

Supported Employment Program
Chapter 17

- 17.00 **Definition.** *Supported Employment* means competitive integrated employment, including *customized employment*, with *ongoing support services* for individuals with the most significant disabilities consistent with their strengths, abilities, interests, and informed choice. (Defined words, italicized in blue, are per code and best practices. They can be found at the end of this chapter or on VR Avenues.)
1. Individuals appropriate to receive Supported Employment services are those:
 - a. For whom *competitive integrated employment* has not occurred or for whom competitive integrated employment has been interrupted or intermittent as a result of a most significant disability;
 - b. Who, because of the nature and severity of their disabilities, need Supported Employment services and *extended services* after Transition in order to maintain their employment; and
 - c. Who may need a negotiated or *customized employment* opportunity that matches the specific abilities of the individual with a most significant disability and meets the business needs of an employer. Flexible strategies may include customizing a job description, developing a set of job duties, work schedule or other negotiated items.
 2. Customized Employment supplements supported employment services when more intensive interventions are needed to identify, obtain, or maintain employment. Customized Employment service strategies may include, but are not limited to, the following:
 - a. *Discovery* is a customized employment strategy that relies on a comprehensive process of observations and interviews counselors use to identify a specific strength or skill that will be the focus for employment planning. Discovery is appropriate when:
 1. An alternative to traditional, norm-referenced assessments is needed to identify interests, capacities, skills, or appropriate work environments where the individual is at their best; and/or
 2. It provides an added depth to the person centered planning process. Discovery does not replace the Supported Employment Individual Career Plan. It provides additional information used to target specific employers or work environments.
 - b. Customized Job Placement Services (CJPS) is a customized employment strategy available for use when individuals need a job to be personally negotiated or when a position needs to be created to make employment possible. CJPS is appropriate when the individual:
 1. Has complex needs and requires a variety of services, including coordination of supports;
 2. Needs a specific work environment and/or a specific work duty, based on the nature and severity of the disability, even after provision of supports; and/or
 3. Has participated in Discovery and the need for Customized Employment strategies is apparent to the counselor, provider, individual or their family member, and/or other representative, as appropriate.
 - c. Supported Self-Employment is a customized employment strategy that may be used to assist individuals with the most significant disabilities in developing a business of their own.

1. If an individual chooses Supported Self-Employment as a type of employment service, and the counselor agrees, the IPE will be signed by both the counselor and the individual. The services may include preparation of a business plan through the assistance of a Certified Business Technical Assistance Consultant (CBTAC). CBTACs may be authorized to assist with any of the following services:
 - a. Initial self-employment exploration meeting(s);
 - b. Business concept development;
 - c. Market research and benefit analysis;
 - d. Marketing plans and business financials;
 - e. Business Plan; and
 - f. Business implementation assistance.
2. A reasonable expectation of the availability of extended services should be identified in the IPE and in the Business Plan.
3. To determine if the potential placement meets the requirements of competitive integrated employment, the counselor must ensure it meets the following criteria:
 - a. The position is performed on a full-time or part-time basis;
 - b. The position compensates the individual at or above Florida's minimum wage, but not less than the customary wage paid for similar work;
 - c. The level of benefits offered is the same for similar work performed by individuals who are not disabled;
 - d. The level of interaction with others (customers, vendors, and co-workers) is the same as non-disabled persons within that individual's entire worksite and work unit; and
 - e. The opportunities for advancement are similar to those for non-disabled individuals who have similar positions.

17.01 Eligibility for Supported Employment Services. An individual shall be eligible to receive Supported Employment services if:

1. The individual is eligible for Vocational Rehabilitation services;
2. The individual is determined to be an individual with a most significant disability;
3. The individual's rehabilitation, career, and employment needs have been assessed by the counselor. (When appropriate, existing documentation that outlines the individual's work skills, support needs and prior work experience, may be utilized in lieu of an assessment); and
4. Supported Employment has been determined to be an appropriate rehabilitation objective for the individual.

