

Rehabilitation Administrative Manual
RAM CHAPTER 31
SUPPORTED EMPLOYMENT PROGRAM

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ABBREVIATIONS

The following are abbreviations used frequently throughout this chapter and exhibits:

ACE	Achieving Community Employment
AJCC	America's Job Center of California SM
BUCP	Business Use Case Proposal
C2C	College to Career
CC&IR	Career Counseling and Information and Referral
CDE	California Department of Education
CDER	Client Development Evaluation Report
CFR	Code of Federal Regulations
CIE	Competitive Integrated Employment
CMH	County Mental Health
CRDS	Community Resources Development Section
CRP	Community Rehabilitation Program
DDS	Department of Developmental Services
DOR	Department of Rehabilitation
ESA	Extended Services Agreement
ESY	Extended Services for Youth
FFS	Fee-For-Service
ID/DD	Intellectual Disability and/or Developmental Disability
IEP	Individualized Education Program
IPE	Individualized Plan for Employment
IPP	Individual Program Plan

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IPS	Individual Placement and Support Model
IRWE	Impairment Related Work Expense
ISP	Individual Service Plan
LEA	Local Educational Agency
LPA	Local Partnership Agreement
OJT	On-the-Job Training
PASS	Plan for Achieving Self Support
PE	Potentially Eligible
Pre-ETS	Pre-Employment Transition Services
RAM	Rehabilitation Administrative Manual
RSA	Rehabilitation Services Administration
SE	Supported Employment
SSA	Social Security Administration
TAY	Transition Age Youth
UCEDD	The University Centers for Excellence in Developmental Disabilities
VR	Vocational Rehabilitation
WIOA	Workforce Innovation and Opportunity Act

3100 SUPPORTED EMPLOYMENT (SE) PROGRAM (12/21)

The Rehabilitation Act, as amended by the Workforce Innovation and Opportunity Act (WIOA), makes several significant changes to Title VI of the Act, which governs the Department of Rehabilitation (DOR) Supported Employment (SE) Program. All the amendments to Title VI are consistent with those made throughout the Act, to maximize the potential of individuals with disabilities, especially those with most significant disabilities, to achieve Competitive Integrated Employment (CIE) and to expand services for youth with most significant disabilities. Federal grants made under the Supported Employment Program in 34 Code of Federal Regulations (CFR) Part 363 supplement Vocational Rehabilitation program grants under 34 CFR Part 361.

DOR shall provide a 10 percent match of non-federal expenditures. This amount shall not be less than 10 percent of the total expenditures for the provision of Supported Employment services to youth with most significant disabilities, including Extended Services that are ongoing services provided after up to 24 months of Supported Employment Services. The DOR shall reserve and expend 50 percent of such allotment for the provision of Supported Employment services, including Extended Services, to youth with the most significant disabilities to assist those youth in achieving an employment outcome in Supported Employment.

The DOR shall make Supported Employment Services as described in [Section 3103](#) available statewide to all individuals with the most significant disabilities, including youth with the most significant disabilities. Competitive Integrated Employment, as described in [Section 3104](#), is the overarching goal of Supported Employment Services.

The DOR shall provide Extended Services for youth with the most significant disabilities in accordance with 34 CFR 363.53 ([Section 3135](#)).

The Supported Employment Program is a collaborative model that builds upon relationships with individuals, families, businesses, and state and local partners. Using maximum flexibility and modern strategies in concert with federal and state law to provide Supported Employment services, DOR shall implement the California Employment First Policy and the California

Competitive Integrated Employment (CIE) Blueprint to increase Supported Employment outcomes in Competitive Integrated Employment for individuals with intellectual disabilities and developmental disabilities (ID/DD) as its highest priority.

DOR shall ensure that all applicants and recipients of Supported Employment Services are informed of the Client Assistance Program and due process options (i.e., Administrative Review, Mediation, and Fair Hearing).

References: 34 Code of Federal Regulations (CFR) 361.5(c)(7); 361.5(c)(9); 361.5(c)(11); 361.5(c)(15); 361.5(c)(19); 361.5(c)(32); 361.5(c)(37); 361.5(c)(41); 361.5(c)(52); 361.5(c)(53); 361.5(c)(54); 361.12; 361.24; 361.37; 361.47; 361.48; 361.49; 361.50; 363.1; 363.3; 363.4; 363.22; 363.23; 363.50; 363.53; 363.54; 363.55; 397.5; 397.20; 397.40; CCR title 9, Section 7029.6; and Welfare and Institutions Code Section 4851 and 4869(a)(1).

3101 Introduction (12/21)

Rehabilitation Administrative Manual (RAM) Chapter 31 has been updated to reflect the Rehabilitation Act of 1973, as amended by the WIOA and federal regulations in 34 CFR Parts 361, 363, and 397, effective September 19, 2016.

The DOR shall use RAM Chapter 31 Supported Employment in conjunction with [RAM Chapter 30 Record of Services](#) and other relevant RAM chapters as cited herein.

The DOR shall utilize Supported Employment forms provided in [Section 3153](#).

For brevity, this chapter uses the following conventions:

The term "client" or "consumer" is synonymous with the term "eligible individual."

The terms "Individualized Plan for Employment," "IPE," and "Plan" may be used interchangeably.

References to the Rehabilitation Counselor, Vocational Rehabilitation (VR) team, and Team Manager refer to DOR direct service delivery roles.

References to the "individual," the "applicant," or the "consumer" shall also include the individual's, the applicant's, or the consumer's representative by inference.

In accordance with federal and state regulations, the use of the words "shall" or "must," means mandatory, and the use of the word "may" mean permissive. For this chapter, the use of the word "will" also mean mandatory.

References to the Code of Federal Regulation (CFR) may be found [Electronic Code of Federal Regulations](#).

References to the California Code of Regulations (CCR), title 9 may be found [Westlaw California Code of Regulations](#).

References to documentation procedures in the DOR electronic records system, known as "Aware," may be found in the [Aware Reference Guide](#).

Commonly used [Abbreviations](#) are located at the beginning of this chapter.

3102 Defining Supported Employment (12/21)

Supported Employment means Competitive Integrated Employment, including Customized Employment, or employment in an integrated work setting in which an individual with a most significant disability, including a youth with a most significant disability, is working toward Competitive Integrated Employment that is individualized and customized, consistent with the unique strengths, abilities, interests, and informed choice of the individual, and includes 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 because 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 DOR, to perform this work.

(34 CFR 361.5(c)(53))

Refer to the definition of an individual with a most significant disability in CCR title 9, Sections 7017.2.

3103 Defining Supported Employment Services (12/21)

Supported Employment services means “ongoing support services” that are furnished by DOR from the time of job placement until transition to Extended Services. Such services may include Customized Employment and other services needed to support an individual or youth with a most significant disability, in Supported Employment that meet the following conditions:

Organized and made available, singly or in combination, in such a way as to assist an eligible individual to achieve Competitive Integrated Employment.

Based on a determination of the needs of an eligible individual, as specified in an Individualized Plan for Employment (IPE).

Provided by DOR for a period not to exceed 24 months after the individual has begun Supported Employment services, unless under special circumstances the eligible individual and the Rehabilitation Counselor jointly agree to extend the time to receive Supported Employment services necessary to achieve the employment outcome identified in the IPE.

Following transition, as post-employment services that are unavailable from an Extended Services provider and that are necessary to maintain or regain the job placement or advance in employment.

(34 CFR 361.5(c) (54))

3103.1 Defining Ongoing Support Services (12/21)

Ongoing support services are services needed to support and maintain an individual with a most significant disability in Supported Employment. The

services are provided by DOR from the time of job placement until transition to Extended Services and thereafter by one or more Extended Services providers throughout the individual's term of employment.

(34 CFR 361.5(c)(37); CCR title 9 7019.5)

3103.2 Defining Natural Supports (12/21)

Natural supports are on- and off-site ongoing support services that are provided to the eligible individual at no cost, as a comparable service or benefit, by an individual or agency that already has regular contact with the eligible individual. Natural supports include but are not limited to behavioral health case management staff, independent living coaches, board and care home staff, or a family member or friend who provides on- or off-site services. Natural supports may also include an employer for on-site support services only.

3104 Defining Competitive Integrated Employment (12/21)

Competitive Integrated Employment (CIE) is defined as work that is performed on a full-time or part-time basis for which an individual is:

- Compensated at a rate that is not less than the federal / state / local minimum wage or the customary wage for the same or similar work, whichever is higher.
 - Eligible for the level of benefits provided to other employees.
 - In the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills.
- At a location typically found in the community where the individual interacts with other employees who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee), or other persons (customers and vendors), to the same extent that employees who are not

individuals with disabilities and who are in comparable positions interact with these persons.

- Provided with opportunities for advancement that are similar to those for other employees who are not individuals with disabilities in similar positions.

(34 CFR 361.5(c)(9))

If the individual's employment fails to satisfy any of the above components, the employment is not considered Competitive Integrated Employment.¹

The Rehabilitation Counselor will take the following actions to make certain that the employment setting satisfies the definition of Competitive Integrated Employment:

Ensure upon placement that the individual's earnings equal or exceed the federal, state, or applicable local minimum wage rate, whichever is higher.

Ensure that an individual who is self-employed earns an income comparable to the income received by other individuals who are not individuals with disabilities, and who are self-employed in similar occupations for the employment to satisfy the definition of Competitive Integrated Employment.

3105 Determining Customary Wages (12/21)

Generally, a "customary wage" means not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities, and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills.

The VR team will consider the following details to determine whether the individual is earning the customary wage:

Identify whether the individual is earning at least the minimum wage.

¹ Preamble to the Final Federal Rules in Federal Register, Code of Federal Regulations title 34, Parts 361, 363, and 397, pages 55637 through 55645.

Determine whether the individual is earning at least the same wage as other employees working in the same or a similar occupation, with the same employer, who do not have disabilities.

Consider whether the individual is performing the same or similar work performed by those other employees who are not individuals with disabilities, and who are similarly situated in similar occupations by the same employer.

Discern whether the individual has the same or similar training, experience, or skill as those individuals.

