

Rehabilitation Administrative Manual (RAM)
Chapter 30
RECORD OF SERVICES

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RAM CHAPTER 30 ABBREVIATIONS

This chapter includes numerous abbreviations. In an effort to maximize content accessibility, this chapter includes periods with abbreviations that may be phonetically read as a word by a screen reader.

This chapter uses the following abbreviations:

A.T.	Assistive Technology
BASS	Beneficiary Assistance and Support Services
BFS	Blind Field Services district
BPQY	Benefits Planning Query Report
CAP	Client Assistance Program
CCR	California Code of Regulations
CFR	Code of Federal Regulations
CDR	Continuing Disability Review
CIH	Consumer Information Handbook
DGS	Department of General Services
DOS	District Operations Support
DOR	Department of Rehabilitation
EN	Employment Network
HSO	Health and Safety Officer
IEP	Individualized Education Program
IPE	Individualized Plan for Employment
ITSD	Information Technology Services Division
LCSW	Licensed Clinical Social Worker
LEAP	Limited Examination and Appointment Program
MFT	Marriage and Family Therapist
MIOR	Medical Information of Record
OOS	Order of Selection
PR	Physical and mental restoration services
PE	Potentially Eligible
PES	Post-employment Services
RAM	Rehabilitation Administrative Manual
RSA	Rehabilitation Services Administration
SOC	Standard Occupational Classification
SSA	Social Security Administration
SSDI	Social Security Disability Insurance
SSI	Supplemental Security Income

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Abbreviations

SSN	Social Security number
TTW	Ticket to Work
TWE	Trial Work Experience
VR	Vocational Rehabilitation
VRED	Vocational Rehabilitation Employment Division
VRPRD	Vocational Rehabilitation Policy & Resources Division
VRSD	Vocational Rehabilitation Service Delivery
WIP	Work Incentives Planner

3000 RECORD OF SERVICES (01/16)

State regulation, found in [California Code of Regulations \(CCR\) 7122](#), specifies what must be included in the record of services. The Department of Rehabilitation (DOR) shall use the record of services policies and exhibits in this chapter to establish a standardized, statewide record of services documentation system (see Exhibit A). This system provides a consistent case recording process. It maintains the ability of the DOR to review an individual's record of services, perform case monitoring activities, and provide quality vocational rehabilitation (VR) services to DOR applicants and consumers.

The DOR shall use this chapter in conjunction with applicable regulations, and other key procedural resources, including, but not limited to, the following:

- Accounting and Support Desk Manuals
- AWARE Reference Guide
- District Management Guide
- District Tools, Activities, and Resources Portal (TARP)
- RAM Toolboxes
- RSA-911 Desk Manual
- Vocational Rehabilitation Service Delivery (VRSD) Team Business Processes Desk Manual

The resources listed above are located on the DOR intranet and updated periodically.

For brevity, this chapter uses the following conventions:

- References to California Code of Regulations, title 9, sections within the narrative text of this RAM chapter are described as “CCR <section number>,” e.g., CCR 7122.
- “Record of services” replaces the term “case file.”
- The term “consumer” is synonymous with the term “eligible individual.”
- The terms “Individualized Plan for Employment,” “IPE,” and “Plan” may be used interchangeably.

- The term "Rehabilitation Counselor" refers to the Senior Vocational Rehabilitation Counselor, Qualified Rehabilitation Professional (SVRC, QRP) for the purposes of this chapter.
- The terms "designated district staff" or "designated district support staff" refer to standard and optional actors within a VRSD team or a District Operations Support (DOS) team, and other authorized staff. The VRSD team provides direct services, and the DOS team typically provides accounting and support functions. Appropriate security clearance will be maintained to ensure separation of duties.
- The term "Team Manager" refers to the Staff Services Manager I in a VRSD team, and the term "district manager" refers to the Team Manager or a DOS manager within a DOR district.
- The term "DOR districts" refers to the 13 districts in the Vocational Rehabilitation Employment Division (VRED) and the Blind Field Services (BFS) district in the Specialized Services Division.
- 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" means permissive. For the purpose of this chapter, the use of the word "will" also means mandatory.

The DOR shall use the following features in AWARE:

- Case notes to document a single applicant or consumer's VR history, rationale for services, progress, and significant events across the life of the record of services.
- "Activity Dues" to document a request for purchase of goods and services, or to initiate a case activity. Typically, an AWARE Activity Due shall not be used in lieu of a case note.
- "Case status descriptions" to document an individual's stage within the VR program (see Exhibit B).

The hyperlink to a copy of the CCR is provided at the end of each section in which a CCR is referenced as follows:

[Go to CCR.](#)

The [Code of Federal Regulations \(CFR\)](http://www.law.cornell.edu/cfr/text) can be found at:
<<http://www.law.cornell.edu/cfr/text>>.

Authority: 34 CFR 361.13, 361.42, 361.44, 361.45, 361.47, 361.48, 361.52, and 361.56; CCR, title 9, sections 7005, 7017.7, 7024, 7029.6, 7029.7, 7029.9, 7122, 7140.5, 7141.5, and 7142-7143.5.

3001 General Requirements (09/14)

The VRSD team will take appropriate action to ensure that the record of services, when reviewed as a whole, includes all of the requirements in CCR 7122.

The record of services contains electronic and hardcopy information about an applicant or consumer that is pertinent to his or her participation in the VR program. It will include, but not be limited to, any of the following:

- Records and converted data from the Field Computer System.
- Electronic data in AWARE, relevant email communications, or other data.
- Written documentation to/from the DOR and the applicant or consumer, including documentation after a record of services is closed, when appropriate.
- Medical and/or educational records.
- Release of information forms.
- Supporting documentation such as progress reports, grades, and receipts.
- Other relevant information.

The record of services will show the following evidence of counseling and guidance provided to:

- Promote an individual's full involvement and participation in the VR process.
- Guide the individual in exploration of informed choice options.
- Support and assist the individual with problem solving.
- Refer the individual to other appropriate services.
- Coordinate VR services.

Any information used to evaluate or support casework decisions will be included in the record of services and documented in AWARE, as appropriate to the individual case. Information must be sufficient to show that decisions were:

- Reasonable.
- Based on adequate fact.
- Considerate of the individual's circumstances.
- Reached with correct application of policy, procedures, rules, and regulations.

When the Rehabilitation Counselor determines that information he or she originated for the record of services is inaccurate or incomplete, the Rehabilitation Counselor will perform the following actions:

- Correct that portion of the record of services.
- Provide copies of the corrected information to all individuals who obtained incorrect information.

The following information may be purged from the record of services and destroyed:

- Information that is irrelevant and unnecessary for carrying out the VR program.
- Duplicate information.
- Handwritten notes when the notes have been transcribed into the record of services.

[Go to CCR.](#)

3002 Disclosure and Mandated Reporting (09/14)

The Rehabilitation Counselor or designated district staff will advise an individual that most information he or she provides to the DOR is confidential with certain exceptions in accordance with CCR 7142 through 7143.5(a).

The Rehabilitation Counselor and VRSD team members who are mandated reporters of suspected child, elder, or dependent adult abuse and neglect will maintain records, if any, in a separate location other than the record of

services in order to demonstrate that the employee has fulfilled his or her mandated reporting obligation.

Refer to [RAM Chapter 34](#) for more information on disclosure of confidential information.

Refer to the [Crime Victims Guidance materials](#) on the DOR G drive and [RAM Chapter 34](#) for further guidance and information on mandated reporting of suspected abuse and neglect.

[Go to CCR.](#)

3003 Roles and Responsibilities (12/16)

The DOR will be responsible for complying with federal and state regulations as well as DOR operational policies, business processes, and procedures, resulting in the efficient and effective administration of the VR program and high customer satisfaction.

The DOR districts will implement responsibility and accountability for compliance as follows:

- District Administrators shall follow the system and strategy of a semi-annual case review process using the record of services review instrument.
- District managers will ensure compliance in all work completed by individual staff and teams within their respective supervisory units. Case management oversight will include Team Manager case reviews for each caseload within a Team Manager unit.
- District Contract Administrators will ensure compliance for district cooperative programs, case service, and other contracts, as assigned. He or she will orient district managers and district staff to the contracts in their service area and the services provided within each contract.
- Rehabilitation Counselors and designated district staff will ensure compliance in their own work on individual records of services.

District Administrators, district managers, Rehabilitation Counselors, and designated district staff, as appropriate, will utilize current tools for tracking and monitoring the VR program. Current tools will include, but are not

limited to, AWARE layouts and reports, VR efficiencies reports, and case reviews.

The Rehabilitation Counselor will be responsible for completing and/or approving the following "non-delegable" functions:

- Determination of eligibility.
- Determination of priority for services.
- Development of the Individualized Plan for Employment (IPE) and IPE Amendments.
- Review of IPE progress to be completed at least annually.
- Determination of appropriate case closure.

The VRSD team will expect the consumer to be an active and full partner in the VR process. The consumer will demonstrate cooperation in developing and meeting the vocational goal, intermediate objectives, and services identified in the IPE by actions and behaviors. Specific actions and behaviors may include, but are not limited to, active participation, reasonable effort, regular attendance, and regular communication with the Rehabilitation Counselor or designated district staff.

Consumers have the right to be treated with courtesy, dignity, and respect. Should a consumer be discourteous or disrespectful to a DOR employee, they should be warned that failure to cooperate with the DOR may be grounds for record of services closure.

Refer to [Section 3070](#) for more information on record of services closure.

Refer to CCR 7029.7 for more information on the rights of individuals with disabilities; CCR 7029.6 for more information on informed choice; and, CCR 7029.9 for more information on the responsibilities of individuals with disabilities, applicants, and eligible individuals.

[Go to CCR.](#)

3003.1 RC Approval Authority (01/16)

The DOR shall utilize a system of "approval authority" to expedite record of services movement and the provision of services to applicants and consumers. Approval authority allows the Rehabilitation Counselor to

perform the aforementioned non-delegable functions without obtaining prior written approval from a Team Manager. The Team Manager will conduct a review, as appropriate, to ensure compliance with regulations, policies, operational processes, and procedures.

Refer to [RAM Chapter 12](#) for more information on Approval Authority.

3004 Completing Documentation (12/16)

It is important to follow a consistent statewide process for completion of required electronic and hardcopy documentation in the record of services.