17.02 Documentation of Supported Employment Eligibility. There must be:

1. A certification of eligibility reflecting that the individual meets the basic program eligibility requirements; and
2. Documentation titled "most significant" that reflects that the individual meets the requirements of having a *most significant disability*.

17.03 Supported Employment Individualized Plan for Employment (IPE) Requirements.

The Supported Employment IPE must:

1. Specify the Supported Employment services to be provided by DVR;

2. Specify the expected *extended services* (Phase II services) needed, which may be natural supports, employer supports, or other appropriate supports;
3. Identify the source of *extended services* (Phase II) or, include a description of the basis for concluding that there is a reasonable expectation that those sources will become available;
4. Provide periodic monitoring to ensure that the individual is making satisfactory progress toward meeting the weekly work requirement established in the IPE prior to beginning extended services;
5. Provide coordination of services under any other individualized plans established with Federal, State, or local government programs, especially local school transition plans, including Individual Educational Plans (IEP);
6. To the extent that job skills training is provided, identify that job skills training is provided on site;
7. Include Competitive Integrated Employment for the maximum number of hours possible based on the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of individuals with the most significant disabilities;
8. Indicate extended services are to be provided off the job site only when it has been determined to be an appropriate option; and
9. State the period that services are to be provided in excess of 24 months if this has been determined at the time of the IPE development.

17.04 Documentation for the Supported Employment IPE

1. The employment outcome must be documented in a Supported Employment IPE.
2. Time-limited services (Phase I) to be provided by DVR must be listed in the "Services" section of the IPE.
3. Identify the source for *extended services* (Phase II) in the "Services section" or include a description of the basis for concluding that there is a reasonable expectation that those sources will become available in the "Comparable Services and Benefits" section of the IPE.

17.05 Supported Employment Services (Phase I). Supported Employment Services (Phase I) are the initial support services that:

1. Are furnished by DVR to support and maintain an individual in Supported Employment prior to beginning extended services;
2. Are based on a determination by DVR of the individual's needs as specified in the IPE;
3. Do not extend beyond 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 objectives identified in the Supported Employment IPE; and
4. Are provided, at a minimum, twice monthly in order to:
 - a. Provide job skills training at the worksite;
 - b. Make an assessment of the employment situation, at the worksite of the individual in Supported Employment, or, off-site when requested by the individual or otherwise required; and
 - c. Provide for the coordination or the provision of specific intensive services, at or away from the worksite, which is needed to maintain employment including long-term supports.

17.06 Scope of Supported Employment Services (Phase I). As appropriate, these services may include:

1. An assessment when additional information is needed in order to determine:
 - a. The most suitable Supported Employment placement for an individual;
 - b. What *ongoing support services* are needed, including the need for rehabilitation technology;
 - c. If a reassessment of the suitability of the placement is warranted; or
 - d. If there is a significant change in the individual's impairment.
2. The provision of job coaches or employment specialists who accompany the individual for intensive job skills training at the worksite and/or facilitate natural/employer supports at the worksite;
3. Job development;
4. Placement;
5. Social skills training;
6. Regular observation or supervision of the individual;
7. Follow-up services to reinforce or stabilize the placement; including, but not limited to regular contact with the individual, employer, family or guardian, and any other relevant professionals.; and
8. Other necessary and appropriate vocational rehabilitation services.

17.07 Job Coaching. Job coaching may be provided:

1. By VR to individuals in supported employment through the period of job development and before beginning extended services.
2. As a post-employment service. (Reference: Counselor Policy Manual Chapter 11.)

17.08 Training, Stabilization and Employment

1. The individual in Supported Employment is considered to be in training upon implementation of the IPE until placed in permanent employment by the service provider. The individual is considered to have begun stabilization when the counselor, job coach/employment specialist, employer and individual agree that the initial intensive services identified on the IPE have resulted in:
 - a. The individual demonstrating acceptable job performance; and
 - b. A reasonable expectation that satisfactory job performance will be maintained with the kind and level of *ongoing support services* being provided.Reaching this job performance level marks the start of the 90-day period of initial *stabilization*, which concludes with *transition* to *extended services*. Employment is maintained for the 90-day period of initial *stabilization* plus 90 additional days of stabilization following transition to *extended services*.
2. Case closure as an Achieved Employment Outcome may be pursued upon satisfactory completion of 90 days of stabilized employment after transitioning to Extended Services. (Phase II).