The VR team may perform the following actions to ensure the individual is receiving the customary wage for his or her position:

- Communicate with the employer at the time of hire and prior to closing the record of services, as appropriate, either directly or through a Community Rehabilitation Program² (CRP) providing Supported Employment services to an individual, to discuss the individual's compensation.
- Identify how much the individual will be compensated relative to other employees without disabilities.

3106 Determining an Integrated Employment Location (12/21)

The Rehabilitation Counselor will only support integrated employment locations. Without exception, all employment placements must be integrated.

The DR 380 Integrated Settings Checklist form is located on the DOR website on the Forms page at: <https://www.dor.ca.gov/Home/Forms>.

Using the DR 380 checklist, the Rehabilitation Counselor will determine on a case-by-case basis if an employment setting is integrated. The determination must be made without regard to the type of business

² A Community Rehabilitation Program (CRP) is defined as a non-profit agency, organization, or institution, or unit of an agency, organization, or institution that provides directly or facilitates the provision of VR services to individuals with disabilities to enable those individuals to maximize opportunities for employment.

operation. This checklist is intended as a tool to help the Rehabilitation Counselor determine whether the employment placement is integrated, including Supported Employment, Javits-Wagner-O'Day, National Industries for the Blind, and AbilityOne / Source America placements.

Consistent with federal regulations, the Rehabilitation Counselor and VR team will apply the following criteria for an integrated employment location on a case-by-case basis and in a consistent manner to determine whether an employment placement position in an organization's specific work unit is in an integrated work setting:

- The setting is typically found in the community in which applicants or eligible individuals interact with non-disabled individuals other than non-disabled individuals who are providing services to those applicants or eligible individuals; and
- With respect to an employment outcome, the setting is –
 - Typically found in the community; and
 - Where the employee with a disability interacts, for the purpose of performing the duties of the position, with other employees within the particular work unit and the entire work site, and, As appropriate to the work performed, other persons (e.g., customers and vendors) who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that employees who are not individuals with disabilities and who are in comparable positions interact with these persons.

(34 CFR 361.5 (b)(32))

Both above requirements must be met. If a job position in a location satisfies only one of the prongs of the criterion for an integrated employment location, the job would not meet the definition of Competitive Integrated Employment.

In rare circumstances, the Rehabilitation Counselor may consider Trial Work Experience, comprehensive assessment for Plan development, or work-based learning experiences for students with disabilities in a setting that is integrated to the “*maximum extent possible*” to afford an individual with a disability the opportunity to participate in these specific services.

Team Managers will provide consultation when there is a question of whether the employment setting is integrated or if there are related questions.

3106.1 Setting Typically Found in the Community (12/21)

To be “typically found in the community,” an employment location setting should be both of the following:

- Found in the competitive labor market. For example, employment at retailers, restaurants, office buildings, health care providers, etc. would likely meet the criteria for “typically found in the community.” Additional examples, though not exhaustive, are job positions that are likely to be considered “typically found in the community:”
 - Job positions in CRPs that are designed to provide services to others, even if those other persons are also individuals with disabilities;
 - Management staff and administrative staff employed by CRPs (*i.e.*, those staff who supervise and support the CRP’s “direct labor workers”); and,
 - Job positions that are open to any qualified applicant regardless of disability status.

- Not formed specifically for the purpose of employment individuals with disabilities.

Work settings such as sheltered workshops are established specifically for employing individuals with disabilities and do not constitute integrated work settings because these settings are not typically found in the competitive labor market.

One factor that often confirms that a job position is “typically found in the community” is if the job position is open to all applicants regardless of disability status. If a job position is required by law to comply with a direct labor-hour ratio of individuals with disabilities, it is likely not considered “typically found in the community.”

3106.2 Level of Interaction (12/21)

To meet the criteria for Competitive Integrated Employment, an employee with a disability must interact with non-disabled persons to the same extent that a non-disabled employee who performs the same work at the same

employment location interacts with other individuals. This includes interaction with coworkers as well as customers, vendors, and other persons who are not individuals with disabilities, as appropriate to the work being performed. This does not include supervisory personnel, job coaches, or job trainers.

For determining integration, employees and coworkers mean individuals who are paid by the same employer. For example, individuals with disabilities hired to perform work under service contracts, either alone, in mobile work crews, or in other group settings (e.g., landscaping or janitorial crews), whose interaction is limited to persons visiting or working at the location, would not be performing work at the same level of interaction for employees in comparable positions who are not individuals with disabilities.

3106.3 Work Unit and Work Site (12/21)

To meet the criteria for Competitive Integrated Employment, the employee must interact with coworkers without disabilities within the work unit and across the entire work site, as appropriate to the position.

Work unit is defined as all employees in a job category or to a group of employees working together to accomplish tasks, depending on the employer's organizational structure.

Work site, in general, refers to the broader location in which the work unit, performs its work (e.g., the entire warehouse of office building).

A notable exception is telecommuting, temporary, or work in mobile or scattered work locations.³ Generally, these settings are considered integrated if the employee with a disability interacts with coworkers to the same extent as other employees without disabilities in these employment settings.

³ Preamble to the Final Federal Rules in Federal Register, Code of Federal Regulations title 34, Parts 361, 363, and 397, page 55644.

3107 Providing Information and Referral (12/21)

The Rehabilitation Counselor will make every effort to encourage individuals with disabilities to work toward and achieve Competitive Integrated Employment. If an individual makes an informed choice to pursue a non-Competitive Integrated Employment placement, the Rehabilitation Counselor will perform the following actions as described in federal regulations regarding information and referral services:

- Explain to the individual the benefits of Competitive Integrated Employment and that the purpose of the VR program is to assist individuals to achieve a Competitive Integrated Employment outcome.
- Provide the individual with information regarding the availability of employment options and VR services to assist the individual to achieve an appropriate employment outcome.
- Inform the individual that services under the VR program can be provided to Eligible individuals in an Extended Employment setting if necessary, for purposes of training or otherwise preparing for employment in a Competitive Integrated Employment setting. Such services are subject to comparable services and benefits and individual participation and cooperation in meeting the objectives identified in the IPE.
- Inform the individual that, if they initially choose not to pursue a Competitive Integrated Employment outcome, they can seek services from DOR later if, at that time, they choose to pursue a Competitive Integrated Employment outcome.
- Honor the individual's informed choice and refer them to other appropriate federal and state programs, including other components of the statewide workforce development system, e.g., California Workforce Development Board or AJCC.

The VR team will provide the individual who is being referred the following:

- A notice of the referral by DOR to the agency carrying out the program.

- Information identifying a specific point of contact within the agency to which the individual is being referred; and,
- Information and advice regarding the most suitable services to assist the individual to prepare for, secure, retain, or regain employment.
- Refer the individual to the [California Work Incentives Planning and Assistance Project](#), to obtain information concerning the ability of individuals with disabilities to work while receiving benefits from the Social Security Administration (SSA).
- Refer to the [University Centers for Excellence in Developmental Disabilities Education, Research, and Service \(UCEDD\) Directory](#). The UCEDDs may provide pre-service preparation, technical assistance, community education, direct services, research, and information dissemination to leverage their core funding and partner with other federal, state, and local resources.

3110 SE PLAN REQUIREMENTS (12/21)

DOR shall ensure that the Supported Employment Plan will include the Supported Employment criteria listed in [Section 3111](#) and those services provided will be based on the unique strengths, resources, interests, concerns, abilities, and capabilities of individuals, including youth, with the most significant disabilities.

DOR shall ensure that a Supported Employment outcome is documented in the Plans of individuals, including youth with most significant disabilities, so that any Supported Employment services provided are associated with the Title VI Supported Employment federal grant.

DOR will coordinate SE Plans with other individualized Plans established by federal or state programs to support a “One-Person / One-Plan” approach intended to maximize local collaboration and continuity of services. While each entity keeps its Plan, “One-Person / One-Plan” refers to a promising practice in which there is no wrong door. The intent is that the departments and entities that are working with the individual readily share information about their respective Plans, e.g., Individualized Education Program (IEP), IPE, Individual Program Plan (IPP), behavioral health Plans, etc., and services.

The DOR shall follow mandatory Plan regulations for the VR program to develop, amend, document, and monitor the Plan, including annual reviews of SE Plans.

References: 34 CFR 361.5(c)(19); 361.5(c)(37); 361.5(c)(51); 361.5(c)(54); 361.22; .24; 361.32; 361.45; 361.46; 361.47; 361.48; 361.49; 361.53; 363.4; 363.50; and 363.55; and Welfare and Institutions Code Section 4851(a).

3111 Using Title VI SE Grant (12/21)

SE Services begin at the point of an employment placement and are considered **Planned Services**. To expend Title VI Supported Employment federal grant funds, it is important that VR teams take the following actions:

- Designate a Supported Employment **Plan** in Aware ([Section 3161](#)).

- Make certain the individual is in **Service** (in-Plan) status.
- Use the VR Base fund source assignment for Pre-Plan services.
- Use VR Base fund source for SE Intake and SE Placement.
- Use a Supported Employment **Fund Source** assignment at authorization of SE Job Coaching and SE Retention Services as these services begin at the point of an employment in CIE. ([Section 3151](#)).

3112 SE Criteria (12/21)

An IPE that includes SE services must meet the following criteria:

- The level of significance of disability rating of the Eligible individual's is most significantly disabled (Priority Category 1).
- Competitive employment has not traditionally occurred OR has been interrupted or intermittent due to significance of disability.
- The eligible individual is expected to need ongoing support services including SE services from DOR and Extended Services after transition.

Refer to [RAM Chapter 30](#) for more information on Order of Selection.

3113 SE Plan Development (12/21)

The Rehabilitation Counselor will explain that the purpose of the DOR Supported Employment Program is to assist individuals to achieve a Supported Employment outcome in Competitive Integrated Employment.

Consistent with the requirements of ongoing support services, the Rehabilitation Counselor will establish an Extended Services Agreement no later than the time the IPE is developed. If the source of Extended Services is unclear, the Rehabilitation Counselor may state there is a reasonable expectation that a source of Extended Services will become available.

The Rehabilitation Counselor will additionally perform the following actions during development of the SE Plan:

- Identify individual placement as the Supported Employment model.