For the purposes of this chapter, the VRSD team will perform the following activities when required to “complete” case documentation in AWARE:

1. Enter data into required data fields in a layout page, report, form, letter, or other document (with appropriate security clearance).
2. Review the document(s) with the individual.
3. Print form and obtain all necessary signatures, in accordance with the signature requirements in this chapter for the following:
 - DR 211 EXTENSION OF ELIGIBILITY AND PRIORITY FOR SERVICES
 - DR 212 NOTICE OF ELIGIBILITY AND PRIORITY FOR SERVICES
 - DR 214A PLAN DEVELOPMENT EXTENSION
 - DR 215 INDIVIDUALIZED PLAN FOR EMPLOYMENT
 - DR 215A PLAN AMENDMENT
 - DR 216 PLAN REVIEW
 - DR 222 APPLICATION FOR VOCATIONAL REHABILITATION SERVICES
 - DR 229A CLOSURE REPORT – REHABILITATED
 - DR 229B CLOSURE REPORT – OTHER THAN REHABILITATED
4. File the original document in the individual’s hardcopy record of services.
5. Provide a copy of the document to the individual in person, by mail, email, or other means.
6. Provide the individual with the DR 1000 RIGHTS AND REMEDIES form.

3005 Federal Data Reporting Requirements (01/16)

It is important that the DOR consistently and accurately collect, document, review, verify and submit federal data to ensure VR program accountability.

There are over 200 elements related to the federal RSA-911 data report.¹ These records also inform the DOR performance data reported to the RSA and other control agencies.

The DOR must also meet its WIOA State Performance Report requirements as a core program under WIOA title I.

Designated district staff will collect, and document data related to DOR consumers. Team Managers will review data collection and documentation.

Central office staff will perform businesses processes related to data verification and submission. Analytical staff, with manager oversight, will check data integrity using an “error and anomalies” protocol. The DOR Information Technology Services Division (ITSD) will coordinate data submission with the RSA.

Refer to the DOR RSA-911 Desk Manual and the RSA Data Verification and Submission Process document located in the RAM 30 Toolbox for processes and procedures.

¹ RSA-PD-16-04 Revision of PD-14-01 instructions for completion of the Case Service Report Manual (RSA-911) for the State Vocational Rehabilitation Program and the State Supported Employment Services Program.

3010 REFERRAL AND APPLICATION PROCESS (09/14)

The DOR shall implement a referral and application process using the Referral and Participant modules in AWARE. The Referral module will create a statewide electronic database of “interested individuals” who contact the DOR for information and/or referral assistance prior to submitting an application for VR services. The Participant module will document the date of application in accordance with [Section 3011](#) and will document the beginning of an applicant’s record of services.

For the purposes of determining eligibility within 60 days, the DOR shall consider the date of application to be the date upon which the individual meets all three components of the application submission process in accordance with CCR 7041.

To ensure its application forms are widely available throughout the state, the DOR shall maintain an online application portal on the DOR Internet.

The DOR shall use a participant identification number in AWARE to reference DOR applicants and consumers. The DOR shall not require a Social Security number (SSN) for “authentication” of an individual’s identity. However, the DOR may utilize Social Security information as necessary for administration of the VR program grant.

The DOR shall use a standardized Initial Interview case note in the AWARE Participant module to document the reason for any difference in the date of application between the electronic record of services and the hardcopy, if any (see Exhibit C).

The DOR shall support Social Security Administration (SSA) programs and initiatives to increase the employment outcomes and self-sufficiency for consumers receiving Supplemental Security Income (SSI) and/or Social Security Disability Income (SSDI).

Authority: 34 CFR 361.36, 361.37, 361.38, 361.40, 361.41, 361.42, 361.45, 361.46, 361.47, 361.48, 361.52, and 361.54; CCR, title 9, sections 7009.1, 7017, 7029.6, 7029.7, 7029.9, 7035, 7037, 7038, 7041, 7045, 7057, 7060, 7062, 7122, and 7141; State Administrative Manual 5310.3.

[Go to CCR.](#)

The Referral Module

The VRSD team will use the Referral module to document “interested individual” contacts within a DOR district. An interested individual is someone who contacts the DOR for information and/or referral assistance or someone who is interested in services but has not yet completed all three components of the application submission process, in accordance with [Section 3011](#).

Assistance provided to an interested individual in the Referral module will:

- Include information and referral services, as appropriate.
- Include Schedule A and/or Limited Examination and Appointment Program (LEAP) certifications, as appropriate.
- Not expend case service funds.

The VRSD team will perform the following actions:

- Document each interested individual contact in the AWARE Referral module according to the AWARE Reference Guide.
- Provide an interested individual with information on the application process no later than 15 working days from his or her initial contact with the DOR—typically using the DR 221 APPLICATION PROCESS INFORMATION form (see CCR 7035).

The VRSD team will follow the procedures in the AWARE Reference Guide to close an interested individual’s referral data record when the individual becomes a Participant.

The VRSD team will otherwise close an interested individual’s data record with one of the following referral outcomes:

- Closed - Does not want Services or Referral
- Closed - LEAP Certificate
- Closed - Referred to Another Agency
- Closed - Referred to One-Stop
- Closed - Schedule A Certification

ITSD will close referral data records when there is no activity 90 days after the last update.

When an individual meets all three components of the application process, the VRSD team need not enter the individual into the Referral module first; the VRSD team can open the record of services in the Participant module.

[Go to CCR.](#)

The Participant Module

The Rehabilitation Counselor or designated district staff will open a new record of services and document the date of application in the Participant module after an individual has met all three components of the application process, in accordance with [Section 3011](#). This may occur before or after the completion of the initial interview, in accordance with the individual case.

Prior to entering an individual in the Participant module as an applicant, the Rehabilitation Counselor, or designated district staff will perform the following actions:

- Review the Referral module to find out if the individual has a referral data record and follow instructions in the AWARE Reference Guide.
- Review the Participant module to find out if the individual has an existing record of services.

Use of Social Security Numbers

A SSN is not required as a condition of receiving DOR services. However, the DOR should encourage the applicant to provide the SSN as it is useful for administration of the VR grant should the individual become successfully employed.

The Rehabilitation Counselor and designated district staff may assign a unique nine-digit number in limited circumstances when the individual's SSN is not available or he or she will not provide an SSN.

Rehabilitation Counselors and designated district staff will only assign unique nine-digit numbers created via the AWARE "temporary" SSN auto-generating function according to the AWARE Reference Guide. No other form of non-genuine SSN will be used.

The Rehabilitation Counselor and designated district staff will typically perform the following actions:

- Inquire as to the reasons the individual does not have an SSN or cannot provide one.
- Explain the DOR use of participant identification numbers to safeguard an individual's personal information.
- Explain the DOR confidentiality policy, i.e., the DOR will not share information unless the individual gives permission, except in special circumstances in accordance with regulations.
- Point out that a genuine SSN is eventually needed for employment—the goal of VR services.
- Advise individuals receiving SSA benefits that they are jeopardizing the waiver of their medical Continuing Disability Reviews from the Ticket to Work (TTW) program if they do not provide a genuine SSN.

The Team Manager will periodically review records of services with unique nine-digit numbers and take appropriate action to ensure VRSD teams are making appropriate efforts to obtain an individual's genuine SSN prior to the development of an IPE.

3011 Determining the Date of Application (01/16)

It is very important to determine and document the "Date of Application" because the date triggers a deadline for the DOR to determine the individual's eligibility (CCR 7041). The date of application is determined when the applicant completes the application submission process.

To complete the application submission process and to become an "applicant," an individual must perform all of the following:

1. Submit a request for services. This action is considered complete when the DOR receives one of the following:
 - a. A completed, signed DR 222 VOCATIONAL REHABILITATION SERVICES APPLICATION form.
 - b. A completed intake application form from a One-Stop center requesting VR services for the individual.
 - c. A request for services, including online applications received through the DOR Internet web site.

2. Provide information needed to initiate an assessment to determine eligibility and priority for services. The minimum information required includes the following:
 - The name of applicant.
 - A means of contact (e.g., address, email, telephone number).
 - A reason for application.
3. Be available to complete the assessment process. “Available” typically means an individual:
 - Is not on an extended vacation, incarcerated, or otherwise indisposed.
 - Attends an initial interview in a timely manner so that the Rehabilitation Counselor can determine eligibility in accordance with [Section 3020](#).

The VRSD team will make information about the VR program available to the public through an orientation process but will not require an individual to attend an orientation as a condition of applying for services. The orientation process will include, but is not limited to, information on the application process, Order of Selection (OOS), IPE development and services, informed choice, confidentiality, reasons for record of services closure, and appeal rights and remedies.

[Go to CCR.](#)

Documenting the Date of Application

The VRSD team will date stamp the “executed” hardcopy of the DR 222 form upon receipt to document the date the VRSD team received a request for services. The DR 222 form is executed when the hardcopy is signed by the applicant, or representative, as appropriate. The executed hardcopy DR 222 form is not, by itself, sufficient to determine the date of application. The applicant must also provide information needed to initiate an assessment to determine eligibility and priority for services and be available to complete the assessment process.

The Rehabilitation Counselor or designated district staff will document the date of application in the AWARE Participant module to create the record of

services in **Application** status, as an “applicant,” and trigger the 60-day timeline for an eligibility determination.

An explanation—typically provided in the Initial Interview case note—is required if the date of application entered into the AWARE Participant module is different from the date on the DR 222 form. For example, the documentation may state, “The applicant signed the DR 222 form at the orientation on <date>, but was not available for the initial interview until <date>.”

The individual’s status will display as Application in AWARE.

Processing Online Applications

Effective February 2, 2004, the DOR established the online submission of the DR 222 form. While an interested individual may submit a request for services online, he or she must meet all three conditions of the application submission *process* to initiate the date of application.

The ITSD will forward online applications to the districts.

Each district will ensure that online applications are distributed and processed in a timely manner.

3012 Initial Interview (09/14)

The VRSD team will conduct an initial interview with the applicant as part of the application process. Whenever possible, an initial interview will occur within two-weeks of the date of application for VR services (CCR 7045).

The VRSD team will thoroughly document the initial interview according to the AWARE Reference Guide and the policies in this chapter. This key meeting is an interactive discussion to develop rapport with the individual, provide VR process information, and obtain a wide array of information of importance to the individual’s VR program.

