students with disabilities (assessment of pre-employment/other needed transition services needed).
 - i. To assist in identifying/assessing student needs and youth with disabilities for transition services (including pre-employment transition services), use data on the current number of students in state using an IEP, broken down by age, and the number of students with disabilities currently enrolled in a Nevada public school. Compared this number to the total number of youth and students with disabilities served by state during the past few FFYs.
- c. Identify the extent to which services are coordinated with transition services under IDEA.
- d. The VR services portion of the unified or combined state plan must describe state pre-employment strategies to improve/expand VR services for students and youth with disabilities
- e. Once the assessment is final, VR agencies are required to review, provide an analysis of the results, consult with its State Rehabilitation Council (SRC),

complete/identify changes made, and conduct public meetings before amending the VR portion of the unified state plan.

- f. Use CSNA to forecast the number of potential individuals eligible for pre-employment transition services
- g. Use CSNA to create fiscal planning by identifying the funds necessary to provide the required pre-employment transition services.
- h. Provide RSA with an overview of the strategies it will use to address identified needs to achieve the goals/priorities established by VR Agency in its State Plan.

8. Pre-employment transition services SF-425 expenditure reporting--uniform guidance

- a. Develop protocols to demonstrate appropriate allocation of pre-employment transition service expenditures/percentage of expenditure for purchased services the proper definition of five required activities of pre-employment transition services
 - i. Review past FY expenditures to verify allocation of services met the five required activities for pre-employment services.
 - ii. Revise expenditure data to accurately reflect reserve expenditures. Funds can be carried over into subsequent year, if the requirements for non-federal share have been met.
- b. Suggestion: Conduct quarterly reconciliation to ensure appropriate expenditures are included/reported as being paid with funds reserved for the provision of pre-employment transition services.
- c. Sources of Non-Federal Share for the Vocational Rehabilitation Program: State-appropriated funds can be used to support the full range of costs associated with the administration and operation of the VR program and that VR agencies can be highly flexible.
 - i. Identify the specific code for using VR funds to support state-operated schools within the VR program before reporting associated costs as non-Federal share applicable to the VR program.
 - ii. Must be determined through a CSNA and identified in the State Plan prior to reporting non-Federal share for these purposes.
 - iii. Prior to reporting the expenditures as non-Federal share, VR Agency must satisfy the requirement for statewide uniformity and report allowable non-Federal share generated by State appropriation for pre-vocational education as non-Federal share for the VR award.
- d. Reserve and expend 15 percent of Federal allotment for pre-employment transition services
 - i. Identify additional opportunities to support pre-employment transition services with partner school districts throughout state
 - ii. Coordinate through contractual agreements and third-party cooperative arrangements.
- e. Once VR agency determines the potential number of students with disabilities eligible for pre-employment transition services and targets a sufficient amount of reserved funds necessary to provide the required activities needed by the population identified in the CSNA, if any funds remain, funds reserved for the

provision of pre-employment transition services may then be used for the authorized activities.

9. Pre-employment transition services Designated State Unit (DSU) personnel internal controls

- a. Track and record the time spent directly providing pre-employment transition services to students with disabilities through Personnel Activity Reports (PARs)/five codes or other internal controls.
 - i. If the VR agency contracts out coordination of transition services, contractor must be required to appropriately use the PARs/codes/other internal controls to ensure proper accounting/cost allocation/report reserve expenditure data on the RSA-911 report.
- b. VR agencies must not pay any administrative costs (transition coordinators/ clerical assistant/supervisor salaries) with the funds reserved for the provision of pre-employment transition services, even if the person is a contracted Transition Coordinator who does not directly provide pre-employment transition service required activities (Section 7(1) of the Rehabilitation Act and Â§361.5(c)(2))
- c. Determine how much of a Transition Coordinator's salary may be counted towards the 15 percent reserve
 - i. When considering whether the Transition Coordinator is only providing pre-employment transition services to students with disabilities, it is important to consider that a student receiving pre-employment transition services may also be receiving other VR services (other than pre-employment transition services), which would be under a different cost objective—not permissible with funds reserved for the provision of pre-employment transition services.

