

Chapter 310: Supported Employment

Vermont Division of Vocational Rehabilitation
Policy and Procedures Manual

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Section I. Definitions

- A. **“Individual with a most significant disability”** means a person who has been determined by DVR to have a physical or mental impairment that constitutes or results in a substantial impediment to employment and that seriously limits function in four or more areas of functional capacity (mobility, communication, work tolerance, work skills, self-care, self-direction, interpersonal skills, dexterity/coordination), requiring multiple services over a period of six months or more.
- B. **“Extended services”** means ongoing support services and other appropriate services that are needed to support and maintain an individual with a most significant disability/disabilities in supported employment, and that are provided by a State agency, a private nonprofit organization, employer, or any other appropriate resource, after an individual with a most significant disability has made the transition from DVR services. Extended services can be provided to youth with the most significant disabilities by DVR for a period not to exceed four years. DVR may not provide extended services to individuals with the most significant disabilities who are not youth with the most significant disabilities.
- C. **“Supported employment”** – The term ‘supported employment’ means competitive integrated employment, including customized employment, or employment in an integrated work setting in which individuals are working on a short-term basis toward competitive integrated employment, that is individualized and customized consistent with the strengths, abilities, interests, and informed choice of the individuals involved, for individuals with the most significant disabilities:
1. For whom competitive integrated employment has not historically occurred; or for whom competitive integrated employment has been interrupted or intermittent as a result of a significant disability; and
 2. Who, because of the nature and severity of their disability, need intensive supported employment services and extended services after the transition from DVR services in order to perform the work involved.
- D. **“Supported employment services”** – The term ‘supported employment services’ means ongoing support services, including customized employment, needed to support and maintain an individual with a most significant disability in supported employment, that:
1. Are provided singly or in combination and are organized and made available in such a way as to assist an eligible individual to achieve competitive integrated employment;
 2. Are based on a determination of the needs of an eligible individual, as specified in an individualized plan for employment; and
 3. Are provided by VR for a period of not more than 24 months, except that period may be extended, if necessary, in order to achieve the employment outcome identified in the individualized plan for employment.
- E. **“Youth with a disability”** – The term ‘youth with a disability’ means an individual with a disability who is not younger than 14 years of age or older than 24 years of age.

Section II. General Policy

- A. A plan for supported employment services may be written for persons for whom competitive employment has either not traditionally occurred or has been interrupted or intermittent as a result of a significant disability. Supported employment is most often provided as a service for individuals with developmental disabilities or severe psychiatric disabilities. However, individuals with other types of disability may require supported employment services to access competitive employment. Therefore, the assessment of the need for supported employment services should not be based on any particular disability.
- B. Typically, DVR provides supported employment services through grant agreements with community rehabilitation providers (most often Designated Agencies and Specialized Service Agencies). Often, the agency providing supported employment services has a long term and ongoing relationship with the consumer. This relationship can be very helpful in developing a plan for employment. However, the counselor **must not** delegate his/her responsibility for all aspects of the rehabilitation process. In particular, the counselor must ensure the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the eligible person are honored during the process.
- C. Supported Employment services can include:
1. Vocational assessment;
 2. The provision of job coaching and intense job skill training at the work site;
 3. Job development and placement;
 4. Social skills training;
 5. Regular observation or supervision of the person;
 6. Follow-up services including regular contact with the employer, the person, the parents, family members, guardians, advocates or authorized representatives of the person, and other suitable professional and informed advisors, in order to reinforce and stabilize the job placement;
 7. Facilitation of natural supports at the work site;
 8. Any other service identified in the scope of vocational rehabilitation services.
- D. The IPE for a person whose vocational goal in a supported employment setting has been determined to be appropriate must include:
1. A description of the supported employment services to be provided by DVR.
 2. The expected extended services needed, which may include natural supports.
 3. The source of the extended services and, in the event that identification of the source is not possible at the time the IPE is developed, a statement explaining the basis for concluding that there is a reasonable expectation that services will become available.

Guidance – Reasonable expectation of extended services.

For example, a consumer who is a student in high school and has a developmental disability, is not guaranteed to be eligible for Home and

Community Based Waiver Services through the Developmental Disabilities Services Division (DDSD). However, if the counselor determines the consumer is likely to meet the DDSD System of Care Priority then it is reasonable to identify the Waiver Services as a likely source of extended services.

End Guidance.

4. Periodic monitoring to ensure that the individual is making satisfactory progress towards meeting the weekly work requirement established in the IPE by the time of transition to extended services.
5. Confirmation that any job skills training to be provided will be on the job site in an integrated setting.
6. The expectation that placement will be in a competitive integrated employment for the maximum number of hours possible based on the unique strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice of the individual.
7. A description of how DVR services will be coordinated with other services provided through other Federal and State programs.

Guidance – Managing grant-funded supported employment services.