During the initial interview, the Rehabilitation Counselor or designated district staff will perform the following:

- Include an explanation in the initial interview case note if the date of application entered into the AWARE Participant module is different from the date on the DR 222 form.
- Inform the applicant of his or her date of application.
- Ensure the applicant received either a hardcopy, or information on how to access an electronic version, of the DOR Consumer Information Handbook (CIH).
- Review the information contained in the CIH, including but not limited to, timeline for eligibility, basis for establishing a priority for services under an OOS, informed choice, rights and responsibilities, appeal process, Client Assistance Program (CAP), and confidentiality of personal information.
- Discuss the IPE development process and timelines, IPE components, and IPE progress reviews.
- Advise the applicant that he or she must intend to achieve an employment outcome.
- Review documents, forms, and other information provided by the applicant and from other sources.
- Collaboratively discuss the next steps in the VR process.

Documenting the Initial Interview

To ensure consistent case recording, the Rehabilitation Counselor or designated district staff will document the information discussed at the initial interview in a separate AWARE case note titled "Initial Interview," with the following standardized headings:

- Date Of Application / Referral
- Disability/Medical/Functional
- Education/Work / Military History
- Vocational Areas Of Interest
- Financial/Legal
- Personal/Transportation
- Need For Assistive Technology
- Applicant's Views

- Next Steps

Except as noted above, the Rehabilitation Counselor or designated district staff is not required to repeat information in the initial interview case note otherwise captured in an AWARE data page.

Optionally, the VRSD team will use the DR 222A SUPPLEMENTAL PERSONAL INFORMATION form. While the DR 222A form may assist in collecting an applicant's self-reported data for entry into the AWARE Application page, the form does not replace the required Initial Interview case note.

Refer to Exhibit C for more information on the suggested content of each topic within the initial interview case note.

3013 Explaining the Ticket to Work Program (09/14)

Ticket to Work (TTW) is a voluntary work incentive program for Social Security Administration's (SSA) Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) beneficiaries who are between the ages of 18 and 64 and interested in going to work. The goal of the TTW Program is to assist beneficiaries in obtaining employment and working towards becoming self-sufficient.

The Rehabilitation Counselor or designated district staff will perform the following actions:

- Discuss the purpose of the TTW program.
- Provide the applicant with the [Beneficiary Fact Sheet on the Ticket to Work Program](#).
- Inform the individual of the SSA Timely Progress Rules.
- Remain current on information regarding SSA resources and departmental initiatives for benefits planning services.
- If the individual was referred by an Employment Network (EN), select "Employment Network (Ticket to Work)" under the Referral Information from the drop-down menu on the Application Screen in AWARE.
- Include the name of the referring EN in the Initial Interview case note.

Regardless of Ticket status, VRSD teams will advise all SSI recipients and SSDI beneficiaries of resources available on the California www.db101.org website. Note the availability of the benefits calculator and work incentives information as well as benefits counseling services, if available, from local providers such as Independent Living Centers (ILC).

Refer to the Vocational Rehabilitation Policy & Resources Division (VRPRD), Social Security Programs, on the DOR intranet for more information on the TTW program, SSA/VR cost reimbursement program, Social Security work incentives, and other available consumer benefits and services.

Refer to [Section 3059](#) and [Section 3071](#) for more information on TTW.

Refer to the DOR web site located at www.dor.ca.gov for more information on ILCs.

3020 ELIGIBILITY (11/19)

The Department of Rehabilitation (DOR) shall determine an applicant's eligibility as soon as possible, but no later than 60 days after the date of application (CCR 7060). An applicant should be determined eligible on the date of application if sufficient information is available to determine eligibility on that date.

The four factors that establish eligibility for vocational rehabilitation (VR) services are:

1. The applicant has a physical or mental impairment.
2. The physical or mental impairment constitutes or results in a substantial impediment to employment.
3. The applicant requires VR services to prepare for, secure, retain, advance in, or regain employment consistent with the applicant's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.
4. A presumption that the applicant may benefit from services in terms of an employment outcome (CCR 7062(a)).

These four factors (commonly known as 'eligibility criteria') are also considered in determining continued eligibility for an individual who has been determined eligible for VR services and does not yet have an Individualized Plan for Employment (IPE), or for an individual who has been determined eligible and is receiving services as part of an IPE.

The term "substantial impediment to employment" means that a physical or mental impairment hinders an individual from preparing for, entering, engaging in, advancing in, or retaining employment consistent with the individual's abilities and capabilities. The ability to benefit is presumed for all applicants who have a disability that poses a substantial impediment to employment.

The Rehabilitation Counselor will use professional judgment to determine the individual's eligibility for VR services. The Rehabilitation Counselor will determine eligibility at the initial interview if the following can be determined about the applicant through a skilled interview:

- Confirm the primary disability and that the primary disability is a substantial impediment to employment.
- Determine Priority Category.
- Confirm interest in competitive integrated employment.
- Discuss current barriers to employment.
Discuss possible services and interests.

The DOR shall consider any individual who has been determined eligible for Social Security benefits under Title II or Title XVI of the Social Security Act (i.e., Supplemental Security Income, SSI, Social Security Disability Insurance, SSDI) as presumptively eligible as an individual with a significant disability (CCR 7062(d)).

The DOR shall not extend an applicant's eligibility determination beyond 60 days unless one of the following conditions exist:

- Exceptional, unforeseen circumstances beyond the control of the DOR preclude the decision from being made within 60 days and the applicant agrees to a specific extension of time.
- Information needed to make an eligibility determination must be obtained through a Trial Work Experience (TWE) and the information cannot be obtained within 60 days (CCR 7060(a)).

The DOR shall also promptly assess and determine an individual's ongoing eligibility for VR services, whether they have been previously determined eligible for services or they are receiving services under an Individualized Plan for Employment (IPE).

Prior to determining an individual is ineligible for VR services based on a determination that the individual is unable to benefit from services in terms of an employment outcome, the DOR shall demonstrate, using clear and convincing evidence as defined in 34 CFR 361.42, that to a high degree of certainty, the individual is incapable of benefiting or continuing to benefit from VR services in terms of an employment outcome in competitive integrated employment, due to the severity of the disability.

The DOR shall use the DR 212 Notice of Eligibility and Priority for Services form to document the basis on which an individual's eligibility has been established. This notice shall be signed and dated by the Rehabilitation Counselor.

If eligibility cannot be determined within 60 days from the date of application, the DOR shall use the DR 211 Extension of Eligibility and Priority for Services form to document the applicant and Rehabilitation Counselor's mutual agreement to a specific extension of time. This notice shall be signed and dated by the Rehabilitation Counselor.

If the Rehabilitation Counselor determines that a Trial Work Experience (TWE) is necessary, the DOR shall use a written TWE plan. The TWE plan shall be signed by the Rehabilitation Counselor and the applicant. The written TWE plan is effective on the date on which both the Rehabilitation Counselor and the consumer reach agreement. If the two signatures bear two different dates, the later date will govern.

The DOR shall use AWARE descriptions to refer to records of services exceeding 60 days in application status as follows:

- Eligibility Extension is "Application-E."
- Trial Work Experience is "Application-T."

The DOR shall use AWARE descriptions to refer to eligible individuals in Trial Work Experience as follows:

- Trial Work Experience for an eligible individual without an IPE is "Eligible-T."
- Trial Work Experience for an eligible individual who has an IPE and is receiving services is "Service-T."

Applicants shall be afforded an opportunity to receive voter registration assistance from designated district staff upon applying for DOR services. Refer to RAM Chapter 34 for more information on the voter registration process.

Authority: 34 CFR 361.5, 361.42, 361.43, and 361.44; CCR, title 9, sections 7004.6, 7009.1, 7017, 7017.2, 7017.5, 7027, 7029.1, 7060, 7062, 7122, 7179, 7179.1, 7179.3, and 7181.1.

3021 Process for Eligibility Determination (11/19)

The Rehabilitation Counselor will determine an applicant's eligibility and an individual's continued eligibility for VR services by confirming the individual meets each of the eligibility criteria outlined in [Section 3020](#) (CCR 7060).

Qualified personnel who are not DOR employees may determine whether an individual has a physical or mental impairment and whether the individual's impairment constitutes or results in a substantial impediment to employment.

Only a DOR Rehabilitation Counselor may determine whether an applicant requires VR services to prepare for, secure, retain, advance in, or regain employment.

While an individual may reapply for VR services at any time, he or she must participate in a new assessment to determine eligibility in accordance with DOR eligibility criteria. The Rehabilitation Counselor will consider pertinent information contained in the individual's prior record of services, if available.

The Rehabilitation Counselor or designated district staff will enter the information from the applicant's request for services, including the appropriate enrollment/application form, into AWARE.

The Team Manager will independently review records of services and ensure eligibility determinations, included expedited enrollments, are appropriate and timely.

Determining Eligibility for Advancing in Employment

The VR team will understand and apply the following:

- The VR program is not intended solely to place individuals with disabilities in entry-level jobs, but rather to assist them to obtain appropriate employment, given their unique strengths, resources, priorities, concerns, abilities, capabilities, and informed choice. Thus, the phrase "advance in" has been added to the eligibility criteria, which may include advancement within an individual's current employment or advancement into new employment. This ensures that an individual with a disability will obtain the services necessary to pursue and engage in high-demand jobs available in today's economy.²

² Preamble to Federal Regulations, 81 Fed. Reg. 55630, 55671-55672 (Aug. 19, 2016)

- An applicant requiring VR services to advance in employment may be eligible for VR services if all eligibility criteria are met, as outlined in [Section 3020](#).
- The applicant must intend to achieve an employment outcome that is consistent with his or her unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.³

The ability to benefit is presumed for all applicants who have a disability that poses a substantial impediment to employment.⁴

Obtaining Sufficient Information for Eligibility Determination

The Rehabilitation Counselor may use various types of information in the eligibility determination process including, but are not limited to, the following:

- Documentation used to establish presumptive eligibility.
- Observations of either or both visible and nonvisible disabilities, resulting from a skilled interview by the Rehabilitation Counselor (including, but not limited to, the existence of an obvious impairment, such as the loss of a limb or information obtained through the individual or family participating in the initial interview). Such observations may be used in lieu of medical records or medical information of record (MIOR).
- Social Security Administration (SSA), medical, and educational records.
- Documentation provided by the applicant or the applicant's family.
- Existing data from other qualified sources.