10. Allocation of purchased pre-employment transition services:

- a. Reasonable administrative costs necessary for the direct provision of required pre-employment transition services purchased through a contract for the provision of required activities, may be paid with reserve funds.
- b. Through purchased service agreements, providers and CRPs can provide a self-awareness module (a qualified required activity) instructing students with disabilities in self-awareness in the public schools.
- c. Costs must be allocated based upon the proportion of relative benefits received by a program.
 - i. Expenditures for pre-employment transition services must be provided only to students with disabilities who are potentially eligible, or eligible for the VR program services.
 - ii. Implement necessary internal controls to ensure that VR fund expenditures only benefit the VR program

11. Memorandum of Understanding (MOU) for Third-Party Cooperative Arrangement (TPCA)

- a. Third-party cooperative arrangements and other contracts can be used to provide pre-employment transition services to students with disabilities who are potentially eligible for VR services (non-applicants), as recipients of VR services, or applicants of VR services. The method an agency uses to provide pre-employment transition services to non-applicants and applicants may differ (e.g., direct

services by a VR counselor, third-party cooperative arrangement with a LEA, or contract with a community rehabilitation program, including fee-for-service or performance-based contracts) so long as the state makes the required activities available to both non-applicants and applicants statewide, even if through different agreements.

- i. Note the differences between TPCAs and Interagency Transfers (IATs) of funds received from state or local public agencies. In particular, the VR regulations at §361.28, are not applicable to IATs. This represents a cash transfer of non-Federal funds into the account of the VR agency. In an IAT, the VR program and transferring agency may enter into an agreement for the provision of VR services to individuals eligible for the VR program, as well as students with disabilities who are potentially eligible for VR services, who are affiliated with the state or local public agency transferring funds.
- b. Qualifying certified expenditure match under a third-party cooperative arrangement: salary and fringe benefits of cooperating agency personnel who directly provide VR services to recipients under the arrangement, as well as other direct expenditures incurred by the cooperating agency for the sole purpose of providing services under the arrangement. Expenditures must be verifiable with appropriate supporting documentation and do not meet the definition of third party in-kind contributions
- c. Create a comprehensive system of internal control for oversight of contractual/third-party cooperative agreements to verify: documentation (certification of time spent by transition specialists on the provision of pre-employment transition services), and track pre-employment transition service expenditures for students with disabilities.
- d. If needed, update/revise third-party cooperative arrangements, contractual agreements, and financial management systems with language and processes to ensure that only expenditures for the provision of pre-employment transition services are reported on line 12b of SF-425 reports for purposes of using the funds reserved for the provision of pre-employment transition services. OR consider entering into an IAT with the State or local public agencies.
- e. VR agency must ensure only certified personnel expenditures or other direct expenditures incurred under the cooperative arrangement are reported as an allowable source of match, in accordance with Â§361.28(c)(3) of the VR regulations, through a quarterly reconciliation process that includes match reporting.

Supported Employment Services Program

1. Extended time frame for the provision of supported employment services

- a. Extends the time frame for the provision of supported employment services by the VR agency from 18 months to no longer than 24 months
 - i. Only under special circumstances may the eligible individual and the rehabilitation counselor jointly agree to extend the time in an effort to achieve the IPE identified employment outcome.
- b. Definition supported employment
 - i. Competitive integrated employment can include customized employment or employment in an integrated work setting where a person is working short-term towards achieving competitive integrated employment that is individually customized consistent informed choice and the individual's strengths, abilities, and interests.
- c. Application of supported employment
 - i. The provision of supported employment services may not be provided before an individual is placed into an employment position requiring supported employment services.
 - ii. Ongoing support services (including customized employment) are "needed to support and maintain an individual with a most significant disability in supported employment."

2. Competitive Integrated Employment on a short-term basis

- a. The "short-term basis" means the individual must reasonably anticipate being able to achieve competitive integrated employment within six months of the supported employment outcome.
- b. Supported employment is a distinct type of outcome within the definition of "employment outcome." It occurs when individuals participating in supported employment at integrated locations are working on a short-term basis towards earning competitive wages
- c. Short-term basis should only be used if there is progress towards a competitive integrated employment outcome including, but not limited to: increase of hours, increase of responsibilities, mastery of job skills, or added tasks.
 - i. Under limited circumstances, an individual may participate in short-term supported employment for up to 12 months IF the individual has demonstrated progress towards achieving competitive earnings, as documented in the individual's service record.
- d. Documentation to demonstrate the need to extend "short-term services" from six months to 12 months must be provided. Develop strategies to document the need.

