GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT ON DISABILITY SERVICES

POLICY	
Department on Disability Services	Subject: Supported Employment Services
Responsible Program or Office: Rehabilitation Services Administration	Policy Number: 2014-RSA-POL002
Date of Approval by the Director:	Number of Pages: 6
Effective Date: July 29, 2014	Expiration Date, if Any: N/A
Supersedes Policy (Dated): Supported Employment Services; DCRSA Policy Manual (2010)	
Cross References, Related Policies and Procedures, and Related Documents: The Rehabilitation Act of 1973, Pub. L. 93-112, 87 Stat. 355; 34 CFR Part 363 ("The State Supported Employment Services Program"); 34 CFR §§ 361.5(b)(11)(i) and (ii), (b)(16), and (b)(53)(i); 66 Fed. Reg. 4379, 4421 (Jan. 17, 2001); DCRSA Supported Employment Procedures	

1. PURPOSE

The purpose of this policy is to provide Vocational Rehabilitation (VR) specialists, people whom DC Rehabilitation Services Administration (DCRSA) serves, service providers, and other stakeholders guidance and clarification in the delivery of supported employment services in order to maximize employment opportunities for individuals with the most significant disabilities who require support in order to work in integrated, competitive employment.

2. APPLICABILITY

This policy applies to all VR Specialists, supervisors, administrators, people whom DCRSA serves and their families and advocates, and stakeholders of the DCRSA.

3. AUTHORITY

The authority for this policy is established in the Department on Disability Services as set forth in D.C. Law 16-264, the "Department on Disability Services Establishment Act of 2006," effective March 14, 2007 (D.C. Official Code § 7-761.01, *et seq.)*; 34 CFR Part 363 ("The State Supported Employment Services Program").

4. POLICY

A. It is the policy of DCRSA to provide supported employment services consistent with the definition in 34 CFR § 363.6(c)(1) and § 361.5(b)(53), which reads as follows:

"Supported employment means –

a. Competitive employment in an integrated setting, or employment in integrated work settings in which individuals are working toward competitive employment, consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individuals with ongoing support services for individuals with the most significant disabilities:
   i. For whom competitive employment has not traditionally occurred or for whom competitive employment has been interrupted or intermittent as a result of a significant disability; and
   ii. Who, because of the nature and severity of their disabilities, need intensive supported employment services and extended services after transition to perform this work; or

b. Transitional employment for individuals with the most significant disabilities due to mental illness."

B. Applicable Definitions: DCRSA shall adhere to the following federal regulatory definitions, found at 34 CFR § 363.6(c).

1. Competitive employment means work:
   a. In the competitive labor market that is performed on a full time or part time basis in an integrated setting; and
   b. For which an individual is compensated ***at or above*** Washington D.C. minimum wage, but ***not less*** than the customary or usual wage paid by the employer for the same or similar work performed by individuals who are not disabled.
2. Integrated setting means:
   a. With respect to the provision of services, a setting typically found in the community in which applicants or eligible individuals interact with non-disabled individuals who are providing services to those applicants or eligible individuals ;
   b. With respect to employment outcomes, a setting typically found in the community in which applicants or eligible individuals interact with nondisabled individuals, other than nondisabled individuals who are providing services to those eligible individuals, to the same extent that nondisabled individuals in comparable positions interact with other persons.
3. On-going support services are services that are needed to support and maintain an individual with a most significant disability in supported employment which may consist of but not be limited to the following:

a. Any particularized assessment supplementary to the comprehensive assessment of rehabilitation needs;
b. The provision of skilled job trainers who accompany the individual for intensive job skill training at the worksite;
c. Job development and training;
d. Social skills training;
e. Regular observation or supervision of the individual;
f. Follow-up services including regular contact with the employers, the individuals, the parents, family members, guardians, advocates or authorized representatives of the individuals and other suitable professional and informed advisors, in order to reinforce and stabilize the job placement;
g. Facilitation of natural supports at the worksite.
h. Any other service identified in the scope of rehabilitation services described in 34 CFR § 361; and
i. Any service similar to the foregoing service.

4. Extended services (formerly known as long term follow along supports) refer to ongoing support services and other appropriate services provided by a State Agency, a private nonprofit organization, employer, or any other appropriate resource, from funds ***other than*** vocational rehabilitation funds, or supported employment funds after an individual with a most significant disability has made the transition.

C. Governing Requirements

1. ***Eligibility***: In accordance with 34 CFR § 363.3, DCRSA may provide supported employment services to any individual if: the individual has been determined eligible for vocational rehabilitation services by DCRSA; the individual has been determined to be an individual with the most significant disabilities and for DCRSA purposes, must be placed in the Order of Selection Category 1; and supported employment has been identified as the appropriate rehabilitation objective for the individual on the basis of a comprehensive assessment of rehabilitation needs, including an evaluation of rehabilitation, career and job needs.
2. ***Focus on Competitive Employment in an Integrated Setting:*** Pursuant to 34 CFR § 363.6, a clear message shall be communicated that an integrated competitive employment outcome is the goal from the moment the eligible individual begins the vocational rehabilitation program. Employment services and supports shall be focused on directly meeting that goal.
3. ***Requirement for Ongoing Supports:*** In accordance with 34 CFR § 363.6(c)(2)(iii), supported employment services are distinguished from other types of employment outcomes because of the need for extended services (long term follow-along supports). The purpose of ongoing support services is to support and maintain an individual with a most significant disability in supported employment.