The Rehabilitation Counselor will perform the following actions to obtain sufficient information necessary to satisfy all four criteria of eligibility in accordance with CCR 7060:

- Utilize existing information wherever possible.
- Conduct an assessment if more information is needed to determine whether an applicant is eligible for VR services and to determine the eligible individual's priority category under an Order of Selection (OOS).

³ 34 CFR 361.42(a)(4)

⁴ 34 CFR 361.42(a)(2)

- Provide assessment services in the most integrated setting possible, consistent with the individual's needs and informed choice.
- Provide an applicant with only those assessment services necessary to determine eligibility and priority for services.

Certain types of existing information are not sufficient to establish the presence of a disability and cannot be used in the eligibility determination process. These may include, but are not limited to, information documenting the following:

- Limited fluency in English.
- Differences in cultural practices.
- Optometric or ophthalmologic diagnosis of a refractive error that can be corrected with lenses.
- History of expulsions, arrests, convictions, or incarcerations.
- Letters indicating participation in a recovery program such as Alcoholics Anonymous, or referrals to a residential or outpatient rehabilitation facility for alcohol or substance use.

A history of social problems, without a history of obtaining or retaining employment, resulting from the impairment does not constitute a substantial impediment for purposes of determining eligibility.

Information that is not sufficient to establish the presence of a disability, by itself, may still be used to assess an individual's VR needs overall for the development of an IPE.

Sources of Information for Eligibility Determination

The Rehabilitation Counselor will identify sources of information to determine an applicant's eligibility, as appropriate to the individual.

Qualified DOR personnel are authorized to confirm the existence of a diagnosed impairment through a skilled interview when determining eligibility, and they may base their determination on direct observation of either or both visible and nonvisible disabilities.

Refer to the RAM Chapter 30 Toolbox, Sources of Information for Eligibility Determination, for more information on the documentation/assessment of

physical conditions, mental/emotional conditions, learning disabilities, and alcohol or substance use disorders.

Documenting Eligibility Determination

In accordance with 34 CFR 361.42, the DOR determination of an applicant's eligibility for vocational rehabilitation services must be based only on the following requirements:

- (1) A determination by qualified personnel, who need not be DOR employees, that the applicant has a physical or mental impairment;
- (2) A determination by qualified personnel, who need not be DOR employees, that the applicant's physical or mental impairment constitutes or results in a substantial impediment to employment for the applicant;
- (3) A determination by a Rehabilitation Counselor employed by the DOR that the applicant requires VR services to prepare for, secure, retain, advance in, or regain employment consistent with the applicant's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice; and,
- (4) A presumption, in accordance with (a)(2) of this section, that the applicant can benefit from the provision of vocational rehabilitation services in terms of an employment outcome in an integrated setting.

The date of Eligibility is the date that the Rehabilitation Counselor determines that the applicant is eligible, using the above requirements, and documents this date in AWARE.

When an applicant is determined eligible, the Rehabilitation Counselor will perform the following actions to document the actual date of Eligibility recorded in each individual's record of services:

- Document the eligibility determination in AWARE according to the AWARE Reference Guide. The date of Eligibility entered in AWARE is the date Eligibility is determined as described above.
- Create and sign the DR 212 Notice of Eligibility and Priority for Services form.

The Rehabilitation Counselor or designated district staff will complete documentation in accordance with [Section 3004](#).

The applicant's status will change to Eligible in AWARE.

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3022 Process for Presumptive Eligibility (11/19)

In accordance with 34 CFR 361.42(a)(iii), the Rehabilitation Counselor will expedite an eligibility determination for applicants who are presumed eligible for VR services (CCR 7062(d)). Any individual who has been determined eligible for Social Security benefits under Title II or Title XVI of the Social Security Act (i.e., Supplemental Security Income, Social Security Disability Insurance) will be presumed eligible for VR services.

The Rehabilitation Counselor will *not* complete an eligibility extension for applicants receiving SSI/SSDI due to disability and/or blindness because these applicants are presumed eligible for services.

Consistent with Section 3020, the Rehabilitation Counselor will take one of the following actions on the day of application whenever possible:

- Determine that the applicant is eligible for VR services.
- Place the applicant in a TWE if there is a significant doubt about the applicant's ability to benefit from VR services in terms of an employment outcome in an integrated setting.

In addition, the Rehabilitation Counselor may close the record of services with an ineligibility determination after an opportunity to participate in TWE has been provided (CCR 7179.1).

Refer to [Section 3024](#) for more information on TWE requirements when an individual's disability appears too severe for him or her to benefit or continue to benefit from VR services in terms of an employment outcome.

Verifying Presumptive Eligibility

The Rehabilitation Counselor will verify that an applicant is a current SSI/SSDI beneficiary because of the applicant's own disability. Benefits received because of a relative's disability or retirement does not qualify an applicant for presumptive eligibility.

To verify presumptive eligibility, the Rehabilitation Counselor or designated district staff will obtain written documentation including, but not limited to, any one of the following:

- A recent copy of an SSI/SSDI award or continuation letter from the SSA. Recipients of SSI/SSDI can access their benefit verification letter, payment history, and earnings record using their online *my Social Security* account. SSI/SSDI beneficiaries needing a benefit verification letter can obtain one by registering for a *my Social Security* account at www.socialsecurity.gov/myaccount.
- A recent copy of a bank statement that clearly reflects SSI/SSDI payment to an applicant with direct deposit.
- A recent copy of a Benefits Planning Query (BPQY) report from SSA. An SSI/SSDI beneficiary can contact SSA by phone or in person to request a BPQY (SSA form 2459), or a member of the VR team can request the BPQY by utilizing required SSA release forms available on the Social Security Programs page of the DOR intranet. Also refer to the [BPQY Fact Sheet](#) for more information.
- Other written documentation directly received from SSA or Disability Determination Services reflecting that the applicant is currently entitled to SSI/SSDI benefits.
- A copy of a TTW verified by the SSA TTW Help Line as a valid ticket. The Rehabilitation Counselor will make a copy of the TTW for the record of services and return the original to the applicant.

The Rehabilitation Counselor or designated district staff may perform the following actions:

- Obtain telephone confirmation of an applicant's SSA eligibility from an SSA staff person, such as a claims representative or an Area Work Incentives Coordinator.
- Document telephone confirmation in a case note indicating the date of the conversation and the SSA staff person's name.
- Contact SSA TTW Help Line to verify ticket status to expedite a determination of presumptive eligibility. SSA TTW Help Line contact information may be found on the Social Security Programs page of the DOR intranet. Also refer to the [Ticket to Work Protocol for DOR Staff](#) which is located at: <\\dorgroup\group\Public Folder\InDOR Documents\VRPRD\SSPS\Resource Library\Fact Sheets\TTW Fact Sheets\TTW Protocol for DOR Staff.docx>.

The VR team must then obtain written documentation verifying the applicant's entitlement to SSI/SSDI benefits during the life of the record of services.

Documenting Presumptive Eligibility

The Rehabilitation Counselor will perform the following actions to document presumptive eligibility:

- Document an SSI/SSDI beneficiary as presumptively eligible in AWARE according to the AWARE Reference Guide.
- Create and sign the DR 212 Notice of Eligibility and Priority for Services form.

The Rehabilitation Counselor or designated district staff will complete documentation in accordance with [Section 3004](#).

The applicant's status will change to Eligible in AWARE.

Documenting Other than Presumptive Eligibility for SSI/SSDI Recipients

The DOR recognizes that an individual who has been determined eligible for Social Security benefits under Title II or Title XVI of the Act may sometimes have information other than verification of SSI/SSDI benefits readily available; it is sometimes faster to determine eligibility based on other information.

If presumptive eligibility is not applied, the Rehabilitation Counselor will perform the following additional actions:

- Follow the process for determining eligibility in [Section 3021](#).
- Document the rationale in a case note—typically titled, “Eligibility Determination More Timely than Presumptive Eligibility.” The Rehabilitation Counselor will explain why the information used to determine eligibility was timelier than applying presumptive eligibility. For example, “Basing eligibility on available medical records was faster than applying presumptive eligibility because the applicant brought the medical records to the initial interview appointment.”

3023 Eligibility Determination Extension (11/19)

An eligibility determination extension must be due to exceptional and unforeseen circumstances beyond the control of the DOR, or due to information that cannot be obtained from a necessary TWE within 60 days. The Rehabilitation Counselor and the applicant will mutually agree to a specific date of the eligibility extension.

If the Rehabilitation Counselor has not determined an applicant's eligibility within 60 days from the date of application, the Rehabilitation Counselor will take one of the following actions on, or before, the date an applicant's eligibility determination is due:

- Determine that the applicant is eligible for VR services.
- Place the applicant in a TWE if there is a significant doubt about the applicant's ability to benefit from VR services in terms of an employment outcome in an integrated setting.
- Complete an eligibility extension with mutual agreement from the applicant.
- Close the record of services without an eligibility determination (CCR 7179).
- Close the record of services with an ineligibility determination after an opportunity to participate in a TWE has been provided (CCR 7179.1).

If the applicant does not agree to a specific extension of time as specified in CCR 7060, the Rehabilitation Counselor will perform the following actions:

- Base an eligibility determination on the information available.
- Inform the applicant of his or her right to appeal the determination made by the DOR through an administrative review, mediation, and/or a fair hearing.
- Inform the applicant of his or her right to consult with a Client Assistance Program (CAP) representative.

The District Administrator will monitor records of services exceeding 60 days in application status in his or her district and take appropriate action to ensure district-wide compliance.

The Team Manager will complete the following actions:

- Ensure eligibility extensions are properly determined, are not expired, and the AWARE data page and printed DR 211 form accurately reflect the same eligibility extension end date.
- Review and monitor cases exceeding 60 days from date of application and take appropriate action to ensure VRSD team compliance.

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Documenting Eligibility Determination Extension

The Rehabilitation Counselor will perform the following actions:

- Document the eligibility determination extension in AWARE according to the AWARE Reference Guide.
- Create and sign the DR 211 Extension of Eligibility and Priority for Services form.
- Document the exceptional, unforeseen circumstances that resulted in the extension. For example, “The applicant rescheduled the initial interview several times because of illness.”

The Rehabilitation Counselor or designated district staff will complete documentation in accordance with [Section 3004](#).