3. Extended services for “youth with the most significant disabilities”

- a. New provision mandating the VR agency to fund extended services for youth with the most significant disabilities allows additional time for individuals with the most significant disabilities to receive services and supports necessary after the individual has obtained a placement either in competitive integrated employment or working on a short term basis towards competitive integrated employment.
- b. Explore and develop necessary contracts for CRPs throughout the state which are available for the provision of extended services.
- c. Develop an appropriate fee schedule for services which can be consistently applied to CRPs.
- d. VR agencies may use supported employment program or VR funds to provide extended services only to youth with the most significant disabilities—not to individuals with the most significant disabilities who are not youth—for a period not to exceed four years or until such time that a youth reaches the age of 25 and no longer meets the definition of a “youth with a disability.”
- e. Natural supports (support of employer, supervisor of employee, co-workers, family members, mentors, and teachers) can often be the ongoing support needed to maintain an individual with the most significant disability in supported employment after Federal, State or non-profit support ends. For that reason, explore all options and discuss extended services with “natural supports” while during planning.

4. Supported Employment Federal Allotment Reserve Requirement/ Carry-over/Non-Federal Share

- a. Federal Supported Employment award funds are only issued when an individual with a most significant disability obtains employment requiring supported employment services. All federal expenditures for that individual which occur prior to the individual placement in a supported employment position must be provided with VR funds.
- b. Any portion of unobligated Federal Supported Employment award funds from the 50 percent reserve must be matched by the end of the year of appropriation to be carried over for obligation and expenditure into the succeeding Federal Fiscal Year (FFY). However, any unobligated portion of the Federal Supported Employment program allotment that does not constitute the reserve may be carried over into the succeeding FFY for obligation and expenditure because it does not have a match requirement.
- c. In reviewing final SF-425 report for the FFY 2015 Supported Employment award, an increase to non-federal funds that occurs after the year of appropriation does not constitute match for the Supported Employment program.
- d. Many supported employment outcomes were improperly recorded in previous years because the wrong code was used.

- i. Review the FFY 2015 Supported Employment program SF-425 reports, as well as case management and accounting records, to verify appropriate coding was used.
 - ii. Submit a request to re-open the appropriate SF-425 reports for correction, if needed.
- e. 10 percent match requirement for the reserve of Supported Employment award funds for the provision of supported employment services, including extended services, to youth with the most significant disabilities, is only applicable to 50 percent of the Supported Employment program allotment. This means that states may expend any portion of the state's allotment—up to 100 percent—for the provision of supported employment and extended services to youth with the most significant disabilities. However, the reserve match requirement is only applicable to 50 percent of the State Supported Employment program allotment.

5. Transitional Employment

- a. "Transitional employment" is no longer part of the definition of supported employment.
- b. RSA verified that transitional employment may be used as a VR service to assist individuals with disabilities to achieve an employment outcome. It was recommended that the VR counselors assist individuals who pursue this option regarding the possible impact it may have on any Social Security benefits the individual may be receiving or any conflicts involving temporary employment at subminimum wage with a section 14(c) entity.

6. Closures of supported employment service record

- a. There are separate requirements specified for different closure circumstances:
 - i. Did the individual with the most significant disabilities, including youth with the most significant disabilities, achieve competitive integrated employment?
 - ii. Is the individual working toward competitive integrated employment on a short-term basis?
 - iii. Is the individual receiving extended services?
 - iv. Is the individual receiving other VR services from the VR agency or from other service providers?
- b. If an individual does not achieve competitive integrated employment within the short-term basis period, the service record will be closed.
- c. The case will be closed if a youth with a most significant disability receiving extended services provided by the VR agency from funds under the supported employment or VR program has received extended services for a period of four years, or has transitioned to extended services provided with funds other than those allotted under the Supported Employment/VR programs prior to meeting the age or time restrictions

- d. The requirements for case closure in 34 CFR 361.56 must be satisfied and the individual can no longer be receiving any other VR service from the VR agency provided with Title I funds.
- e. Will be closed when the youth with a most significant disability, working toward competitive integrated employment on a short-term basis (or not on short-term basis) when the youth achieves competitive integrated employment (no longer eligible to receive funding allotted under the supported employment).

7. Administrative cost limitation

- a. If needed, explore the availability of funding from other sources for extended services, transitional employment to youth with the most significant disabilities
- b. The reduction of the administrative cost cap from 5 percent to 2.5 percent may be mitigated by the ability of the VR agency to utilize VR funds to pay for any administrative costs in excess of 2.5 percent that are allocable to the Supported Employment program.
- c. Any administrative costs charged to the Federal Supported Employment allotment, up to the 2.5 percent cap, do not count toward the 50 percent reserve requirement for the provision of supported employment services, including extended services, to youth with the most significant disabilities.