DVR provides grant funding to two major supported employment programs in the State of Vermont. These are:

- *Developmental Services (DS) programs for adults with developmental disabilities*
- *JOBS programs for youth with severe emotional/behavioral disabilities*

*In State Fiscal Year 2012, the Agency of Human Services introduced performance based grants for supported employment programs. One performance measure that is included in all supported employment grants is the DVR rehabilitation or employment closure. Because performance incentives and holdbacks are attached to the grants, it is very important for DVR counselors to apply **consistent** criteria to considering both when to open and to close a case as well as determining if a supported employment consumer has achieved a successful rehabilitation.*

The following is intended to provide guidance around frequently asked questions DVR counselors may have when managing a supported employment caseload:

How involved should the DVR counselor be in the process of identifying and developing the employment goal, when the supported employment staff do most of the work with the consumer?

The DVR counselor has all the same responsibilities and requirements for the development of a supported employment case as they do with a non-supported employment case. However, it is often a reality that the supported employment staff may know the consumer much better than the DVR counselor and may have worked with them for years. Therefore, the DVR

counselor may have to rely on the supported employment staff to help them establish the employment goal. However, the DVR counselor should not hesitate to challenge the supported employment staff if they feel:

- *The consumer can and wants to work more hours than is proposed.*
- *The consumer's choices and interests are not reflected in the process.*

To what extent is an Initial Interview beneficial when a DVR counselor is working with someone already involved with a supported employment provider?

Initial Interviews are an effective way of developing a rapport with an individual and gaining an understanding of their needs as they relate to developing an IPE that includes supported employment services. Through the Initial Interview, the DVR counselor gains a sense of the projected need for services that may be necessary to augment those provided by the supported employment provider.

- *An Initial Interview should be done with any consumer who is enrolling with VR for the first time. The counselor may choose to include the supported employment team member based on the individual circumstances.*
- *An Initial Interview should be considered for consumers who return to VR and apply for a second case. If the DVR counselor is confident that the consumer's circumstances have not changed; they should use their discretion to not do a second Initial Interview.*

What are some key considerations when determining that an employment placement is successful?

As with establishing the employment goal, the DVR counselor is ultimately responsible for determining if the employment placement has met the conditions for a successful employment closure. Things to consider are as follows:

- *The placement matches with the individual's employment goal.*
- *Compensatory wages and benefits are being earned.*
- *The person is working at their maximum potential based on their choices.*
- *The person is working in an integrated competitive setting; i.e. there are not multiple supported employment consumers in a grouped setting.*
- *Supported employment supports have been faded to a minimum level possible.*
- *The placement is not a sheltered or congregate or otherwise non-competitive work setting. For example, the supported employment agency creates a job in their facility for a VR consumer that would not otherwise exist.*

These criteria can be extremely subjective. However, it is important to ask these questions and seek support from your regional manager or the DVR supported employment or JOBS program coordinator if you feel a placement does not meet these criteria.

Are there certain levels of post-employment type services that the Supported Employment provider is expected to provide as part of their paid ongoing supports?

For CRT and DS, follow-along services are expected to take place as part of the Supported Employment service. These are the services that occur once a consumer has achieved stability within their employment, and are provided by staff supported by non-VR funds (DS waiver, CRT case-rate). VR grant-funded CRT or DS employment staff may be involved in providing follow-up services, but their activities tend to be more focused on continued relationship building with the employer to identify other jobs that consumers might want to pursue.

For the JOBS program, these services can be provided until the JOBS participant is deemed a successful completion, ages out of the JOBS program, or is closed for other reasons. Generally, the VR counselor should place these consumers in a status 32.

I have been asked to open a case on an individual who has previously been closed with DVR after successfully achieving their employment goal and is still employed at the same job. How do I handle this?

*By definition, CRT and DS consumers who receive supported employment services require long-term supports in order to maintain their employment. Therefore it is expected that the supported employment provider will provide the necessary support to consumers who have occasional difficulties without opening up a new VR case. If the consumer needs a single paid service to help retain their current employment (e.g. transportation money) the counselor may consider reopening the case in post-employment to allow the expenditure. **Post-employment closures do not count toward a supported employment program's outcomes.** In general, this situation will not apply to JOBS consumers.*

*Reopening a case may be justified if multiple services will be required over an extended period of time or if the consumer has a new employment goal. For example, the consumer has been reassigned to a different job within the company and will require extensive retraining or support with the help of the supported employment program. **However, the VR counselor must be convinced that the situation truly requires multiple services over an extended period of time or that a new employment goal is justified before reopening a new case.***

The supported employment program placed an individual this year and I closed them as a successful employment outcome. Soon after, the person lost their job and has started work

at a new employer. Can the program claim a second employment closure outcome in the same grant year?

*It is allowable for a supported employment program to count two employment closures for the same person during the same grant term. **However, this should be the exception.** In determining if you are going to allow the second employment outcome, the issues you might want to consider are as follows:*

- *You should consider if the second placement is the result of “substantial services” provided by the supported employment provider. If not, you may consider opening up the case in a post-employment status or simply determine the second placement was the result of ongoing supports covered by the supported employment provider.*
- *You may require that the second placement last for more than 90 days before you consider it stable and appropriate for closure. This might especially apply if the consumer has a history of many short term placements.*

Frequent turnover in placements could be a sign of issues around appropriate job matching and/or supports. If the DVR counselor thinks this is the case, they should bring it to the attention of their regional manager or the DVR supported employment or JOBS program coordinator.

End Guidance.