If the Rehabilitation Counselor and the applicant do not mutually agree to an eligibility extension, the Rehabilitation Counselor, as appropriate, will document the following in AWARE:

- Meetings or discussions with the applicant and the applicant's views.
- Efforts to encourage the applicant's participation and cooperation.
- Required attempts to contact the applicant within the last 30 days, in accordance with CCR 7179.
- Determination of eligibility based upon available information, as appropriate.
- Determination of record of services closure based upon no eligibility (see CCR 7179), or ineligibility (see CCR 7179.1), as appropriate to the individual case.

- Communication to inform the applicant of the right to appeal the determination made by the DOR through administrative review, mediation, and/or a fair hearing.
- Communication to inform the applicant of his or her right to consult with a CAP representative.

The eligibility extension is not valid until the documentation is entered in AWARE and the Rehabilitation Counselor signs the DR 211 form.

The applicant's status will change to Application-E in AWARE.

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3024 Trial Work Experience (11/19)

The Rehabilitation Counselor will only place an applicant, or eligible individual, in a Trial Work Experience (TWE) if there is a significant doubt about the individual's ability to benefit from VR services in terms of an employment outcome in competitive integrated employment. Similarly, the Rehabilitation Counselor will only place an eligible individual in a Trial Work Experience (TWE) if there is a significant doubt about the eligible individual's ability to continue to benefit from VR services in terms of an employment outcome in competitive integrated employment.

Trial Work Experiences must be provided in the most integrated setting possible, consistent with the individual's abilities, capabilities, informed choice, and rehabilitation needs.

The TWE must be of sufficient variety and over a sufficient period for the Rehabilitation Counselor to make one of the following determinations:

- There is sufficient evidence to conclude that the individual can benefit or continue to benefit from the provision of VR services in terms of an employment outcome.
- There is clear and convincing evidence that the applicant or eligible individual is incapable of benefiting from VR services in terms of an employment outcome in competitive integrated employment because of the severity of the individual's disability.

When assessing eligibility through TWE, the Rehabilitation Counselor will perform the following activities:

- Discuss the reason for the TWE plan with the Team Manager, as appropriate to the individual case.
- Determine the individual is eligible when the TWE indicates the individual is able to benefit or fails to provide clear and convincing evidence of an inability to benefit from VR services.
- Provide appropriate supports including, but not limited to, Assistive Technology (A.T.) devices and services, and personal assistance services to participate in the assessment.
- Determine an individual is ineligible if the TWE provides clear and convincing evidence that an individual is unable to benefit from or continue to benefit from VR services in terms of an employment outcome in competitive integrated employment.

The Rehabilitation Counselor will not use the TWE for any purpose other than eligibility determination. Only those services required to determine the applicant's ability to benefit from VR services in terms of an employment outcome will be provided.

The VR team will track TWE plan end dates.

The Team Manager will ensure TWE plans are properly determined, are not expired, and that the AWARE data page and printed TWE plan reflect the same end date.

Refer to Sections [3074](#) and [3075](#) for record of services closure policy if no eligibility or ineligibility is determined, respectively.

Refer to CCR 7004.6 for the definition of clear and convincing evidence; CCR 7062(h) and CCR 7029.1 for more information on TWE.

Trial Work Experience

“Trial Work Experience” refers to the exploration of an individual's abilities, capabilities, and capacity to perform in realistic work situations, and must be conducted prior to a determination that the individual is incapable of benefiting from VR services, in terms of an employment outcome in

competitive integrated employment, due to the severity of the individual's disability.

A TWE is not an evaluation, class, or other non-work service. A TWE must be in a realistic work setting, and may include, but is not limited to:

- Supported employment.
- On-the-job training.
- Situational assessments.
- Unpaid/volunteer positions.
- Student work experience positions.
- Other experiences using realistic work settings.

It is not necessary that a TWE be similar to, or consistent with, a proposed vocational goal. The selection and setting shall be based on the following:

- The availability of a TWE.
- An individual's informed choice.
- The potential for the TWE to provide the individual with the opportunity to demonstrate his or her capacity to perform in a realistic work situation.

All placements, including unpaid positions, must be consistent with federal and state labor laws. They must also be consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interest, and informed choice.

A TWE is an assessment that will only be used to determine eligibility and priority for services, or continued eligibility, as needed. It is not one of the DOR Student Services for students with disabilities.

Refer to [Section 3040](#) for more information on DOR Student Services and services to potentially eligible students.

Documenting Trial Work Experience

The Rehabilitation Counselor, in collaboration with the individual, will develop a written plan to provide a TWE.

The TWE written plan must include the following information to determine the individual's ability to benefit, or continue to benefit, from VR services in terms of an employment outcome:

- The rationale and evidence that support the need for the assessment.
- The information from the assessment and how it will be used to assist in determining eligibility, or continued eligibility.
- The location and type of necessary supports.
- The justification for any non-integrated settings used.
- An estimated timeline for the initiation and duration of services.
- The rationale for the selection of any needed services and service providers, consistent with informed choice.
- The criteria for assessing the applicant's abilities, capabilities, and capacity to perform in the work situation.
- A schedule of periodic assessments that take place at least every 30 days.
- The responsibilities of the individual and the Rehabilitation Counselor.
- Reference to any supporting documents in the record of services.
- Other pertinent information.

When a TWE plan is developed, the Rehabilitation Counselor will document the TWE data pages in AWARE, according to the AWARE Reference Guide.

The Rehabilitation Counselor or designated district staff will complete documentation in accordance with [Section 3004](#).

If an individual does not agree with the TWE plan, the Rehabilitation Counselor will document the following, including, but not limited to:

- Meetings or discussions with the individual, including notations on the individual's views.
- Efforts to encourage the individual's participation and cooperation.
- The eligibility decision based on available information, as appropriate.
- Record of services closure in accordance with [Section 3070](#), as appropriate to the individual case.

- Inform the individual of his or her right to consult with a CAP representative.
- Inform the individual of the right to appeal the determination made by the DOR through administrative review, mediation, and/or a fair hearing.

The TWE plan is not valid until the documentation is entered in AWARE, and the Rehabilitation Counselor and the individual sign the TWE plan.

The individual's status will change in AWARE as follows:

- Trial Work Experience for an applicant is "Application-T."
- Trial Work Experience for an eligible individual without an IPE is "Eligible-T."
- Trial Work Experience for an eligible individual who has an IPE and is receiving services is "Service-T."

Periodic Assessment of Eligibility

The Rehabilitation Counselor will document a periodic assessment of eligibility, typically every 30 days. For each periodic assessment, the Rehabilitation Counselor will document in a case note an assessment of the individual's abilities, capabilities, and capacities to perform in realistic work situations, as well as the rationale for continuing in the TWE, based on the following:

- The Rehabilitation Counselor's observations.
- Reports from the service providers.
- Feedback from the individual.
- Other relevant information.

3025 Ineligibility Determination (11/19)

The Rehabilitation Counselor will appropriately determine ineligibility in accordance with CCR 7179.1 based on the circumstances of each individual applicant or formerly eligible individual (an individual who was once eligible may be determined as no longer eligible).

The Rehabilitation Counselor will make an ineligibility determination for an applicant when any of the following conditions exist:

- The applicant does not have a physical or mental impairment.
- The applicant's impairment does not constitute a substantial impediment to employment.
- The applicant does not require VR services to achieve an employment outcome.
- There is clear and convincing evidence that the applicant or formerly eligible individual cannot benefit from VR services because of the severity of disability, as substantiated by the outcome of a TWE.

The Rehabilitation Counselor will have a high degree of certainty before concluding that an individual with a disability is incapable of benefiting from, or continuing to benefit from, VR services, in terms of an employment outcome in competitive integrated employment, due to the severity of his or her disability.

When there is a significant doubt that an applicant is able to benefit from or an eligible individual is able to continue to benefit from VR services because of the severity of disability, the Rehabilitation Counselor will perform the following actions prior to record of services closure:

- Conduct a TWE to determine whether there is clear and convincing evidence to support a determination of ineligibility *for an applicant*.
- Conduct an assessment or obtain substantiating medical documentation or other pertinent information to establish clear and convincing evidence that *an eligible individual* is no longer eligible.
- Offer and document good-faith opportunities to participate in an appropriate assessment, when possible, even if the individual declines to participate or does not cooperate.

Refer to [Section 3024](#) for information on TWE and [Section 3075](#) for closure with a determination of ineligibility.

Documenting Ineligibility Determination

The Rehabilitation Counselor will document the reason(s) for the ineligibility determination in a case note —typically titled, “Ineligibility Determination.” In addition, the Rehabilitation Counselor will document good-faith efforts to provide opportunities for the applicant or consumer to demonstrate the

ability to benefit from VR services, in terms of an employment outcome in competitive integrated employment.

If appropriate, the Rehabilitation Counselor will document clear and convincing evidence using one or more of the following criteria:

- A description of assessments, including situational assessments or supported employment assessments.
- Referrals made to assessments or service providers or copies of letters inviting the individual to attend these activities.
- Reports from service providers who have concluded they would be unable to meet the applicant's needs due to the severity of the applicant's disability, e.g., work tolerance assessment.
- Feedback from the applicant, the applicant's representative, or a relative.
- Records from medical doctors, including but not limited to the individual's treating physician or other allied health care providers.
- Recommendations from a DOR Medical Consultant or Consulting Psychologist, typically provided in conjunction with other evidence.
- Feedback from paid employment, on-the-job training experiences, unpaid volunteer experiences, or unpaid student work experiences.
- Attendance records from a school/training program.
- Other relevant information.

The Rehabilitation Counselor will close the record of services in AWARE using the DR 229B Closure Report – Other Than Rehabilitated.

The applicant's status will change to Closed-Other in AWARE.

The Rehabilitation Counselor will conduct a mandatory review after the record of services has been closed other than rehabilitated because the individual was ineligible for VR service in accordance with 34 CFR 361.55.

Distinguishing No Eligibility from Ineligibility

An individual may apply for VR services but fail to complete assessments needed to determine eligibility and priority for services due to a variety of reasons. When this occurs, the Rehabilitation Counselor may close an

applicant's record of services as "Closed – Other" before eligibility or ineligibility is determined. This means there is no eligibility or ineligibility determination.

The Rehabilitation Counselor does not have to meet the clear and convincing evidence standard to close an applicant's record of services without an eligibility determination in accordance with CCR 7179.