- Indicate the individual workweek goal (hours worked per week). This goal may be identified as a range.
- Include IPE objectives that are specific, measurable, achievable, realistic, and time-limited toward achieving Competitive Integrated Employment; the employment goal cannot be "Supported Employment" or "semi-skilled worker."
- Include agreed upon IPE evaluation criteria consistent with the individual's goals such as measurable improvements in the areas such as job skills, soft skills, self-advocacy skills, independence, as appropriate to the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interest, and informed choice.
- Develop a Stabilization Plan to decrease job coaching services over time as the individual achieves independence in their employment setting. This may also be known as "fading" the percent of intervention.
- Identify and provide appropriate accommodations and supports to aid the individual's success, as appropriate.

Refer to [Section 3132](#) for more information on stabilization planning.

Refer to [Section 3161](#) for more information on documenting the Supported Employment Plan.

Refer to policies and procedures described in [RAM Chapter 30](#) for the general requirements to develop, amend, document, and monitor the IPE.

3113.1 Measurable Plan Goals (12/21)

The Rehabilitation Counselor and VR team will work in collaboration with the consumer to develop criteria for evaluation for progress towards achieving Competitive Integrated Employment within the Plan.

The Rehabilitation Counselor will provide a clear description in the record of services of the progress achieved in terms of measurable goals in one or more of the following areas:

- Employment preparation services

- Independence
- Self-advocacy
- Social skills
- Interpersonal skills
- Work ethics
- Work skills
- Efficiency
- Productivity
- Use of public transportation
- Time management
- Other measurable advancements or skill improvements

Include, at a minimum, case notes, and information from the individual, service provider, or other source.

Attach progress reports from service providers (e.g., DR 384 Supported Employment Job Coach Report form).

As appropriate, explain how the provision of further ongoing supports and services will result in the individual achieving Competitive Integrated Employment if more than up to 24 months of Supported Employment services is needed to achieve Competitive Integrated Employment.

3113.2 Extended Services Agreement (12/21)

An Extended Services Agreement (ESA) is a written agreement between DOR and another entity that documents a commitment to provide or cover the cost of providing Extended Services to an individual when they transition from the DOR Supported Employment Program.

The Rehabilitation Counselor will establish an ESA no later than the time the IPE is developed. In rare cases, if it is not possible to identify the source of extended services at the time the IPE is developed, the ESA will include a description of the basis for concluding that there is a reasonable expectation that those sources will become available.

The Rehabilitation Counselor and the VR team will perform the following actions:

Ensure that the designated Extended Service provider is aware of the type of ongoing services needed for the life of the job.

Ensure that the available services meet the individual's needs. This includes natural supports.

Refer to [Section 3161.1](#) for more information on documenting the Extended Services Agreement.

3114 SE Plan Coordination (12/21)

Consistent with the California CIE Blueprint, DOR Districts will develop Local Partnership Agreements (LPAs) with Local Educational Agencies (LEAs) and Regional Centers to create opportunities for individuals with intellectual disabilities and developmental disabilities to work toward and achieve Competitive Integrated Employment.

- For the purposes of this chapter, the term LEA generally refers to a local school entity. Organizational structures may include County Offices of Education, Special Education Local Plan Areas (SELPA), Special Education programs, Workability I (WAI) grant programs, etc.
- Regional Centers are community-based, non-profit agencies that develop, purchase, and manage services for individuals with intellectual disabilities and developmental disabilities and their families. The Department of Developmental Services (DDS) oversees the coordination and delivery of services through a statewide network of 21 Regional Centers. Each Regional Center typically has a designated Employment Specialist to coordinate with community partners.

The Rehabilitation Counselor will collaborate and coordinate with local core partners and other entities responsible for individualized Plans established under other federal or state programs to align and build upon the following:

- LEA transition services are provided through an Individualized Education Program⁴ (IEP) or 504 Plan. Rehabilitation Counselors will attend IEP meetings, when invited. Meetings are typically coordinated by LEAs; however, the individual and their family is generally more likely to invite DOR when they have information about how DOR may help their child via DOR Student Services or other services. Participation may be in person, by phone, or by virtual conference.
- Regional Center services are provided through an Individual Program Plan⁵ (IPP). Rehabilitation Counselors will attend IPP meetings, when invited. Meetings are typically coordinated by Regional Centers. Participation may be in person, by phone, or by virtual conference.
- Behavioral health treatment Plan or another type of Plan, as appropriate.

The Rehabilitation Counselor will additionally collaborate with state and local partners to do the following:

- Collaborate with DDS and CRPs to encourage and support individuals with disabilities to maximize their potential to work in the community as DDS implements the Home and Community-Based Waiver Rule (HCBS).⁶
- Collaborate with employers, local workforce development boards, and AJCCs to develop work opportunities for youth, students, and adults with the most significant disabilities.

⁴ An IEP is a written Plan for each child with a disability, in accordance with the Individuals with Disabilities Education Act (IDEA). Typically, IEP services must begin no later than age 16 (and at a younger age, if determined appropriate).

⁵ An IPP is an agreed upon Plan of services between an individual eligible for regional center services and an authorized representative of a regional center.

⁶ Home and Community-Based Services, provided by DDS, were developed to offer support to individuals in community settings as an alternative to institutional care. In 2014, new federal rules were released by the Centers for Medicare & Medicaid Services (CMS), requiring homes and programs where HCBS are delivered to meet new criteria by defining HCB settings as more process and outcome-oriented, guided by the member's person-centered service plan.

- Afford the individual and their family opportunities to share information across departments and entities in a streamlined and transparent manner.

Refer to the [CIE Blueprint website](#) for LPA resources, including an LPA template and a listing of LPAs.

Refer to the [CDE web page](#) and the [DDS web page](#).

3115 Annual Review of SE Plan (12/21)

Plan Reviews at least annually are a federal requirement and must be promptly completed for each consumer.

In addition to the mandatory components of the IPE review described in [RAM Chapter 30](#), the Rehabilitation Counselor will review the Supported Employment IPE at least annually, including the following considerations:

- A summary of Supported Employment services provided by DOR.
- Results or outcome of the provision of Supported Employment services.
- A summary of accommodations and supports.
- A summary of services provided by LEAs, Regional Centers, and other entities, including comparable services and benefits, and/or well-sequenced services, as appropriate to the individual's needs.
- Results or outcome of the provision of LEA or Regional Center services.

The Rehabilitation Counselor will additionally conduct an evaluation of progress made by the individual toward achievement of the employment outcome identified in the Supported Employment IPE, including the following:

- Percent of intervention.
- Progress towards stabilization during up to 24 months of Supported Employment services, or longer if needed.

- Barriers towards stabilization and interventions provided per the DR384A Supported Employment – Proposed Plan to Improve Performance form.

During the IPE review process, the Rehabilitation Counselor may determine it is appropriate to reduce the job coaching hours as natural supports are developed.

3120 SE SERVICES (12/21)

Consistent with the Rehabilitation Act, as amended by the WIOA, the DOR shall provide the following services:

- Supported Employment to individuals with the most significant disabilities, including youth with the most significant disabilities.
- [DOR-funded] Extended Services to youth with the most significant disabilities 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, whichever occurs first.

The DOR may provide a variety of Supported Employment Services, including but not limited to the following:

- Individual Placement and Support Services (IPS) in which the individual is seeking employment through rapid engagement. ([Section 3124](#))
- Customized Employment as part of an approved Supported Employment Plan. ([Section 3125](#))

The DOR shall leverage other public and private funds to expand Supported Employment opportunities and increase resources for extended services and shall coordinate with other entities to ensure that the services are complementary and not duplicative.

Notes: Apart from Supported Employment services, the Rehabilitation Counselor may consider non-SE services, as appropriate to an individual's needs, including but not limited to the following:

- a) Pre-Employment Transition Services (known as "DOR Student Services") to support student job exploration and early career development. Work experience may help prepare students with most significant disabilities for Supported Employment in Competitive Integrated Employment.
- b) Other Supports for eligible students with disabilities in the VR Case Type who are participating in DOR Student Services work experience and require coaching support. This service occurs prior to placement in a CIE job.

- c) Adult Work Experience services offer participants the opportunity to explore competitive integrated work experiences in a variety of real time work settings. DOR Adult Work Experiences may be authorized to develop and enhance work skills and orientation to work environments. Adult work experience is not intended to result in permanent employment; it occurs prior to placement in a CIE job.
- d) Short-Term Supports services may be provided to consumers who are not in a Supported Employment Plan. Short-Term Supports were previously known as non-supported employment job coaching. Services occur after placement in CIE.
- e) As a pathway to employment, postsecondary education and training programs, including [Comprehensive Transition and PostSecondary Programs \(CTPs\)](#) and other supported education programs, may be available. While these programs vary by location, they may afford opportunities to prepare for Supported Employment.

Refer [RAM Chapter 10 Accounting Fund Sources, Codes, and Records](#), Exhibit A for procedure code information.

Refer to [RAM Chapter 12 Vocational Rehabilitation Goods and Services](#) for more information on Adult Work Experience, Other Supports, Short-Term Supports, and Training Services.

Refer to [RAM Chapter 30 Record of Services](#) for more information on DOR Student Services and Other Supports.

References: 34 CFR 361.5(c)(19); 361.5(c)(11); 361.5(c)(37); 361.5(c)(40); 361.5(c)(54); 361.5(c)(58); 361.24; 361.27; 361.29; 363.4; 363.22; 363.53; CCR title 9, sections 7157; 7159.5; Welfare and Institutions Code sections 4851 and 4860.

3121 SE Individual Placement (12/21)

Supported Employment individual placement is defined as a single individual who receives Supported Employment job coaching in a one-to-one ratio in a Competitive Integrated Employment setting (Welfare and Institutions Code 4851(s)).

The goal of Supported Employment individual placement is Competitive Integrated Employment (CIE), supported by strategies intended to

decrease job coaching services over time as an individual achieves independence in their employment setting. This independence is referred to as “stabilization.” Stabilization is when an individual has reached their highest level of independence on the job after an appropriate period of Supported Employment services.

Individual placement may additionally include employer contacts, job seeking skills training, work site assessment, task analysis, evaluation, and recommendation for job coaching plan, destination training, and other services necessary to secure and establish employment.