17.09 Extended Services (Phase II).

1. Extended services (Phase II) means *ongoing support services* by non-VR funded resources after an individual has made the transition from (Phase I) of supported employment services funded by VR.

2. Extended Services provision may, include but is not limited to, other State agencies, private pay, community grants, private agencies, Social Security work incentives, natural supports, employer supports, private pay, or any other appropriate resource.
3. There is a funding exception for youth based on the availability funds and the individual's needs; VR may provide up to four (4) years of extended services based on the Rehabilitation Act of 1973 as amended, or until such time that a youth reaches the age of 25 and no longer meets the definition of a youth with a disability.
4. Transition from Supported Employment services (VR-funded, Phase I) to *extended services* (non-VR funded, Phase II) requires that:
 - a. The individual's weekly work hour goal is substantially met;
 - b. Initial job stability has been demonstrated over a period of at least 90 days; and
 - c. The provider of *extended services* is ready to continue the ongoing services without interruption.

17.10 **Achieved Employment Outcome**

1. An individual in Supported Employment is considered to have achieved an employment outcome if the individual:
 - a. Meets the basic program requirements for an *employment outcome*,
 - b. Maintains a Supported Employment placement for 90 days of stabilized employment with an employer, and
 - c. Completes 90 days of stabilized employment after transitioning to extended services.
2. The elements listed below must be in the "Justification for Closure":
 - a. The employment placement was in a competitive integrated employment and the individual was employed on a full-time or part-time basis;
 - b. The level of interaction with others (customers, vendors and co-workers) was the same as for non-disabled persons within the individual's entire worksite and the work unit;
 - c. The individual was compensated at or above the minimum wage, but not less than the customary wage; the individual's benefits were paid by the employer and were for the same or similar work performed by individuals who are not disabled; and
 - d. There was an additional minimum of 90 days follow-up after the individual began receiving *extended services*.

17.11 **Post-Employment Services.** Post-employment services (PES) may be provided to individuals who achieve an employment outcome, but prior to case closure, to ensure that the employment outcome can be maintained. PES will often enable the individual to preserve his or her employment. An amendment to the original IPE must be developed to provide this service. (Reference: Counselor Policy Manual Chapter 11.) These services are available to meet rehabilitation needs that do not require a complex and comprehensive provision of services and, thus, should be limited in scope and duration. If more comprehensive services are required, then a new rehabilitation effort should be considered. See 34 CFR § 361.5(41).

Definitions (Per Code of Federal Regulations and
Best Practices; within the chapter the defined words are *italicized in blue*)

Supported Employment (SE) § 361.5(53)

Supported Employment means competitive integrated employment, including customized employment, that is individualized and customized consistent with the strengths, abilities, interests, and informed choice of the individuals involved, for individuals with the most significant disabilities:

1. For whom competitive integrated employment has not occurred; or
2. For whom competitive integrated employment has been interrupted or intermittent as a result of a most significant disability; and
3. Who, because of the nature and severity of their disability, need intensive Supported Employment services and extended services.

Supported Employment Services § 361.5(54)

Supported Employment Services means ongoing support services, including customized employment, needed to support and maintain an individual with a most significant disability in Supported Employment that are:

1. Provided singly or in combination and are made available to assist an eligible individual to achieve competitive integrated employment;
2. Based on a determination of the needs of an eligible individual, as specified in an SE individualized plan for employment (IPE); and
3. Provided for a period of not more than 24 months, unless under special circumstances the eligible individual and the rehabilitation counselor jointly agree to extend the time, in order to achieve the employment outcome identified in the SE IPE.

Customized Employment § 361.5(11)

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

1. Job exploration;
2. Working with an employer to negotiate the placement;
3. Customizing a job description based on employer needs or previously unidentified employer needs;
4. Developing a set of job duties, a work schedule, job arrangements, and other negotiated job related duties;
5. Providing services and supports at the job location; or
6. Assisting an individual in the development of a business.