Closure without a determination of eligibility should be distinguished from closure with a determination of ineligibility in accordance with CCR 7179.1, which would require one of the following actions, as appropriate to the individual case:

- A TWE to determine if the applicant is incapable of benefiting from, or continuing to benefit from, VR services, in terms of an employment outcome in competitive integrated employment, due to the severity of the individual's disability.
- A functional assessment to determine that a consumer is no longer eligible for VR services because he or she is unable to benefit from services due to the severity of his or her disability.

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3030 PRIORITY FOR SERVICES (10/17)

When the DOR is operating under an Order of Selection (OOS), the DOR shall conduct a priority for services assessment for each eligible individual to determine the appropriate priority category. The determination shall quantify the impact of the limitations presented by an eligible individual's disability, considered in a full range of environments, in terms of an employment outcome.

The DOR shall consider the following:

- An eligible individual receiving supported employment program services as an individual with a most significant disability (Priority Category One).
- An eligible individual receiving SSA disability benefits (i.e., SSI and SSDI) due to disability or blindness as an individual with at least a significant disability (Priority Category Two).

The DOR shall reevaluate an individual's priority category, as appropriate.

The DOR shall use the DR 212 NOTICE OF ELIGIBILITY AND PRIORITY FOR SERVICES form to provide written notice of the following:

- The individual's priority category.
- The priority category currently being served.
- The individual's appeal rights.
- The right to a reevaluation of his or her priority category.

The DR 212 form shall be signed and dated by the Rehabilitation Counselor.

The DOR shall use the DR 211 EXTENSION OF ELIGIBILITY AND PRIORITY FOR SERVICES form when more time is needed to determine the priority category. The DR 211 form shall be signed and dated by the Rehabilitation Counselor.

Authority: 34 CFR 361.36 and 361.42; CCR, title 9, sections 7050, 7051, 7054, 7055, 7062, and 7122.

[Go to CFR.](#)

[Go to CCR.](#)

3031 Priority Category Determination (10/17)

Priority category means the order in which an eligible individual will be served in accordance with [Section 3030](#). The priority category will be based on the following:

- First, on the level of significance.
- Second, on the date of application.

Assessing an eligible individual's priority for services will be a collaborative effort on the part of the Rehabilitation Counselor and the individual. The determination of the eligible individual's priority category will be based on the following criteria:

- Information collected from a wide variety of sources.
- Review of the eligible individual's daily life, including community, home, school, and work activities. The review will consider an individual's ability to participate in major life activities as they affect an employment outcome.
- Consideration of the effect of an eligible individual's impairment(s) in each of the six "Functional Capacity Areas," (i.e., communication, interpersonal skills, mobility, self-care, work skills, and work tolerance) that are impacted by an individual's disability (CCR 7051(a)(4)).

The Rehabilitation Counselor will also utilize the following information to determine priority category:

- Whether an eligible individual's impairment creates a serious limitation (impediment or barrier) in terms of an employment outcome in order for the impact to a functional capacity area to be considered significant.

"Serious limitation in terms of an employment outcome" means a reduction of one's capacity to perform, due to severe physical or mental impairment, to the degree the individual requires services or accommodations in order for the individual to work or be a fully functioning member of the community (CCR 7051(a)(7)).

- Whether multiple VR services are needed to reach the employment outcome.

“Multiple vocational rehabilitation services” means two or more VR services, excluding counseling and guidance, services to family members, and transportation (CCR 7051(a)(5)).

- Whether an extended period is required for providing VR services.

“Extended period” means more than six months (CCR 7051(a)(3)).

In determining the priority category, the Rehabilitation Counselor will not consider the following:

- Geographical location of residency within the state or duration of residency.
- Type of disability.
- Sex, race, age, religious creed, color, ancestry, national origin, sexual orientation, or marital status.
- Source of referral.
- Type of expected employment outcome.
- Particular service needs or anticipated cost of services required by an individual.
- Income level of an eligible individual or an individual’s family.
- Counseling and guidance and/or transportation services.

In accordance with CCR 7051(a)(8), the definition of “transportation,” for the purposes of OOS only, means the use of public or private modes of travel. The purchase of a vehicle, vehicle modification, repair, and mobility evaluation are not defined as transportation for the purposes of determining the need for multiple VR services.

The Team Manager will ensure priority category determinations are properly determined in a timely manner, including requests for reevaluating priority category in accordance with [Section 3032](#), if any.

Documenting Priority Category Determination

The Rehabilitation Counselor, with assistance from the VRSD team, will ensure the record of services contains documentation, such as medical or educational records, supporting the priority for services determination, as appropriate to the individual case.

To document the priority category determination, the Rehabilitation Counselor will perform the following actions:

- Document the Disability Priority data page in AWARE according to the AWARE Reference Guide.
- Create and sign the DR 212 NOTICE OF ELIGIBILITY AND PRIORITY FOR SERVICES form.

The Rehabilitation Counselor or designated district staff will complete documentation in accordance with [Section 3004](#).

The individual's status will change to Eligible in AWARE.

3032 Reevaluating Priority Category (09/14)

An eligible individual who is placed on the waiting list may request a reevaluation of his or her priority category at any time if the eligible individual believes his or her situation has changed sufficiently to place him or her in a different priority category (CCR 7055(f)).

If a request is received, the Rehabilitation Counselor will:

- Conduct a reevaluation.
- Notify the eligible individual of the results within 30 days of the request.

If the reevaluation takes longer than 30 days, the Rehabilitation Counselor will:

- Inform the eligible individual of the reason for the delay and the estimated completion date of the reevaluation.
- Document the reason for the delay in a case note in AWARE.

Documenting Priority Category Reevaluation

If a new priority category is determined, the Rehabilitation Counselor will perform the following actions:

- Document in a case note the results of the reevaluation and the reasons for any change in priority category.
- Update the Disability Priority data page in according to the AWARE Reference Guide.
- Repeat the priority category documentation steps listed in [Section 3031](#).

3033 Priority for Services Extension (09/14)

The priority for services assessment will be extended only if, due to exceptional, unforeseen circumstances beyond the control of the DOR, an eligibility determination cannot be completed within the 60-day eligibility determination timeline.

Documenting Priority for Services Extension

If more time is needed to determine the priority category, both the eligibility and priority category determinations will be extended using the DR 211 EXTENSION OF ELIGIBILITY AND PRIORITY FOR SERVICES form in accordance with the documentation requirements in [Section 3023](#).

The individual's status will change to Application-E in AWARE.

3035 ORDER OF SELECTION / WAITING LIST (10/17)

When the DOR does not have sufficient resources to serve all eligible individuals, the DOR shall use an Order of Selection (OOS) process. The OOS process means the DOR must place each eligible individual in a priority category that ensures an impartial process to serve all individuals in the correct order. The DOR shall place an eligible individual on a waiting list when his or her priority category for VR services is not being served.

The DOR shall adhere to the following guidance in accordance with CCR 7053:

- When eligible individuals who are in Priority Category Two can be served, all eligible individuals who are in Priority Category One shall be served regardless of the date of application.
- When eligible individuals who are in Priority Category Three can be served, all eligible individuals who are in Priority Category Two shall be served, regardless of the date of application.
- Individuals who are not included in one of the priority categories being served will be placed on a waiting list pursuant to CCR 7055.

Notwithstanding the DOR priority categories above, in accordance with 34 CFR 361.36 (a)(3)(v), the DOR reserves the right to determine whether or not it shall serve eligible individuals who require specific services or equipment to maintain employment.

Upon implementation of the OOS for VR services, the following will occur:

- Eligible individuals with IPEs written and signed prior to implementation shall continue to receive services, including additional services subsequently identified as necessary to complete their IPE.
- Individuals who were determined eligible prior to implementation, but for whom the IPEs have not been written and signed, shall be assigned to a priority category.

The DOR shall annually notify an individual of their placement on the waiting list in writing.

The DOR shall use the following forms related to Waiting List notification:

- DR 68D WAIT LIST CONTACT

- DR 68H 60-DAY WAIT LIST NOTIFICATION

The DOR shall utilize AWARE descriptions related to OOS as follows:

- Priority for Services is “Disability Priority.”
- Waiting list status is “Delayed.”

Information about the current OOS is located on the [DOR website](http://www.dor.ca.gov) at [<http://www.dor.ca.gov>](http://www.dor.ca.gov).

Authority: 34 CFR 361.36 and 361.42; CCR, title 9, sections 7017, 7017.2, 7017.5, 7051, 7053–7055, and 7122.

[Go to CFR.](#)

[Go to CCR.](#)

3036 Order of Selection for a Student with Disability (10/17)

There are special rules related to Order of Selection (OOS) for a student with a disability.

While a student with a disability is not exempt from any of the OOS requirements, a potentially eligible student’s participation in DOR Student Services (in the PE Case Type) prior to application will affect whether that student may continue to receive DOR Student Services (in the VR Case Type) prior to the development of the IPE.

The Rehabilitation Counselor must identify whether a student with a disability has received DOR Student Services ([Section 3040](#)) prior to applying for VR services. Typically, this will occur when a potentially eligible student receives DOR Student Services in the PE Case Type.

Team Managers will be responsible for oversight to ensure the continuity of DOR Student Services, as appropriate.

Refer to [Section 3048.1](#) for more information on assignment of a student with a disability to an open OOS category.

Refer to [Section 3048.2](#) for more information on assignment of a student with a disability to a closed OOS category.

3037 Notification of Waiting List and Delayed Status (10/17)

When the DOR is operating under an OOS, the Rehabilitation Counselor will perform the following actions:

- Conduct a priority for services assessment for determining the priority category for each eligible individual in accordance with [Section 3031](#).
- Place eligible individuals, who are not in an open category, on a waiting list.
- Notify eligible individuals who are placed on the waiting list using the DR 212 NOTICE OF ELIGIBILITY AND PRIORITY FOR SERVICES form.
- Explain to the eligible individual placed on the waiting list that the Rehabilitation Counselor will periodically send out a DR 68D WAIT LIST CONTACT letter. The DR 68D form will notify him or her of the waiting list status; and inquire about his or her desire to either remain on, or be removed from, the waiting list.
- Explain that the eligible individual may also check the [DOR website](#) located at <http://www.dor.ca.gov>. The DOR website will include a general notice inviting eligible individuals on the waiting list to contact the DOR at any time regarding their desire to either remain on, or be removed from, the waiting list.