8. Developing reporting policies, procedures, and case management

- a. Revise supported employment policies to include the option and definition for “competitive integrated employment” and “short-term basis” to explain that Supported employment includes short-term basis only when an individual is employed in an integrated setting and working towards competitive integrated employment.
 - i. The individual must “reasonably” anticipate being able to achieve competitive integrated employment within six months of the supported employment outcome, or in limited circumstances, within 12 months if the individual has demonstrated progress towards achieving competitive earnings, as documented in the individual’s service record.
- b. Develop a detailed policy specifying conditions that must be met before a it can assist an individual in transitioning to extended services, such as ensuring the individual is engaged in supported employment that is in competitive integrated employment, or in an integrated work setting in which the individual is working on a short-term basis toward competitive integrated employment, and the employment is customized for the individual consistent with his or her strengths, abilities, interests, and informed choice.
- c. Recommended: VR Agencies identify criteria which must be in place before the agency can transition eligible youth in supported employment to extended services to ensure the individual is working in competitive integrated employment, or working in an integrated setting on a short-term basis toward competitive integrated employment.

- d. Policies must include required steps (internal controls) a VR counselor must follow during the short-term basis period: documenting the individual's progress toward competitive integrated employment, how to code in the case management system for reporting, tracking, and financial accountability of reserved funds.
 - i. Such controls would ensure the accurate completion of all required forms, including financial reports that show the reservation and use of these funds for this purpose and for this population.
 - ii. It will also ensure that the supported employment data reported in the RSA-911 is congruent with the active IPEs with the goal of supported employment.
- e. Recognize that there is a coding difference on the current RSA-911 form and the revised form which will begin use in PY 2017 which distinctly distinguishes between the reporting of individuals who have a supported employment goal on their IPEs and those who have achieved a supported employment outcome.
 - i. Element 196—Reports employment status at closure and includes Code Number 7 for a supported employment outcome (employment with supports in integrated setting).
 - ii. Element 348—Reports supported employment outcomes in competitive integrated employment and supported employment outcomes for individuals working competitive integrated employment on a short-term basis.
- f. Ensure that “payment with Title I funds” is added to the definition for “extended services”
- g. Develop strategies/policies to determine/document justification of the need to extend the short-term basis period.
- h. Revise previous definitions for the “Clubhouse model” by referencing “Transitional employment” as a workplace learning activity – as opposed to an employment outcome in supported employment comprised of a series of temporary job placements.

Next Steps/Additional Support

1. Agreements

- a. Develop a new SEA agreement in collaboration State's Department of Education incorporating every new/existing requirements of an agreement congruent with WIOA and implementing regulations for the coordination of transition services (pre-employment transition services), to students and youth with disabilities.
- b. New SEA agreements in many cases many entail the development of new and congruent LEA agreements.

2. Competitive Integrated Employment

- a. For planning purposes: According to ODEP, on average, an individual spends 22.5 hours in the Discovery phase.

3. Supported employment

- a. Settings established by CRPs specifically for the purpose of employing individuals with disabilities (i.e. CRPs which have a 14(c)) are not integrated settings because they are not in the competitive labor market.
- b. If a CRP providing 14(c) is willing to provide competitive earnings to the individual by the end of the short-term basis period, offering an integrated location, and opportunities for advancement, the VR agency may fund supported employment services at the employment site provided by the 14(c) CRP, as well as other VR services necessary as the individual works towards a competitive wage.
- c. Individuals should only be placed in supported employment at subminimum wage IF there is a reasonable expectation that the individual can earn a competitive wage at the end of the short-term basis period, which may be 6 months to 12 months, depending upon the individual's needs.
- d. The intention of the short-term basis period is not to increase the number of individuals who achieve supported employment earning subminimum wage, but rather, to increase the opportunities for individuals to achieve employment earning competitive wages in integrated settings with opportunities for advancement. Furthermore, if an individual is not making progress towards achieving competitive wages during the short-term basis, the case will need to be closed as an unsuccessful closure.

4. Section 511 requirements

- a. If a youth with a disability is no longer in school and documentation of the participation in pre-employment transition services or transition services is not available, the out-of-school youth would have to complete certain service-related activities and produce documentation showing completion of an application for VR services; determination of ineligibility or eligibility; an approved IPE; working toward an employment outcome for a reasonable period of time with appropriate supports, without success; a closed VR service record and receipt of career counseling, and information and referral services.
- b. If an individual is employed by a section 14(c) entity that employs less than 15 employees, an individual referred to the VR agency must be informed of opportunities available in the community, including self-advocacy, self-determination, and peer mentoring training either by the VR agency, or through a VR contracted provider (i.e. a center for independent living).

- c. No entity holding a special wage certificate under section 14(c) may provide 42 the self-advocacy, self-determination or peer mentoring training opportunities.