The Rehabilitation Counselor will refer to [Section 3162](#) when documenting Supported Employment services for individual placement, including the following:

Supported Employment intake services*

Supported Employment placement services*

Supported Employment retention services

**SE Intake and SE Placement will use the VR Base fund source at authorization because such services begin prior to placement in CIE.*

SE Retention will use an SE fund source at authorization because such services begin after placement in CIE.

Refer to [Section 3123](#) for more information on Supported Employment job coaching.

3122 SE Group Placement (12/21)

Supported Employment group placement is defined as three to eight individuals supported by one job coach, working to achieve an employment outcome in Supported Employment in an integrated setting with 100% job coaching services for the life of the job. Job coaching services do not decrease over time. (Welfare and Institutions Code 4851(r))

The DOR expects to eliminate DOR funding for group placement by 12/31/21 because group placement does not typically meet the federal

definition of Competitive Integrated Employment in the Rehabilitation Act, as amended.⁷

Refer to [Section 3106](#) for more information on determining an integrated work setting.

Refer to [Section 3123](#) for more information on Supported Employment job coaching.

3123 SE Job Coaching (Individual Placement) (12/21)

For Supported Employment individual placement, the job coach serves as an ongoing support to the individual and provides training, intervention, and supports to establish a positive working relationship with coworkers and their supervisor.

The Rehabilitation Counselor will ensure that the SE Plan includes ongoing support services, including hourly job coaching at the time of job placement until transition to extended services.

Job coaching rates are based on state statute and regulation and are subject to statutory changes.⁸ These rates are specifically for services consistent with the Welfare and Institutions Code for Habilitation-based job coaching; they may or may not be equivalent to alternative rates associated with Individual Placement and Support (IPS) and Customized Employment.

Job Coaching for Individual Placement:

Supported Employment job coaching for individual placement is hourly job coaching provided by a CRP that is performed on a one-to-one ratio. The expectation is that coaching intervention will decrease over time. The goal is that the individual will become increasingly self-sufficient and independent, performing the job with minimal coaching support. To the extent job skills training is provided, the training will be provided onsite.

⁷ Preamble to the Final Federal Rules in Federal Register, Code of Federal Regulations title 34, Parts 361, 363, and 397, pages 55642, 55643, 55644, and 55705.

⁸ CA Welfare & Institutions Code, Section 4860 (2018).

Refer to [Section 3154](#) for procedure codes for Supported Employment job coaching for individual placement.

Refer to [Section 3163](#) for more information on documenting job coaching.

Refer to CCR title 9, Section 3159.5 for more information about hourly job coaching.

3123.1 On-the-Job Training and SE Job Coaching (12/21)

The Rehabilitation Counselor may authorize On-the-Job Training services (also known as OJT) and Supported Employment job coaching services at the same time.

The goal of OJT is to provide “hands-on” training leading to a direct individual placement where the employer trains the individual and maintains a vested interest in the training process. This training investment demonstrates the individual’s ability and can lead to long-term individual placement.

The VR team may combine OJT services and job coaching services when the following apply:

The job coach is needed to assist the employee to adjust to the position and to teach the business how to best communicate with the employee.

- The job coach does not train the employee on how to perform their job duties.
- The employer is responsible for training the individual on how to perform their job duties.

3123.2 Personal Assistance and SE Job Coaching (12/21)

Upon consideration of comparable services and benefits, the Rehabilitation Counselor may authorize personal assistance services and job coaching services at the same time. Personal assistance services, in contrast to Supported Employment job coaching, do not have percent of intervention requirements to reduce the number of hours over time to demonstrate stability of the employment outcome. The actual tasks performed should be

clearly delineated in the IPE to ensure that the scope of personal assistance services is clear and not mingled with SE job coaching services.

Personal assistance services are often provided through home health agencies which are licensed by the Department of Social Services.

Go to <https://www.cclid.dss.ca.gov/carefacilitysearch/> for a listing of licensed facilities in California.

Refer to CCR title 9, sections 7019.7 and 7149 for more information on personal assistance services.

3124 Individual Placement and Support (IPS) (12/21)

The IPS is an evidence-based Supported Employment model focused on rapid employment placement that helps individuals with varying disabilities, including but not limited to individuals with mental health or other disabilities, and Transition-Age Youth (TAY) to work in competitive jobs related to their preferences.

The eight principles of IPS are as follows:

1. Competitive Employment
2. Systematic Job Development
3. Rapid Job Search
4. Integrated Services
5. Benefits Planning
6. Zero Exclusion
7. Time-Unlimited Supports
8. Worker Preferences

The Rehabilitation Counselor will provide IPS services, as appropriate to meet the individual's needs, in collaboration with relevant local partners, including county mental health / behavioral health entities and others.

Individual Placement and Support services typically include VR Intake, VR Placement, and SE Retention services and SE job coaching provided by a CRP. These services fit within a multi-modal approach that may overlap with various service provisions and community partners according to the needs of individual.

DOR districts will work with relevant local partners to develop IPS or other innovative “rapid engagement” models.

- Existing mental health cooperative programs interested in utilizing the IPS model within their cooperative program service delivery may contact the DOR Cooperative Services Section at cssinfo@dor.ca.gov.
- Individual DOR districts have developed partnerships with local county mental health / behavioral health agencies to support the piloting of the IPS model within their local districts.

Refer to a resource titled, [*Individual Placement and Support \(IPS\) model of Supported Employment for persons with serious mental illness*](#). This is an updated *IPS Works* PowerPoint regarding evidence-based research on the effectiveness of IPS services. Twenty-five states have VR and Mental Health (MH) staff participating in the IPS Learning Community. (Source: Council of State Administrators of Vocational Rehabilitation)

3125 Customized Employment Services (12/21)

Customized Employment means Competitive Integrated Employment for an individual with a significant or most significant disability that is:

- Based on an individualized determination of the unique strengths, needs, and interests of the individual;
- Designed to meet the specific abilities of the individual and the business needs of the employer; and,
- Carried out through flexible strategies, such as –
 - Job exploration by the individual; and
 - Working with an employer to facilitate placement, including –
 - Customizing a job description based on current employer needs or on previously unidentified and unmet employer needs;
 - Developing a set of job duties, a work schedule and job arrangement, and specifics of supervision (including performance evaluation and review), and determining a job location;
 - Using a professional representative chosen by the individual, or if elected self-representation, to work with an employer to facilitate placement; and,

- Providing services and supports at the job location.

(34 CFR 361.5(c)(11))

The Rehabilitation Counselor will provide Customized Employment services, as appropriate to meet the individual's needs.

Customized Employment is a process-driven concept with four main competencies.⁹ The DOR provides Customized Employment services as follows:

1. Discovery
2. Employment Planning
3. Negotiation and Analysis
4. Systematic Instruction and Supports

Regional Centers typically fund the 1st two services of Customized Employment (Discovery and Employment Planning).

Customized Employment is available to eligible individuals with significant and most significant disabilities and DOR may fund all four components, as appropriate to the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interest, and informed choice.

DOR Districts may contact their Community Resources Development Specialist for information regarding vendorization and services.

Refer to [Section 3168](#) for more information on documenting Customized Employment.

Refer to the resource document, titled: [The Essential Elements of Customized Employment for Universal Application \(July 2017\)](#).

Refer to the State Council on Developmental Disabilities (SCDD) [Customized Employment Replication Guide](#).

⁹ United States Department of Labor, Office of Disability Employment Policy.

3130 STABILIZATION AND TRANSITION (12/21)

The DOR shall apply stabilization criteria and stabilization planning to facilitate an assessment of stability with appropriate ongoing support services in a Supported Employment outcome.

The DOR shall transition the consumer to extended services after receiving Supported Employment services as described in [Section 3103](#). The DOR shall also identify a service provider and notify a funding source of Extended Services.

Consistent with the WIOA, the DOR shall fund Extended Services to youth with most significant disabilities as described in [Section 3135](#) and shall take steps to ensure there is no interruption of services when such services end. The DOR shall not provide DOR-funded Extended Services to an individual with a most significant disability who is not a youth.

The DOR shall utilize the Aware Status Description, titled “Employed X” for the purpose of tracking and monitoring Extended Services, including DOR-funded extended services for youth (ESY).

References: 34 CFR 361.5(c)(15); 361.5(c)(19); 361.5(c)(37); 361.5(c)(58); 363.22; 363.53; 363.54; CCR title 9, sections 7019.6 and 7179.7.

3131 Stabilization Criteria (12/21)

Stabilization is based on an assessment of an individual’s employment stability and need for ongoing support services as described in [Section 3103.1](#). It occurs when the individual has reached their highest level of independence on the job after an appropriate period of Supported Employment services (34 CFR 363.54).

“Percent of Intervention,” for purposes of Supported Employment, means the percent produced by the following formula: the total number of hours that the eligible individual received job coaching services between the first workday and last work day of a calendar month, divided by the total number of hours the individual worked during that month (CCR title 9, Section 7019.6).

The **stabilization date** will be the first day of the month after the individual has met the stabilization criteria, **at least 60 days** before transition to Extended Services.

To have achieved stabilization, the percent of intervention for individuals in Supported Employment individual placement is either:

No more than **20 percent** job coaching for at least **60** days, or

No more than **25 percent** job coaching for at least **90** days, or

No more than **30 percent** job coaching for at least **120** days.

The individual is considered to have stabilized on a job if any of the above stabilization criteria have been met.

Note: Percent of intervention is only calculated for individual placement.

Refer to [Section 3141](#) for more information about achieving an employment outcome in Supported Employment concurrent with Record of Services closure.

3132 Stabilization Plan (12/21)

A Stabilization Plan means an intentional process with milestone goals to reduce hourly job coaching over time (commonly known as “fading”). The Stabilization Plan must also include strategies to remove barriers to employment, affording the individual an opportunity to work toward and achieve their highest level of independence on the job.

The Stabilization Plan will be part of the service provider’s Individual Service Plan. The Individual Service Plan is a written plan developed by the consumer, CRP and other relevant participants that guides the delivery of services. Characteristics of an Individual Service Plan identify overall goals, specific measurable objectives, methods, time frames, and techniques to be used to achieve objectives, and those responsible for plan implementation.