Documenting Waiting List and Delayed Status

For each eligible individual placed on the waiting list, the Rehabilitation Counselor will create and sign the DR 212 NOTICE OF ELIGIBILITY AND PRIORITY FOR SERVICES form, indicating that the DOR is *unable* to serve an eligible individual's priority category and that the eligible individual will be placed on the waiting list.

The Rehabilitation Counselor or designated district staff will periodically mail the eligible individual a DR 68D WAIT LIST CONTACT letter that contains the following information:

- The eligible individual's delayed status and priority category.
- The priority category currently being served.
- The eligible individual's appeal rights.
- The right to a reevaluation of the priority category determination.
- A tear-off response sheet.

- The DR 1000 RIGHTS AND REMEDIES form.

The Rehabilitation Counselor or designated district staff will complete documentation in accordance with [Section 3004](#).

If the eligible individual responds to the DR 68D form within 30 days, the Rehabilitation Counselor or designated district staff will record the eligible individual's response in a case note—typically titled, "Delayed Status 30-Day Contact."

If the eligible individual requests a modification of the priority category determination due to a change in the significance of disability, the Rehabilitation Counselor will complete the priority category reevaluation within 30 days of the request in accordance with [Section 3032](#).

3038 Notification of Closure from the Waiting List (09/14)

The DR 68D letter also states that if the DOR does not receive a response within 30 days, the eligible individual's record of services could be closed.

If the eligible individual does not respond to the DR 68D letter within 30 days, the Rehabilitation Counselor or designated district staff will:

- Create the DR 68H 60-DAY WAIT LIST NOTIFICATION form in AWARE that requests contact from the eligible individual within 60 days regarding his or her interest in remaining on the waiting list.
- Document the lack of response in a case note—typically titled, "Delayed Status 60-Day Contact." For example, the case note may include information regarding the return of the notification letter as undeliverable and efforts to contact the eligible individual by mail, email, or other means.

The Rehabilitation Counselor or designated district staff will complete documentation in accordance with [Section 3004](#).

If the eligible individual does not respond to the DR 68H letter within 60 days from the date of the letter, the Rehabilitation Counselor will assume the eligible individual is not interested in remaining on the waiting list and the record of services will be closed.

Refer to [Section 3076](#) for instructions on closure from the waiting list.

3040 DOR STUDENT SERVICES (01/18)

The Rehabilitation Act, as amended by the Workforce Innovation and Opportunity Act (WIOA), places heightened emphasis on the provision of services to youth with disabilities, including pre-employment transition services to students with disabilities. The goal is to ensure that youth and students with disabilities have meaningful opportunities to receive the services necessary to prepare for and achieve employment outcomes in competitive integrated employment (CIE).

The DOR shall make available a continuum of services to students with disabilities (“students”) who are transitioning from school to postsecondary education and employment. For the purposes of this chapter, DOR Student Services means pre-employment transition services, as defined in 34 CFR 361.5(c)(42) and described in 34 CFR 361.48(a). DOR Student Services are designed to help students with disabilities begin to identify career interests and learn skills to maximize their success in the transition from school to postsecondary education, employment, independence, and economic self-sufficiency.

In all cases, the DOR shall ensure that all applicants and recipients of services, including potentially eligible (PE) individuals receiving DOR Student Services are informed of the Client Assistance Program (CAP) and due process options (i.e., Administrative Review, Mediation, and Fair Hearing).

The DOR shall consider comparable services and benefits for DOR Student Services, including those offered through local educational agencies.

Refer to Section 3042 Cooperating & Coordinating with Education Officials and Other Partners.

The WIOA defines a youth with a disability and a student with a disability as follows:

Youth with a Disability

A youth with a disability is defined as an individual with a disability who is not younger than 14 or older than 24 years.

A youth with a disability may or may not be enrolled in school and includes those who may have left or “aged out” of high school.

Student with a Disability

A student with a disability is defined as an individual who meets the following criteria:

- Is not younger than 16 or older than 21 years (has not reached 22nd birthday).⁵
- Is in secondary, postsecondary, or other recognized education program, including home school and alternative school programs.
- Is one or more of the following:
 - Is eligible for, and receiving, special education or related services under the Individuals with Disabilities Education Act (IDEA).
 - Is an individual with a disability for purposes of Section 504 of the Rehabilitation Act.

Note: An individual who is deemed to meet the definition of a student with a disability because he or she is eligible for purposes of section 504 of the Act is not required to be receiving services under that section.

How to Use this Section

The DOR Student Services section of RAM Chapter 30 is organized into three content areas:

- [Section 3040](#)–3046 provides a DOR Student Services overview and general requirements.
- [Section 3047](#) provides information on working with potentially eligible students in the PE Case Type.
- [Section 3048](#) provides information on providing DOR Student Services through the VR Case Type.

⁵ This age range is consistent with guidelines provided in the IDEA (20 U.S.C. 1414(d)(1)(A)(i)(VIII)) and the California Education Code (section 56341.5(e)), which state that transition services are to be included in the IEP by the time the student is 16 years of age.

3040.1 Internal Controls for DOR Student Funding (10/17)

The DOR shall reserve student funding of at least 15% of its federal Vocational Rehabilitation Title I grant to provide DOR Student Services to students with disabilities. The DOR shall make DOR Student Services available statewide through a combination of DOR staff time, third-party cooperative arrangements, and purchased case services, contracts, grants, awards, or other means.

The DOR is committed to ensuring that federal VR grant funds for DOR Students Services are fully utilized and liquidated in the appropriate federal fiscal year (FFY). State and federal funds are time-limited. Appropriate and timely authorizing, encumbering, and disencumbering are crucial activities that:

- Ensure goods and services are provided to consumers in an efficient and timely manner.
- Directly impact the DOR's ability to fully utilize its available state and federal funds to provide services to individuals on their path to employment and independence.
- Allow for critical decision making about funding availability.
- Provide for accurate reporting of allowable VR obligations.

Central Office (CO) Accounting and Budgets Fiscal Forecasting and Research (BFFR) provide oversight and maintain a system for tracking and accounting for federal funds that are reserved for DOR Student Services. Fiscal procedures for tracking DOR Student Services include the following internal controls to ensure that only students with disabilities receive DOR Student Services, and only those services are paid for with reserved funds:

- AWARE codes for in-house and purchased DOR Student Services identify and limit services paid for with reserved funds.
- Student with a disability documentation requirements in AWARE identify students with disabilities, for whom DOR Student Services may be purchased with reserved funds.
- Team Manager oversight of DOR Student Services, including but not limited to review of supporting documentation to verify students with

disability documentation, ensures that only students receive DOR Student Services.

- DOR Supervisor verification and approval of DR 650 timesheet activities, including travel time, ensures appropriate tracking and accounting of DOR staff time allocated to the provision of DOR Student Services.
- DOR Supervisor or Project Manager verification and authorization of time and expenditures for authorized activities ensures administrative costs are not included.
- Semi-annual Team Manager Record of Services Review, in which Team Managers shall review at least 5% of Qualified Rehabilitation Professional (QRP) caseloads semiannually, totaling at least 10% annually.
- Third-Party Cooperative Arrangement (TPCA) program and site reviews ensures the appropriate use of the reserved funds expended.
- The DOR Administrative Services Section will additionally provide support for monitoring, data collection, and financial accountability for the accuracy of DOR Student Services, including travel claims, timesheets and payroll, purchased case services, and contract expenditures. The SF 425–DOR Student Services Procedures ensures accounting for federal grant expenditures and administrative oversight of invoices and budgets.

Refer to [RAM Chapter 10](#) and [RAM Chapter 10, Exhibit A](#), for a listing of AWARE Procedure Codes.

Authority: 34 CFR 361.5(c)(51); 34 CFR 361.5(c)(58); 34 CFR 361.48(a); 34 CFR 361.49(a)(7); 34 CFR 361.57(b)(1)(v)

Go to [CFR](#).

3041 DOR Student Services: Guiding Principles (10/17)

The guiding principles listed below reflect the philosophy of the DOR as it aspires to assist and empower students with disabilities to prepare for future success:

- State-Wideness: The DOR will make the five required DOR Student Services available statewide to all students with disabilities in need of such services who are eligible or potentially eligible for VR services.
- Early Intervention: The DOR will make every effort to collaborate with schools and other partners to ensure that students with disabilities have opportunities to participate in DOR Student Services as early as possible in the transition planning process.
- Continuum of Services: The DOR will make available a continuum of services to provide students with disabilities an array of opportunities to explore their options, get ready for work, and create their careers.
- Accommodations & Auxiliary Aids and Services: The DOR will support students with disabilities' equal access to information and activities with accommodations or auxiliary aids and services provided as appropriate.
- Informed Choice: The DOR will make every effort to provide information about DOR Student Services to students with disabilities and their families in a user-friendly way to encourage informed choice and full participation.
- Fulfilling Potential: The DOR will make every effort to encourage students with disabilities to develop an expectation of success that includes competitive integrated employment, independence, and equality.
- Cultural Competency: The DOR will make every effort to provide information about DOR Student Services to students with disabilities and their families in ways that are reflective and respectful of their cultures and language preferences.
- Stakeholder Engagement: The DOR will make every effort to maximize the value of DOR Student Services through person-centered planning that includes meaningful dialogue with students, parents, and other stakeholders.
- Building Awareness: The DOR will make every effort to ensure that students with disabilities and their communities are aware of the benefits of the continuum of services available through DOR.

3042 Cooperating & Coordinating with Education Officials & Other Partners (01/18)

The DOR develops and maintains cooperative working relationships with local secondary education staff (including alternative school programs), post-secondary education staff, state operated programs, workforce development partners, and employers. The goal is to identify opportunities, facilitate the provision of, and coordinate DOR Student Services for students with disabilities.

The Vocational Rehabilitation Service Delivery (VRSD) teams will differentiate between the referral processes for DOR Student Services and VR Services. The DOR and VRSD teams will make every effort to inform Local Educational Agencies (LEAs) of the distinction between the referral process for DOR Student Services and the application for VR services.

The VRSD teams should be familiar with the comparable services and benefits offered by the LEAs in their area. Nothing under Title I of the Rehabilitation Act shall be construed as reducing an LEA's obligation under the IDEA to provide or pay for transition services that are also considered Special Education or related services and that are necessary for ensuring a free and appropriate public education (FAPE) to children with disabilities.

Refer to [Section 3042.1](#) for information on conducting statewide outreach.