5. Developing efficient case management

- a. To the extent possible, implement internal controls in case management system to ensure that supported employment funds are only expended after supported employment placement.
- b. Identify coding problems in case management system to eliminate gaps in the data reported involving the specific services provided to consumers in an effort to effectively capture the current data required for the RSA-911, but also the new fields and data elements that go into effect on July 1, 2017.
- c. Conduct case management system updates to report required data collected through the RSA-911 for PY 2017 beginning on July 1, 2017.
- d. Check to verify/confirm whether the wage reported as the highest minimum wage available (Federal, State or local) for the geographic location of the employer in order to determine if an individual is receiving at least minimum wage); receiving pre-employment transition services (e.g., including individuals who are potentially eligible for VR services); receiving supported employment services; who have achieved a supported employment outcome; and who have completed services and whose case record can be closed.

6. CSNA development/application

- a. Assessment and determination of students and youth with disabilities' needs includes their need for pre-employment transition services, other applicable transition services, and the extent to which such services are coordinated with transition services provided by LEAs under IDEA.
- b. Identifying potential contractors for creating and conducting CSNA to assess VR needs
- c. Identify current and future need (personnel, CRPs, other sources of non-federal share and the option of implementing an order of selection.

7. Training to achieve common understanding regarding WIOA requirements

- a. Provide VR staff with training on the requirements of the Act and the implementing regulations.
- b. Update staff on all revised policies and procedures and the areas of concern identified within this report.
- c. Provide training to VR and LEA staff on the formal interagency agreement
- d. Train staff on the necessary coding required to account for the provision of all pre-employment transition services provided to students with disabilities, regardless of whether the service is provided on an individual basis or in a group setting.
- e. Train staff on the necessary coding required to account for competitive integrated employment, self-employment and the elimination of uncompensated outcomes
- f. Train staff on obtaining the required documentation prior to the provision of pre-employment transition services for students with disabilities who are potentially eligible for VR services.

8. Revision of policy manual

- a. Update all definitions in policy manual to meet the WIOA requirements and regulations (i.e. transitional employment is no longer part of the supported employment model.)

- b. Update policies/procedures governing the use of supported employment program funds and train its VR counselors/staff as appropriate on funding expenditure requirements.
- c. After stakeholders perspectives are taken into consideration and policies are revised to reflect WIOA and implementing regulations, submit final draft of new policy manual to RSA for feedback.
- d. Establish procedures for gathering supporting documentation for the reservation and expenditure of pre-employment transition services and supported employment funds to report data elements for RSA-911 reporting—including required activities provided in a group setting.
- e. Develop written policies and procedures for the completion of financial reports and tracking of expenditures for both pre-employment transition services and supported employment services.

9. Fiscal Reporting

- a. Identify purchased services reported as paid for with funds reserved for pre-employment transition services that do not qualify as pre-employment transition services required activities
- b. Include a review of its purchased services for both FFYs 2015 and 2016 to identify only those purchased service expenditures that met the requirements of the five pre-employment transition services required activities.
 - i. Perhaps a query of purchased services within VR case management system can be modified to ensure that the parameters only result in expenditures that meet the requirements of pre-employment transition services required activities provided to students with disabilities.
- c. The cost of conducting of the CSNA assessment of pre-employment transition coordination activities within the list of pre-employment transition coordination activities are administrative costs and cannot be paid from the 15% of the Federal VR allotment reserved and expended for pre-employment transition services.
- d. If needed, VR agencies should submit a request to re-open the appropriate FFYs 2015 and 2016 VR SF-425 reports which require a revision to the pre-employment transition service expenditure data, to accurately reflect the reserve expenditures

10. Third-Party Contract Agreement (TCPA)

- a. Identify and revise all TCPAs which are incongruent with implementing regulations (especially with the use of certified expenditure of time of TCPA personnel that are counted as non-federal share to match the federal VR program funds)
- b. Terminate TCPAs that cannot meet the new requirements; or consider entering into an interagency transfer of funds with the State or local public agencies
- c. Work with RSA to ensure revised TCPAs under consideration meet WIOA requirements and implementing regulations.

11. Identify and work to resolve limitations of Case Management System

- a. Coding issues which need to be brought up to regulation standards (i.e. supported employment changes).
- b. It might be necessary to change case management systems to adapt.

12. Work with Workforce Innovation Technical Assistance Center (WINTAC) and the Youth Technical Assistance Center (YTAC)

- a. Identify ways to efficiently coordinate TA efforts with both centers without “confusion of jurisdictions.”