The Rehabilitation Counselor and the VR team will perform the following actions:

Review of the service provider’s Individual Service Plan in conjunction with the individual.

Begin planning the individual's stabilization upon job placement and develop the Stabilization Plan, in concert with the CRP.

Ensure that stabilization planning includes, but is not limited to, transportation supports, work incentives planning, money management training, and independent living resources.

Encourage regular contact with the individual, family members and other natural supports, employers, and other authorized representatives to reinforce and assist the individual stabilize in the job placement and maintain employment after transition to extended services.

It is critical that the Rehabilitation Counselor and the VR Team review progress reports and observe improvements and milestone achievements. In this way, they can provide feedback to the Stabilization Plan, as appropriate to each individual.

Refer to [Section 3163](#) for more information on documenting Supported Employment job coaching on the DR 384 Supported Employment – Monthly Job Coach Report form.

Refer to the [CRP Guide to Certification & Vendorization](#) for more information on Individual Service Plans.

3133 Defining Extended Services (12/21)

Extended Services means ongoing support services and other appropriate services that are—

Needed to support and maintain an individual with a most significant disability including a youth with a most significant disability, in Supported Employment;

Organized or made available, singly or in combination, in such a way as to assist an eligible individual in maintaining Supported Employment;

Based on the needs of an eligible individual, as specified in their IPE;

Provided by a State agency, a private nonprofit organization, employer, or any other appropriate resource, after an individual has made the transition from support from DOR; and,

Provided to a youth with a most significant disability by DOR for a period not to exceed four years, or at such time that a youth reaches age 25 and no longer meets the definition of a youth with a disability, whichever occurs first. The DOR may not provide extended services to an individual with a most significant disability who is not a youth with a most significant disability.

(34 CFR 361.5(c)(19))

3133.1 Provider of Extended Services (12/21)

Extended Services providers can be a private non-profit CRP, Regional Center, natural supports, employer, government agency, or other appropriate resource that provides the Extended Services to the Eligible individual after transition from support funded by DOR. In most cases, the Extended Services provider is the same as the Supported Employment services provider and only the funding source changes at the time of transition.

3133.2 Source of Extended Services (12/21)

Once an individual has stabilized on the job, the Rehabilitation Counselor will begin transition to the funding source of Extended Services. The source of Extended Services pays for the services while the Extended Services provider works directly with the individual to provide ongoing supports after stabilization. The source and provider of services can be the same entity but are most often different (e.g., Regional Center is the source and Goodwill is the provider).

The Rehabilitation Counselor will document the source of Extended Services separately from the service provider for Extended Services in the Supported Employment IPE. There is a reasonable expectation that a source of Extended Services will become available.

The Rehabilitation Counselor will typically determine the appropriate source of Extended Services from one of three primary categories, including Regional Centers, non-Regional Center entities, and DOR-funded Extended Services for youth.

3134 Transition to Extended Services (12/21)

Transition to Extended Services means DOR will transfer funding responsibilities for ongoing supports to the source of Extended Services identified in the IPE. This includes youth who initially receive DOR-funded Extended Services and later transition to another source of Extended Services.

The Rehabilitation Counselor will provide for the transition of an individual with a most significant disability, including a youth with a most significant disability, to Extended Services, no later than 24 months after the individual enters Supported Employment, unless a longer period is established in the IPE.

Prior to assisting the individual in transitioning from Supported Employment services to Extended Services, the Rehabilitation Counselor must ensure the following:

- The Rehabilitation Counselor and individual have considered extending the provision of Supported Employment services beyond 24 months, as appropriate, and have determined that no further Supported Employment services are necessary to support and maintain the individual in Supported Employment before the individual transitions to extended services; and,
- The source of Extended Services for the individual has been identified to ensure there will be no interruption of services.

Refer to [Section 3165](#) for additional information on documenting transition to Extended Services.

3135 Extended Services for Youth (12/21)

The Rehabilitation Counselor will provide DOR-funded Extended Services to youth as ongoing support services and other appropriate services needed to support youth with the most significant disabilities in Supported Employment, as specified in an IPE.

A youth with a disability means an individual with a disability who is not:

- (A) Younger than 14 years of age; or,
- (B) Older than 24 years of age.

The Rehabilitation Counselor will not provide DOR-funded Extended Services to an individual with a most significant disability who is not a youth with a most significant disability.

The Rehabilitation Counselor will ensure that DOR-funded Extended Services meet the following conditions:

- Are available only after a youth has been determined eligible for VR services and has received Supported Employment services through their IPE.

- Take place after the youth has received up to 24 months of Supported Employment services, or longer if necessary to achieve the supported employment outcome.

- Take place after the youth has achieved stability in the Supported Employment outcome as described in [Section 3131](#).

- Are provided for a period not to exceed four years, or at such time that a youth reaches age 25, whichever occurs first.

It is important to arrange another source of Extended Services when DOR-funded Extended Services for youth end. For youth who still require Extended Services after they can no longer receive them from DOR, the Rehabilitation Counselor will identify another source of Extended Services for those youth to ensure there will be no interruption of services.

Refer to [Section 3166](#) for more information on documenting Extended Services for youth.

3140 SE CLOSURE (12/21)

The DOR shall recognize the achievement of a Supported Employment outcome concurrent with Record of Services closure when an individual is working in Competitive Integrated Employment that is consistent the requirements in [Section 3104](#).

The DOR shall close the Record of Services for an individual with a most significant disability, including a youth with a most significant disability, consistent with state and federal regulations.

The DOR shall provide Post-Employment services, including discrete Supported Employment job coaching services in the absence of a source of Extended Services, as appropriate.

Note: The Vocational Rehabilitation Technical Assistance Center for Quality Employment (VRTAC-QE) supersedes WINTAC and provides technical assistance to State VR Agencies intended to increase the number and quality of employment outcomes. Focus areas include but are not limited to Customized Employment and Supported Employment. Visit the VRTAC website at <https://tacqe.com/>.

References: 34 CFR 361.5(c)(41); 361.5(c)(54); 361.47; 361.48; 361.52; 361.55; 361.56; 363.1; 363.54, 363.55; CCR title 9, sections 7019.5; 7029.9; 7176; 7179; 7179.1; 7179.2; 7179.3; 7179.7; 7181; and 7181.1.

3141 Supported Employment Outcome (12/21)

The Rehabilitation Counselor will consider an individual with a most significant disability, including a youth with a most significant disability, who is employed in Competitive Integrated Employment to have achieved an employment outcome in Supported Employment concurrent with record of services closure when:

The individual has received and completed Supported Employment services;

The individual has met the stabilization criteria on the job for at least 60 days **before** transitioning to Extended Services ([Section 3131](#));

The individual has transitioned to Extended Services;

The individual has maintained employment and stability in the work setting for at least 90 days, **after** transitioning to Extended Services; and,

The employment is individualized consistent with the strengths, abilities, interests, and informed choice of the individual.

Refer to CCR title 9, Section 7179.7, for more information on closing the record of services with an employment outcome in Supported Employment.

3142 Closure – Rehabilitated (12/21)

The Rehabilitation Counselor will only close an individual's record of services successfully in a group placement if the job meets all the criteria for Competitive Integrated Employment described in [Section 3104](#).

The Rehabilitation Counselor will only close the record of services as successful if the hourly minimum wage meets Competitive Integrated Employment criteria for federal, California, for the local area, *whichever is higher*.

California minimum wage information is provided by the Department of Industrial Relations and can be found at https://www.dir.ca.gov/dlse/faq_minimumwage.htm.

The Rehabilitation Counselor will successfully close the record of services (Closed – Rehabilitated) of an individual with a most significant disability, including a youth with a most significant disability, who has achieved a Supported Employment outcome in Competitive Integrated Employment, who no longer receives extended services or any other DOR vocational rehabilitation service, and satisfies all the requirements for closure of the record of services closure, pursuant to CCR title 9, Section 7179.2 – Closing the Record of Services with an Employment Outcome.

Refer to [RAM Chapter 30](#) and [Section 3167](#) to properly document the record of services as Closed-Rehabilitated, including a review of employment and “Ongoing Support Services Required” in Aware.

3143 Closure – Other Than Rehabilitated (12/21)

The Rehabilitation Counselor will close the Supported Employment record of services as “Closed – Other Than Rehabilitated” of an individual with a most significant disability, including a youth with a most significant disability, who has not achieved an employment outcome in Competitive Integrated Employment.

While some individuals may make an informed choice to remain in subminimum wage employment, the Rehabilitation Counselor will additionally document these individuals as “Closed – Other Than Rehabilitated.”

Refer to [RAM Chapter 30](#) for more information on record of services closure for other reasons.

3144 Closure – Youth Receiving Extended Services (12/21)

The record of services of a youth with a most significant disability who is receiving DOR-funded extended services to youth will be closed when:

The youth with a most significant disability achieves an employment outcome in Supported Employment in Competitive Integrated Employment; and,

The youth is no longer eligible to receive extended services to youth because the individual—

- No longer meets age requirements established in the definition of a youth with a disability (through age 24); or
- Has received Extended Services for a period of four years; or
- Has transitioned to Extended Services provided with funds other than those allotted to DOR; and,

The youth meets requirements for record of services closure, as set forth in CCR title 9, Section 7179.2, including working for at least 90 days *after* transition to extended services; and,

The individual is no longer receiving any other VR service from DOR.

Refer to [RAM Chapter 30](#) and [Section 3167](#) to properly document the Record of Services as Closed -Rehabilitated, including a review of employment and “Ongoing Support Services Required” in Aware.

3145 Post-Employment and Ongoing Supports (12/21)

Supported Employment Services following transition may include Post-Employment Services, including one or more of the VR services that are provided after the achievement of an employment outcome and that are necessary for an individual to maintain, regain, or advance in employment, consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

(34 CFR 361.5 (c) (41)); (CCR, title 9, section 7021.5)

Refer to [RAM Chapter 30](#) for additional information on Post-Employment Services.

3146 Semi-Annual and Annual Reviews (12/21)

The Rehabilitation Counselor will conduct semi-annual and annual reviews (aka “Federal Follow-Up”) for individuals in Extended Employment or individuals working in subminimum wage.