Competitive Integrated Employment § 361.5(9)

Competitive Integrated Employment means work that is performed on a full-time or part-time basis (including self-employment) and establishes three essential criteria of employment:

1. **Income** - the individual is compensated at or above the minimum wage and the individual's wage and level of benefits are not less than that customarily paid by the employer for the same or similar work performed by individuals without disabilities. In the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals,

who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills.

2. **Integration** - the individual is employed at a location where the employee interacts with other persons who do not have disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that individuals in comparable positions who do not have disabilities would interact with other persons.
3. **Advancement** - the employment, as appropriate, presents opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.

Most Significant Disability § 361.5(29)

An individual with a most significant disability means an individual with a disability:

1. Who has a severe physical or mental impairment that seriously limits three or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome;
2. Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period (at least 12 months); and
3. Who has one or more physical or mental disabilities or combination of disabilities determined on the basis of an assessment used for determining eligibility and vocational rehabilitation needs. The disability causes comparable substantial functional limitation.

Extended Services § 361.5(19)

Extended Services are ongoing support services and other appropriate services that are needed to support and maintain an individual with a most significant disability in supported employment that are:

1. Based on the needs of an individual, as specified in a supported employment individualized plan for employment; and
2. Provided by a private nonprofit organization, employer, or any other appropriate resource, from funds other than funds received by DVR, and are delivered after an individual with a most significant disability has made the transition from support provided by the DVR.
3. Based on the availability of funds and the needs of the individual, DVR may provide extended services to youth with a disability who are 14-24 years of age for a period not to exceed 4 years.

Stabilization

Stabilization is achieved when the VR Counselor, Employment Specialist, Employer and Individual agree that:

1. The initial intensive services identified on the IPE have resulted in the Individual demonstrating acceptable job performance.
2. There is a reasonable expectation that satisfactory job performance will be maintained with the type and level of ongoing support services being provided.

Transition

Transition occurs when:

1. A minimum of 90 days of stabilized employment is required to move into Transition.
2. Responsibility for funding ongoing support services transition from VR to the source of funding identified for the ongoing supports.

Supported Employment Outcome

The term employment outcome with respect to an individual means:

1. Entering or retaining full-time or, if appropriate, part-time competitive employment in an integrated setting;
2. Satisfying the vocational outcome of Supported employment including satisfying the vocational outcome of customized employment, self-employment, telecommuting, or business ownership; or
3. An individual is considered to be successfully rehabilitated if the individual meets the basic program requirements for an employment outcome and maintains a Supported Employment placement for 90 days of stabilized employment with an employer and completes 90 days of stabilized employment after transitioning to extended services.

Discovery Services

Discovery is an alternative strategy to determine the strengths, needs and interests of individuals with the most significant disabilities. Discovery provides a wealth of information that can be used to assist in the customized employment process. It is an appropriate substitute to comparison-based evaluation tools.

Ongoing Support Services § 361.5(37)

The term “ongoing” support services means services:

1. Provided to individuals with the most significant disabilities;
2. Provided at a minimum twice monthly
 - a. to make an assessment, regarding the employment situation, at the worksite of each individual in supported employment, or under special circumstances, off site; and
 - b. based on the assessment, to provide for the coordination or provision of specific intensive services, at or away from the worksite, that are needed to maintain employment stability; and
3. Consisting of but not limited to:
 - a. assessments;
 - b. the provision of skilled job trainers;
 - c. job development, job retention, and placement services;
 - d. social skills training;
 - e. regular observation or supervision of the individual;
 - f. follow up services such as regular contact with employers, individuals, individual’s representatives, and other appropriate individuals, in order to reinforce and stabilize the job placement;
 - g. facilitation of natural supports in the worksite.

Employment Outcome § 361.5(15)

Employment Outcome means, with respect to an individual:

1. Entering or retaining full-time or, if appropriate, part time competitive integrated employment;
2. Satisfying the vocational outcome of supported employment; or
3. Satisfying the vocational outcome of customized employment, self-employment, telecommuting, or business ownership.