a. During the *intensive phase* of supported employment, ongoing support services may be purchased by DCRSA for a period up to 18 months. This may be extended if under special circumstances, the eligible individual and the VR specialist jointly agree and identify on the Individualized Plan for Employment (IPE) that a longer period is needed to achieve job stabilization.
b. On-going support services during the *extended phase* provided by a community provider must include: (at a minimum, twice monthly) monitoring at the worksite of each individual to adequately assess employment stability, unless under special circumstances, the IPE provides for off-site monitoring at the request of the individual; funded by Department of Behavioral Health (DBH) for Evidence-Based Supported Employment or Medicaid Waiver for Developmental Disability Administration (DDA) cases, Ticket to Work Employment Network (EN) for Supplemental Security Income/ Social Security Disability Insurance (SSI/ SSDI) recipients.
c. On-going support services will include the coordination or provision of specific services at or away from the worksite that are needed to maintain employment stability based upon the assessment, for both the intensive and extended phase.

4. ***Wage Requirement:*** Under supported employment, the individual must be compensated in accordance with the Fair Labor Standards Act. In order for the case to be closed as a competitive closure, with an employment outcome, the individual must be compensated at or above Washington DC minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are nondisabled. Supported employment can result in a noncompetitive employment outcome (compensated below Washington DC minimum wage) when the individual is working toward the competitive employment wage but has not yet achieved that standard. The individual is not considered to have achieved a "competitive employment" outcome until the individual is earning at least the Washington DC minimum wage. Documentation should be in place to demonstrate that individuals are working toward or making progress toward minimum wage prior to reporting that the individuals have achieved supported employment to be consistent with 34 CFR § 363.6(c)(1) and § 361.5(b)(53).

5. RESPONSIBILITY

The responsibility for this policy is vested in the Deputy Director, DC Rehabilitation Services Administration. Implementation of this policy is vested in the Client Services Division.

6. STANDARDS

The standards by which DCRSA shall evaluate compliance with this policy are as follows:

A. Duration of Supported Employment Services

1. Job Placement/ Job Skills Training/ Intensive Ongoing Supports : Supported employment services funded by DCRSA are limited to 18 months beginning on the first day the individual is placed in supported employment. It is a cumulative total for the life of the current case, unless, under special circumstances, the individual and the VR Specialist involved jointly agree to extend the time in order to achieve the employment outcome identified in the IPE.
2. Job Stabilization Phase: The individual in supported employment who is determined stabilized on the job following intensive supports shall be monitored for at least 90 days to ensure that employment outcome is maintained. This is included within the time the eligible individual is placed in supported employment.
3. Extended Services: The individual in supported employment who is determined stabilized on the job following intensive supports may be transitioned to extended services within the 90 days of the job stabilization phase OR after the 90 days of job stabilization phase depending on individual circumstances. Transition to extended services should be no later than the 18 months after placement in supported employment except under circumstances described at section 4.C.3.a of this policy. The reason for the decision to transition to extended services during or after the 90 days of the job stabilization phase shall be documented in the case record of service. The individual in supported employment shall be monitored for 60 days in extended services prior to rehabilitation closure. ***Funding for extended services shall be covered by the extended services provider.***

B. Job Stabilization Criteria: An individual in supported employment is determined to have been stabilized in his or her current employment if the following criteria are met:

1. Funding for extended services has been secured or natural supports have been established;
2. Job coaching and related interventions have decreased to a level necessary to maintain the individual in employment – defined as reduction of job coaching down to 20% of the individual's working hours in a week. Intervention has reached a plateau or leveled out;
3. The individual in supported employment is emotionally or behaviorally stable;
4. The individual in supported employment performs expected job duties;
5. Supervisor reports satisfaction with the individual's job performance;
6. The individual in supported employment is satisfied with the job and work environment;

7. Necessary modifications and accommodations have been made at the worksite.
8. The individual in supported employment has reliable transportation to and from work.
9. The individual in supported employment is compensated at or above Washington DC minimum wage but not less than the customary wage paid by the employer for the same or similar work performed by employees without disabilities.

C. Rehabilitation Criteria: The individual is determined to have achieved the supported employment outcome and may be closed in rehabilitated status if the following are met:
   1. The individual has achieved the employment outcome set forth in the person's IPE consistent with the person's strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice and in the most integrated setting possible;
   2. The individual has maintained the employment outcome for at least 90 days after achieving employment stabilization;
   3. Extended services are available and ongoing and can be provided without interruption in services;
   4. The individual has been transitioned to extended services and has maintained employment outcome during the transition for at least 60 days. The 60 days of extended service may be concurrent with the job stabilization phase (within 90 days) or sequential to it (after 90 days of job stabilization phase);
   5. At the end of the appropriate period, the individual, VR specialist and the employer consider the employment outcome to be satisfactory and agree that the individual evidences satisfactory performance derived from a performance progress evaluation;
   6. The individual is earning at least the prevailing Washington DC minimum wage consistent with the definition of competitive employment at the time of closure or has a plan towards meeting the Washington DC minimum wage;
   7. The individual has made substantial progress toward meeting hours-per-week work goal provided for in the IPE.

Laura L. Nuss, Director
Department on Disability Services

7/29/14
Approval Date

Andrew Reese, Deputy Director
Rehabilitation Services Administration

7/29/14
Approval Date