The VR team will conduct and document no less than a semi-annual review and reevaluation for the first two years of such employment and annually thereafter for an applicant or eligible individual under the VR program who:

- Has achieved employment in which the individual is compensated at **subminimum wage**.
- Is in **Extended Employment** (sheltered workshop).
 - Includes individuals whose record of service is closed while the individual is in Extended Employment on the basis that the individual is unable to achieve an employment outcome.
 - Includes individuals who made an informed choice to remain in extended employment.

For individuals in any of the above circumstances, the VR team will follow the requirements, pursuant to CCR title 9, Section 7181.1 – Mandatory Reviews After the Record of Services Has Been Closed.

Enable the individual or, if appropriate, the individual's representative to provide input into the review and reevaluation and document that input in the record of services, as appropriate, the individual's representative's signed acknowledgment that the review and reevaluation have been conducted; and

Make maximum efforts, including identifying and providing VR services, reasonable accommodations, and other necessary support services, to assist the individual in engaging in Competitive Integrated Employment.

3146.1 Mandatory Review Forms (12/21)

The Rehabilitation Counselor and the VR team will use the following Mandatory Review Forms. These forms are in the Aware Letters Catalog.

- DR311 Extended Employment Mandatory Review Follow Up Report (Aware-only form)
- DR312 Wage Mandatory Review Follow Up (Aware-only form)
- DR312A Wage Mandatory Review Follow Up Report

3150 SE FUND SOURCES, FORMS, AND CODES (12/21)

The DOR shall follow federal and state regulations governing the use of federal Title VI Supported Employment grant funds for the provision of Supported Employment services including allotment requirements, appropriate business processes and internal controls.

The DOR shall ensure internal controls for tracking and monitoring Supported Employment services and expenditures including, but not limited to the following:

- Fund Source Assignments
- “Service” Status in Aware
- Supported Employment Procedure Codes
- Supported Employment Forms
- Progress Reports and Invoices

References: 34 CFR 361.5(c)(11); 361.5(c)(54); 361.55; 363.4; 363.22; 363.23; and 363.50.

3151 Service Status (12/21)

The status description in Aware designates the individual’s progression through the VR process, e.g., Application, Eligible, Service, Employed, etc.

The following are required conditions to receive Supported Employment Services:

1. An individual must be in “**Service**” status (In-Plan).
2. They must be designated as having an **SE Plan** ([Section 3161](#)).

3152 SE Fund Sources (12/21)

A fund source assignment allocates a sum of money for a specific program or service. These assignments represent the fund sources that will be available to the individual for the purchase of goods and services.

The Rehabilitation Counselor will ensure that services in an individual's IPE with a Supported Employment outcome are paid through the appropriate Supported Employment fund source (budget).

Supported Employment services, including hourly Supported Employment job coaching services, and Extended Services for youth will always be funded under a Supported Employment fund source assignment.

The fund sources for Supported Employment are **SE Regional Center** and **SE Non-Regional Center** as follows:

Individuals who are referred from a Regional Center contracted with DDS will be assigned a SE Regional Center fund source assignment.

Individuals who are not referred from a Regional Center will be assigned a SE Non-Regional Center fund source assignment.

When to Use VR Base

Use the VR Base fund source for an individual who requires Pre-Plan services. Also use VR Base for services that are not Supported Employment services, including Adult Work Experience, Short-Term Supports, or Other Supports for student work experience.

Also use the VR Base fund source assignment at authorization of SE Intake and SE Placement because these services occur prior to placement in CIE.

When to Use an SE Fund Source

Use a Supported Employment fund source assignment at authorization of SE Retention and SE Job Coaching. These are ongoing support services that occur after placement in CIE.

Refer to [RAM Chapter 10 Accounting Fund Sources, Codes, and Records](#) for more information on fund source assignments.

3153 SE Forms (12/21)

Most Supported Employment forms are located on the DOR web page and DOR intranet.

The VR team will use the following Supported Employment forms to administer the DOR Supported Employment Program, including tracking and monitoring of services, encumbrances, and invoices:

- [DR380](#) Integrated Settings Checklist
- [DR381](#) Supported Employment – Job Placement Parameters
- [DR382](#) Supported Employment – Placement Services Progress Report
- [DR383](#) Supported Employment – Job Placement Information
- [DR384](#) Supported Employment – Monthly Job Coach Report
- [DR384A](#) Supported Employment – Proposed Plan to Improve Performance
- [DR385A](#) Supported Employment – Individual – Invoice Summary
- [DR385B](#) Supported Employment – Invoice Detail (Individual Placement)
- [DR386](#) Invoice Discrepancy Notice – SEP/WAP
- [DR387](#) Supported Employment – Notice of Transition to Extended Services

3154 SE Procedure Codes (12/21)

Refer to the [CRP Guide to Certification & Vendorization](#), Part 4 - Uniform Fee Structure, for more information on current rates associated with the following Supported Employment services:

Supported Employment - Individual Placement

- Service Category = Supported Employment
 - Procedure Category = Supported Employment Placement Services
 - **42CRPi**: Supported Employment Placement – Intake*: CRP/Individual, per individual

- **43CRPp**: Supported Employment Placement – Placement*:
CRP/Individual, per individual
- **44CRPr**: Supported Employment Placement – Retention:
CRP/Individual, per individual

**Use VR Base fund source for intake and placement services that begin prior to placement in CIE.*

Supported Employment – Individual Job Coaching

- Service Category = Job Coaching – Individual
 - Procedure Category = Job Coaching (On-The-Job Support) / Individual
 - **71CRPih**: SE Job Coaching (On-The-Job Support)/Individual:
CRP/Individual, per job coach hour
 - **71ISP1**: SE Job Coaching (On-The-Job Support)/Individual:
ISP/Level 1/per hour
 - **71ISP2**: SE Job Coaching (On-The-Job Support)/Individual:
ISP/Level 2/per hour

3155 SE Progress Notes (12/21)

It is imperative that the Rehabilitation Counselor with assistance from the VR team regularly review the progress notes from the service provider.

The VR team review will typically include the following:

1. The Individual Service Plan. The Individual Service Plan identifies overall goals, specific measurable objectives, methods, time frames, and techniques to be used to achieve objectives.
2. Written progress notes accompanying a service provider's invoice.
3. A statement of barriers and interventions to achieve success.
4. Recommendations for stabilization planning / percent of intervention ([Section 3132](#))

3160 SE DOCUMENTATION (12/21)

The DOR shall follow federal and state regulations governing the use of federal Title VI Supported Employment grant funds for the provision of Supported Employment services, including following documentation requirements to capture all Supported Employment services provided.

Requirements include the following:

- Documenting SE Plan
- Documenting SE Placement
- Documenting SE Job Coaching
- Documenting SE Progress
- Documenting Extended Services for Youth
- Documenting Transition to Extended Services
- Documenting SE Closure
- Documenting Customized Employment

The DOR shall utilize its electronic case management system, Aware, to identify the appropriate Plan type, as follows:

- Use the Supported Employment Plan Type for individuals with most significant disabilities receiving Supported Employment services.
- Use the Customized Employment Plan Type for individuals receiving Customized Employment services.

References: 34 CFR 361.12; 361.50; 363.4; and 363.5.

3161 Documenting SE Plan (12/21)

An employment outcome of Supported Employment in Competitive Integrated Employment includes specific Supported Employment Services and the IPE requires specific documentation.

The Rehabilitation Counselor will perform the following actions:

First, identify Supported Employment as the employment outcome within the IPE by checking the Supported Employment box within **Plan Type** field in the **IPE data page** in Aware.

Then, within the narrative of the Supported Employment IPE, state that the individual meets DOR Supported Employment Program criteria, as follows:

- The individual's priority for services rating is Priority Category One, "most significantly disabled."
- Competitive Integrated Employment has not traditionally occurred or has been interrupted or intermittent due to the significance of disability.
- The individual is expected to need ongoing support services for the life of the job.

As appropriate, explain how the provision of further ongoing supports and services will result in the individual achieving Competitive Integrated Employment if more than up to 24 months of Supported Employment services is needed to achieve Competitive Integrated Employment.

Refer to [Section 3113](#) for more information on SE Plan Development.

Refer to Section 4.12 of the [Aware Reference Guide](#) for instructions on selecting the Supported Employment "Plan Type."

3161.1 Documenting Extended Services Agreements (12/21)

The Rehabilitation Counselor will attach a copy of the ESA to the individual's record of services.

The Rehabilitation Counselor and the VR team will ensure documentation of the ESA includes one of the following:

Regional centers typically use the DS 1968 – Vocational Services Referral form to document a commitment to fund regional center extended services authorized in California under the [Lanterman Act](#). The DS 1968 contains an ESA within the form.

- A stand-alone ESA may document a commitment to provide or cover the cost of non-regional center extended services. Examples of such entities other than a Regional Center who may enter an ESA may include the following:
 - Entities providing mental health / behavioral services.

- Entitles providing traumatic brain injury services.
- A Community Rehabilitation Program (CRP) or service provider.
- Other sources of Extended Services.

The Rehabilitation Counselor and the VR team will make certain that the ESA includes the following elements:

Individual's name and identification numbers.

Effective date of the agreement.

Name and contact information of the source of extended services.

Amount or level of support the source of extended services can provide (e.g., percent of intervention, dollars per month). At a minimum, twice monthly monitoring is required.

Name and contact information of the Extended Service provider(s) responsible for providing each service. On-site services for eligible individuals in individual placement may be provided by different extended service providers.

Extended Services to be provided (e.g., job coaching, benefits counseling).

Notice of Transition timeframe required by Extended Service provider to authorize services (e.g., 30 days before the stabilization date).

Signature(s) of extended service provider.

Refer to [Section 3113.2](#) for more information on the Extended Services agreement.

3162 Documenting SE Placement (12/21)

For individuals with the most significant disabilities, including youth with the most significant disabilities, receiving Supported Employment individual placement services, the Rehabilitation Counselor will document SE Intake*, SE Placement*, and SE Retention, as well as individual (SE) Job Coaching.

**Use VR Base fund source for intake and placement services that begin prior to the placement in CIE.*

Refer to [Section 3120](#) for more information on Supported Employment services.

Refer to [Section 3153](#) for Supported Employment procedure codes.

Refer to [Section 3164](#) for information on processing SE invoices.

3162.1 SE Intake* (12/21)

Community Rehabilitation Program Supported Employment **Intake*** must include, but is not necessarily limited to, an initial meeting with the individual, a review of the **DR 381 – Supported Employment – Job Placement Parameters** form, and the CRP’s development of a plan of action for job placement.

*Note: *Use VR Base fund source for intake and placement services that begin prior to the placement in CIE.*

The Rehabilitation Counselor will include “Supported Employment Placement Services” in the IPE **Planned Services** grid. The VR team will authorize an intake before the CRP begins service.

Upon completion of an intake, CRP staff will meet with the DOR consumer to develop an Individual Service Plan (ISP) which will include:

- Areas to be addressed.
- Proposed evaluation activities and strategies.
- Proposed outcomes (measurable).
- Schedule / Timeline for completion.
- Persons responsible.

A fee will be paid upon receiving the **DR 385A Supported Employment Individual – Invoice Summary** form with appropriate documentation of services provided, including the ISP.

Refer to [Section 3153](#) for all supported employment forms.

Refer to the [Community Rehabilitation Program Guide to Certification and Vendorization \(May 2020\)](#) for more information on service specifications and rates for SE Intake.

Community Rehabilitation Program Supported Employment **Placement*** must include but is not necessarily limited to evaluation of labor market and identification of suitable employment sites, employer contacts, job seeking skills training, work site assessment, task analysis, evaluation and recommendation for job coaching plan, destination training, and other services necessary to secure and establish employment.

*Note: *Use VR Base fund source for intake and placement services that begin prior to the placement in CIE.*

The Rehabilitation Counselor will include placement services in the IPE **Planned Services** grid. The VR team will authorize placement services before the CRP begins service.

The Rehabilitation Counselor will ensure upon placement that the individual is paid, in accordance with state and federal labor laws, including the Fair Labor Standards Act, within an integrated setting. The individual's earnings must equal or exceed the federal, state, or applicable local minimum wage rate, whichever is higher, for the employment to satisfy the definition of Competitive Integrated Employment.

The Rehabilitation Counselor and VR team will document placement services on the following forms:

- DR 382 Supported Employment – Placement Services Progress Report form. The completed DR 382 form will be submitted to DOR with the CRP's invoice.
- DR 383 Supported Employment – Job Placement Information form or equivalent form designed by the service provider. The completed DR 383 form will be submitted to DOR with the CRP's invoice.

Refer to [Section 3153](#) for all Supported Employment forms.

Refer to the [Community Rehabilitation Program Guide to Certification and Vendorization \(May 2020\)](#) for more information on service specifications and rates for SE Placement.

3162.3 SE Retention (12/21)

Community Rehabilitation Program Supported Employment **Retention** is completed when the individual has retained employment for a period of 90 days in their current individual placement.

Note: Use an SE fund source since this service occurs after placement in CIE.

The Rehabilitation Counselor will include “Supported Employment Placement Services” in the IPE. While the VR team will authorize for the retention fee once the individual begins working, the CRP receives the SE retention fee after the individual has worked for a period of 90 days in their current placement.

The procedure code and rate for Supported Employment retention is listed below:

The CRP will document Supported Employment retention services on the DR 384 Supported Employment – Monthly Job Coach Report form. The completed DR 384 form will be submitted to DOR with the CRP’s invoice.

Supported Employment – Retention is not authorized for Supported Employment group placement.

Refer to [Section 3153](#) for all Supported Employment forms.

Refer to the [Community Rehabilitation Program Guide to Certification and Vendorization \(May 2020\)](#) for more information on service specifications and rates for SE Retention.

3163 Documenting SE Job Coaching (12/21)

The Rehabilitation Counselor will include “Job Coaching (On-the-Job Support) / Individual” in the IPE **Planned Services** grid in Aware. The VR team will authorize Supported Employment hourly job coaching for individual placement before the CRP begins service.

Note: Use an SE fund source since this service occurs after placement in CIE.

The VR team will follow-up as needed to obtain progress reports. At least once per month, the CRP is required to submit written reports to the Rehabilitation Counselor, including but not limited to the following:

- The individual's progress towards stabilization as specified in the IPE (noted in the performance checklist).
- Contacts with the individual's employer (noted under "other issues").
- Details of the job coaching services provided.
- The individual's needs.

The CRP will report job coaching services on the following forms:

Review of the **DR384 Supported Employment – Monthly Job Coach Report** form. The report includes on-site support services and off-site interventions such as training, advocacy, and job loss intervention, as well as other services specific to individual placement. The individual has achieved stabilization if the stabilization criteria have been met as documented on this form.

- Review of the **DR 384A Supported Employment – Proposed Plan to Improve Performance** form. This form is submitted as an attachment to the DR 384 form. This individual may need additional supports and services to achieve Competitive Integrated Employment. Specific strategies are typically arranged and provided by the job coach and described on this form.

Since documentation of the final month of stabilization may not be available in time to notify the Regional Center or other source of extended services, documentation may be provided in a form other than the DR384 form. For example, the VR team may accept a case note recording details of telephone contact with the employer or an email from the service provider.

The Rehabilitation Counselor will authorize individual services at the hourly rate for an estimated number of hours based on expected needs. Hours authorized for off-site coaching and job coach travel will be itemized in the record of services and on the authorization document.

- The VR Team will monitor progress toward stabilization based on the job coaching reports and communication with the CRP and the consumer.

Job coach travel to the eligible individual's work site from headquarters or prior eligible individual's work site - one way only - is an allowable expense and must be specifically itemized on the DR384 form.

Service provider administrative tasks, such as report writing, staff meetings, job coach staff training, and phone calls, are not billable as job coaching.

Job Coaching - Group Placement

The Rehabilitation Counselor will include "Group Job Coaching for Client" in the IPE **Planned Services** grid in Aware. The District Operations Support (DOS) team will authorize group placement as a non-contract group authorization based on actual hours of group job coaching provided.

In the context of LPAs, "One-Person / One-Plan" refers to a promising practice in which there is no wrong door. The intent is that the departments and entities that are working with the individual share information about their respective Plans, e.g., IEP, IPE, IPP, behavioral health Plans, etc.

Refer to [RAM, Chapter 10 Accounting Fund Sources, Codes and Records](#).

Refer to [Section 3123](#) for more information on Supported Employment job coaching.

Refer to [Section 3153](#) for all Supported Employment forms.

Refer to [Section 3164](#) for information on processing SE invoices.

3164 Documenting SE Invoices (12/21)

The Rehabilitation Counselor and the VR team will ensure Supported Employment progress reports and forms submitted to DOR with the CRP's invoice are complete. The documents are completed by the CRP and must include appropriate information in the required data fields. The completed DR 384 form and DR 384A form will be submitted to DOR with the CRP's invoice.

If a form is incomplete (e.g., missing data or incomplete answers), the CRP invoice will be returned to the CRP along with an invoice dispute (DR 386

Invoice Discrepancy Notice – SEP/WAP form or STD 212 Invoice Dispute Notification form, as appropriate).

3165 Documenting Transition to Extended Services (12/21)

The Rehabilitation Counselor will use the DR 387 Supported Employment – Notice of Transition to Extended Services form to notify the source of extended services and the extended services provider of the Rehabilitation Counselor’s intention to transition the individual. The source of extended services begins funding extended services on the transition date.

The **transition date** is the first day of the month after the stabilization criteria has been met and the source of extended services has been notified in time for services to be authorized.

A minimum of fifteen (15) days’ notice to the source of Extended Services and the Extended Services provider prior to transition is required by Regional Centers. For non-regional center sources of extended services, the amount of notice required may vary and will be documented in the ESA.

3166 Documenting Extended Services for Youth (12/21)

The DOR funding of Extended Services begins after a youth with a most significant disability is working and has stabilized in a Supported Employment job and transitioned to extended services.

The Rehabilitation Counselor will move the individual’s record of services into the Aware status description, titled “**Employed X.**”

The Rehabilitation Counselor additionally will amend the IPE to include extended services to youth.

The VR team will authorize hourly job coaching as extended services before the CRP begins the service. It will be important to notify the service provider ahead of time to ensure they understand that extended services to youth will be billed to DOR.

The procedure code and rate for extended services hourly job coaching is listed below:

- Service Category¹⁰ = Job Coaching - Individual
 - Procedure Category = Job Coaching (On-The Job Support) / Individual
 - **71CRPext:** Extended Services to Youth: SE Job Coaching (Ongoing Support Services) / Individual, per job coach hour

The Rehabilitation Counselor may use the DR 387 Supported Employment – Notice of Transition to Extended Services form for youth who still require Extended Services after they can no longer receive them from DOR.

Refer to the [CRP Guide to Certification & Vendorization](#) for the service description and the rate for [DOR-funded] extended services to youth.

Extended Services Example 1: An out-of-school youth with autism age 20 obtains a job, stabilizes, and transitions to DOR-funded Extended Services to youth. The youth is later eligible for work services through a Regional Renter at age 22. In this case, the VR team may use the DR 387 form to notice the Regional Center that the youth will be moved to Regional Center extended services.

Extended Services Example 2: A youth with a mental health / behavioral health disability is turning 25 and will be aging out of DOR-funded extended services to youth. The VR team may use the DR 387 form to notice the County Mental Health (CMH) that the youth will require ongoing services provided through Short-Doyle¹¹ or other available funding. It will be important to meet with the CMH employment specialist or the designated liaison to ensure that vocational services are part of the individual's health and wellness goals within their treatment plan.

Case Note for DOR-Funded Extended Services to Youth

The Rehabilitation Counselor will use a case note in Aware to document the transition of a youth to DOR-funded extended services to youth. The purpose of this case note is to document the end of Supported Employment

¹⁰ Hourly rates determined and subject to change by State regulation.

¹¹ [https://www.dhcs.ca.gov/services/MH/Pages/MH-Medi-CalMentalHealthPolicy\(MCMHP\)Background.aspx](https://www.dhcs.ca.gov/services/MH/Pages/MH-Medi-CalMentalHealthPolicy(MCMHP)Background.aspx)

services and the beginning of DOR-funded Extended Services, using the Aware status description, titled “**Employed X.**”

If the provider for DOR-funded Extended Services for youth is different from the CRP that provided Supported Employment services (prior to transition to Extended Services), both service providers will be notified.

Refer to [Section 3135](#) for more information [DOR-funded] Extended Services for youth.

3167 Documenting SE Closure (12/21)

Closure – Rehabilitated

Generally, there is little difference between documenting the successful Supported Employment closure and any other VR closure, except the Rehabilitation Counselor will document **Ongoing Support Services Required** in Aware.

To document the record of services as Rehabilitated, the Rehabilitation Counselor will follow the procedures in the [Aware Reference Guide](#), Section 6.1 Closure - Required Documentation and Approval, Step 1. Review Employment and Ongoing Support Services.

It is important to document the following information:

Click Pages then **Employment**.

Review information in the **Employment** data page.

- Ensure that Competitive Integrated Employment is selected in the **Work Status** dropdown.
- Ensure that “**Yes, provided by agency**” or “**Yes, provided by other source**” is selected in the **Ongoing Support Services Required** dropdown for a Supported Employment Plan. This is required when the “Plan Type” is Supported Employment.
- Under the Job section, ensure that the **Hourly Wage** field meets Competitive Integrated Employment criteria for the local area.
- Click **Finish** and proceed to **Closure** data page.

The Team Manager will review the **Closure** data page to ensure that the requirements for federal documentation and Supported Employment in Competitive Integrated Employment are met.

Documenting Closure – Other than Rehabilitated

To document the record of services as Closed - Other than Rehabilitated, the Rehabilitation Counselor will follow the procedures in the [Aware Reference Guide](#), Section 6.1 Closure - Required Documentation and Approval, Step 1. Review Employment and Ongoing Support Services.

Refer to [Section 3140](#) for more information on Supported Employment closure.

3168 Documenting Customized Employment (12/21)

An employment outcome of Customized Employment in Competitive Integrated Employment includes specific Customized Employment services, and the IPE requires specific documentation.

The Rehabilitation Counselor will perform the following actions in Aware:

- Ensure the individual is in **Service** status.
- Identify **Customized Employment** as the employment outcome within the IPE by checking the Customized Employment box within **Plan Type** field in the **IPE data page** in Aware.
- Check both the Customized Employment and Supported Employment **Plan Types** if the individual also needs Supported Employment Services. The Plan types can be checked as both Customized Employment and Supported Employment.

The Customized Employment Service can use VR Base or SE Funds.

- Use VR Base for Customized Employment services that occur prior to placement in CIE.
- Use a Supported Employment fund source when an individual is receiving SE Placement and SE Job Coaching services. These services are ongoing support services and occur after placement in CIE.

Customized Employment Procedure Codes

The following Service Categories, Procedure Categories, and Procedures Codes are specific to Customized Employment, as follows:

- Service Category = Career Services
 - Procedure Category = Customized Employment
 - **276CRPa**: Customized Employment – CRP/Discovery, Individual [May be funded by Regional Center or DOR]
 - **276CRPb**: Customized Employment – CRP/Employment Planning, Individual [May be funded by Regional Center or DOR]
 - **276CRPc**: Customized Employment – CRP/Negotiation and Analysis, Individual [Funded by DOR]
 - **276CRPd**: Customized Employment – CRP/Systematic Instruction and Supports [Funded by DOR]

Refer to [Section 3125](#) for more information on Customized Employment.

Contact Community Resources Development Section (CRDS) at crdssinfo@dor.ca.gov for more information on Customized Employment development and service provider questions.

3170 LIMITING SUBMINIMUM WAGE (12/21)

The WIOA amends Title V of the Rehabilitation Act of 1973 by adding a new Section 511 – Limitations on the Use of Subminimum Wage.

The DOR shall not place any individual, including youth, in a subminimum wage placement.

The DOR established the Achieving Community Employment (ACE) Team to provide career counseling and information and referral (CC&IR) and VR services to youth seeking subminimum wage employment and all individuals with disabilities, regardless of age, who are known to be working at subminimum wage.

Employers are restricted from continuing to employ any individual in a subminimum wage setting, regardless of age, unless certain required activities are completed.

The DOR shall ensure that youth with disabilities who are known to be seeking subminimum wage employment are encouraged to consider and explore Competitive Integrated Employment.

The DOR shall provide CC&IR services to individuals with disabilities, regardless of age, or the individual's representative as appropriate, who are known by DOR to be employed at a subminimum wage level by an employer, or a contractor or subcontractor of that employer, that holds a special wage certificate.

The DOR shall collaborate with LEAs to ensure that a youth seeking subminimum wage employment has received transition services under the Individuals with Disabilities Education Act.

The DOR shall document the completion of the required activities under Section 511 of WIOA for youth known to be seeking subminimum wage employment.

The DOR shall utilize the "CC" Case Type for individuals receiving CC&IR services from the ACE Team.

References: 34 CFR 361.5(c)(9); 397.1; 397.5; 397.10; 397.20; 397.30; 397.40; and 397.50.

3171 Achieving Community Employment Team (12/21)

The ACE Team will provide CC&IR and VR services to youth seeking subminimum wage employment and all individuals with disabilities, regardless of age, who are known to be working at subminimum wage. These services are designed to promote Competitive Integrated Employment and inform youth seeking subminimum wage employment or individuals currently earning subminimum wage about available employment and related Supported Employment services.

(34 CFR Part 397 et al.)

The ACE Team collaborates with DOR Districts, LEAs, Regional Centers, employers holding special wage certificates, natural supports, service providers, AJCCs, and others to provide these services.

The ACE Team is coded as Program 511 for the purposes of coding statewide services that ACE Team Counselors provide for CC&IR and VR services.

The ACE Team shall utilize the “CC” Case Type for individuals receiving CC&IR services.

CC&IR resources are available on the DOR website at: <https://dor.ca.gov/Home/CareerCounselingInformationandReferral> is a manual designed to provides all service guides for the ACE Team.

Individuals can reach out to the ACE Team to request services by e-mailing CCIR@dor.ca.gov.

3172 Limitations on any Individual in Subminimum Wage Employment (12/21)

Employers are prohibited from continuing to employ any individual in a subminimum wage setting, regardless of age, unless the individual is:

1. Provided CC&IR to facilitate independent decision making and informed choice by DOR; and,

2. Informed by the employer of self-advocacy, self-determination, and peer mentoring training opportunities available in the individual's geographic area.

These services will be carried out once every six months for the first year, and annually thereafter for the duration of such employment.

**3173 Limitations on Youth in Subminimum Wage Employment
(12/21)**

The VR team will not place individuals ages 24 years or younger in subminimum wage placements.

The VR team will document that youth and students with disabilities have received specific services before beginning work at subminimum wage independent of DOR.

Employers are prohibited from compensating any individual with a disability who is age 24 or younger at subminimum wage, which is specified by the WIOA as less than federal minimum wage, unless the following activities are completed:

1. The individual is already employed at subminimum wage with an employer certified under Section 14(c) of the Fair Labor Standards Act (FLSA) as of the effective date of Section 511 of WIOA on July 22, 2016; or
2. The individual has received Pre-Employment Transition Services and CC&IR designed to enable the individual to obtain Competitive Integrated Employment, and the individual either:
 - a. Applied for VR services and was found ineligible; or,
 - b. Was determined eligible, has an IPE, is working toward an employment outcome, and received appropriate supports and services, including Supported Employment services for a reasonable period of time, without success, resulting in their record of services being closed, and the individual has been provided CC&IR to federal and state programs to help the individual discover, experience, and attain Competitive

Integrated Employment, and the counseling and information was not for employment at subminimum wage.

3174 DOR Responsibilities for Youth who are Known to be Seeking Subminimum Wage Employment (12/21)

The VR team will ensure that youth with disabilities 24 years of age or younger who are seeking subminimum wage are encouraged to consider and explore Competitive Integrated Employment. The VR team will ensure the following services and documentation are completed:

- Transition services under the Individuals with Disabilities Education Act¹² and/or Pre-Employment Transition Services.
- The youth applied for DOR VR services and was found ineligible; or
- The youth applied for DOR VR services and was found ineligible; and,
 - Has an IPE.
 - Worked toward the IPE outcome for a reasonable period without success; and,
- The record of services was closed, and CC&IR was provided within 30 days, including federal and state programs and other resources.

3175 Local Educational Agency Responsibilities for Youth Seeking Subminimum Wage Employment (12/21)

Section 511 of WIOA requires LEAs to provide DOR with documentation that the youth has received transition services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), such as transition services available to the individual under section 614(d) of that Act (20 U.S.C. 1414(d)). The documentation must be provided to DOR in a manner that complies with confidentiality requirements of the Family Education Rights and Privacy Act (20 U.S.C. 1232g(b) and 34 CFR 99.30 and 99.31)

¹² Individuals with Disabilities Education Act (20 U.S.C. 1417(c) and 34 CFR 300.622)

and the Individuals with Disabilities Education Act (20 U.S.C. 1417(c) and 34 CFR 300.622).

3176 WIOA Section 511 Forms (12/21)

The following is a form used by the ACE Team to support CC&IR services (WIOA Section 511 Forms). This form is on the DOR intranet.

- [DR397R](#) Section 511 Career Counseling and Information and Referral Request for Initial CC&IR Services

3177 WIOA Section 511 Resources Guide (12/21)

The Rehabilitation Counselor and the VR team will refer to the Aware Referral Source Codes – Section 511 procedures provided in the [WIOA Section 511 Resources Guide](#) on the DOR intranet.

The [WIOA Section 511 Resources Guide](#) provides procedures, including but not limited to the following:

- Section 511 Youth Seeking Subminimum Wage Employment Services
- Section 511 Youth Services and Referral – Students and Out-of-School Youth
- Section 511 Youth Services – CC&IR Services & Documentation Process
- Steps to Request WIOA Section 511 Transition Services Under IDEA Documentation
- Section 511 CC&IR Services and Documentation
- CC&IR Recipients Interested in Competitive Integrated Employment and Applying for VR Services
- New Aware Section 511 “CC” Case Type
- Opening VR Participant Record of Services from “CC” Case Type