Refer to [Section 3047.1](#) for referral procedures for DOR Student Services.

Refer to [Section 3010](#) for referral and application procedures for VR Services.

Authority: 34 CFR 361.22(a); 34 CFR 361.24(c)

Go to [CFR](#).

3042.1 Statewide Outreach (12/17)

The VRSD teams will conduct outreach to a variety of populations and organizations to reach unserved and underserved students. Outreach efforts may include information on referral for DOR Student Services as well as VR Services applications.

Outreach efforts may include but are not limited to the following populations and organizations:

- Foster youth, through group homes, and new short-term residential therapeutic programs (STRTP).
- Adjudicated youth, through Juvenile justice facilities.
- Native Youth.
- Homeless youth.
- Students in nontraditional educational programs, through charter schools, continuation schools, and home school programs.
- Parents and communities of students with disabilities.
- Other entities that serve students and youth with disabilities.

School Contact List

The DOR has developed a school contact list to serve as a mechanism to identify DOR liaisons for each secondary LEA in the state of California. The school contact list consists of over 500 LEAS. It serves a variety of purposes, including but not limited to the coordination of resource information, outreach, and program information dissemination.

The VRSD teams may use the school contact list to build interagency relationships with personnel who serve secondary students with disabilities for the provision of DOR services, including DOR Student Services to eligible and potentially eligible students.

The VRSD teams may additionally utilize the following tools to support outreach efforts:

- Letters to Special Education Directors.
- DR 200 Student Services Fact Sheet.
- DOR Website www.dor.ca.gov.
(Services to Youth web pages are currently in development)

3043 DOR Student Services: Five Required Activities (12/17)

The VRSD teams will directly provide or arrange for the provision of the five required DOR Student Services activities through purchased case services,

third party cooperative arrangements, contracts, grants, awards, or other means. The five required DOR Student Services include the following:

1. **Job Exploration Counseling** may include, but is not limited to, the following examples:
 - Review of information regarding in-demand industry sectors and occupations, as well as nontraditional employment.
 - Administration of vocational interest inventories and provision of local labor market information that applies to the student's particular interests.
 - Identification of career pathways of interest to the students.
2. **Work-Based Learning Experiences** may include opportunities that are available during or after school hours, or outside the traditional school setting; however, they must be provided in an integrated setting in the community to the maximum extent possible. The DOR and community partners will seek every opportunity to provide work-based learning experiences in integrated settings before providing these services in non-integrated settings. Services may include, but are not limited to, the following examples:
 - Informational interviews to research employers.
 - Work-site tours to learn about necessary job skills.
 - Job shadowing.
 - Mentoring opportunities.
 - On-site work-based experiences (paid or unpaid), e.g., internships, volunteering, practicums, or service learning opportunities.
3. **Enrollment Counseling on Postsecondary and Comprehensive Transition Programs at Institutions of Higher Education** may include, but is not limited to, the following examples:
 - Exploring the types of academic and occupational training needed to succeed in the workplace.
 - Postsecondary opportunities associated with career fields or pathways.

- Advising students and parents or representatives on academic curricula and course offerings.
- Providing information about college application and admissions processes.
- Providing resources that may be used to support individual student success in education and training (i.e., disability support services).
- Completing an application for student aid (e.g., FAFSA or other student aid).

Note: A comprehensive transition programs (CTP) means a degree, certificate, or non-degree program for students with intellectual disabilities. The CTP will have all of the following characteristics:

- Is offered by a college or career school and approved by the U.S. Department of Education.
- Is designed to support students with intellectual disabilities who want to continue academic, career, and independent living instruction to prepare for gainful employment.
- Offers academic advising and a structured curriculum.
- Requires students with intellectual disabilities to participate, for at least half of the program, in any of the following:
 - Regular enrollment in credit-bearing courses with students without disabilities.
 - Auditing or participating (with students without disabilities) in courses for which the student does not receive regular academic credit.
 - Enrollment in noncredit-bearing, non-degree courses with students without disabilities.
 - Internships or work-based training with individuals without disabilities.

California Schools with CTP Programs:

- California State University, Fresno
- University of California, Los Angeles

- San Diego City College
- San Diego Mesa College
- Santa Rosa Junior College
- Taft College

4. **Workplace Readiness Training** to develop social skills and independent living skills necessary for employment may include, but is not limited to, the following examples:

- Learning communication and interpersonal skills.
- Financial literacy, including limited benefits planning services specific to work experience.
- Orientation and mobility skills and travel training to access workplace readiness training or to learn to travel independently.
- Job-seeking skills.
- Understanding employer expectations for punctuality and performance, as well as other “soft” skills necessary for employment.
- On-site workplace readiness training during a work-based learning experience.

5. **Self-Advocacy Training** which may include, but is not limited to, the following examples:

- Learning about rights and responsibilities.
- Learning how to request accommodations, services or supports.
- Mentoring with education staff (e.g., principals, nurses, teachers, or office staff).
- Peer mentoring with individuals employed by or volunteering for employers, boards, associations, or organizations in integrated community settings.
- Participating in youth leadership activities offered in educational or community settings.
- Self-advocacy skills for identifying accommodations and services in an educational program.

DOR Student Services may be provided:

- In a group setting, such as a generalized classroom setting or in an individualized setting.
- In any order and multiple times, in accordance with the needs and interests of the student.
- Through any combination of case services, cooperative programs, or in-house through VR staff.

DOR Student Services may not be used as part of an assessment to determine eligibility.

DOR Student Services consist of the five required pre-employment transition services listed above.

Refer to [Section 3040.1](#) for information on internal controls.

Refer to [Section 3046.2](#) for information on documentation requirements for verifying that an individual is a student with a disability.

Refer to [Section 3046.3](#) for information on documenting DOR Student Services in AWARE.

Authority: 34 CFR 361.48(a)(2)

3044 Statewide Provision of DOR Student Services (12/17)

The VRSD teams will ensure the statewide availability of DOR Student Services through the direct provision of DOR Student Services by VR Staff. The teams will provide or arrange for DOR Student Services to eligible and potentially eligible students with disabilities who request or are recommended for one or more DOR Student Services, once all documentation has been provided.

The provision of DOR Student Services shall be based on parental consent to participate, obtained pursuant to state law, as well as the policies of the educational programs. Additionally, DOR Student Services will be governed by DOR policies and procedures and in accordance with all of the following:

- State and federal law and regulation.

- Statewide Interagency Agreement between DOR and CDE.

The primary mechanisms through which DOR districts will make DOR Student Services available include but are not limited to the following:

- In-house provision of services by VR staff.
- Purchased case services.
- Third-Party Cooperative Arrangements.

Refer to [Section 3040.1](#) for information on internal controls to ensure that only students with disabilities receive DOR Student Services, and only those services are paid for with reserved funds.

Refer to [Section 3046.2](#) for more information on verification of a student with a disability.

3044.1 Providing and Arranging DOR Student Services (12/17)

It is important that VRSD teams distinguish the various allowable actions that may be counted as DOR staff time ([Section 3046.1](#)).

The VRSD teams will conduct the following actions to develop and maintain DOR Student Services:

- Providing DOR Student Services.
- Arranging DOR Student Services.
- Coordination Activities.

Providing DOR Student Services

Providing DOR Student Services means to directly deliver any or all of the five required services to a student with a disability by a VRSD team member or other DOR staff. (Refer to [Section 3043](#).)

Arranging DOR Student Services

Arranging for the provision of DOR Student Services means to identify, plan, or schedule DOR Student Services activities for a specific student. Examples of arranging include the following:

- Conducting a DOR Student Services initial discussion with a potentially eligible student.

- Reviewing the DR 205A DOR STUDENT SERVICES OPTIONS form.
- Reviewing comparable services and benefits for DOR Student Services.
- Completing the DR 205 DOR STUDENT SERVICES AGREEMENT form.
- Discussing DOR Student Services and participation with a provider of these services.
- Scheduling and arranging for the student with a disability to meet with VR staff, schools, providers, and other partners.
- Registering/Enrolling the student with a disability for planned DOR Student Services.

Staff Travel

Staff travel (time and mileage) to and from the site at which one or more of the five required DOR Student Services are being provided or arranged. Travel time allocated to the reserve will correspond to the portion of the time spent providing or arranging DOR Student Services per student per service.

For example, if a VRSD team member traveled to the school and spent one hour providing Student Services (e.g., job exploration counseling) and another hour providing general transition services, staff would pay for 50% of that time and mileage with the Federal funds reserved for DOR Student Services. Alternately, if providing or arranging for the provision of DOR Student Services were the sole reason for the travel, staff would pay 100% of that time and mileage from the reserved Federal funds.

3044.2 Coordination Activities (12/17)

Coordination Activities

Coordination Activities connects people and establishes processes needed to serve students. These activities additionally help to ensure that services from multiple entities are well-sequenced and coordinated.

The federal regulations require that the four Coordination Activities be carried out by each local DOR office (34 CFR 361.48(a)(4)). Because Coordination Activities are such a critical component of the statewide

delivery system, time spent on these activities is countable toward the 15% reserve.

Two Coordination Activities are conducted on behalf of a specific student. These are:

- Participating in Individualized Education Program (IEP) meetings for both eligible and potentially eligible students, when invited. Participation may be in person, by phone, or by video conference.
- Attending person-centered planning meetings for students with disabilities receiving services under title XIX of the Social Security Act, when invited. In California, these are typically Individual Program Plan (IPP) meetings held at regional centers. Participation may be in person, by phone, or by video conference.

Two Coordination Activities can be conducted on behalf of SWD in general, or for a specific student. These are:

- Working with schools to coordinate and ensure the provision of DOR Student Services.
- Working with the employers, local workforce development boards, and America's Job Center of CaliforniaSM (AJCCs) to develop work opportunities for SWD.

Working with Schools

The purpose of working with schools is to coordinate and ensure the provision of DOR Student Services. Coordination Activities can include discussions with and presentations to schools to address key areas of coordination. Key areas include the following:

- Distinguish between DOR Student Services and the VR Program.
- Identify which students may receive DOR Student Services.
- Review DOR Student Services options.
- Articulate referral processes.
- Identify how DOR will be invited to participate in IEP meetings.
- Ensure that students and families have knowledge of DOR Student Services.
- Determine logistics for providing DOR Student Services on school grounds, if applicable.

Developing Work Opportunities

Coordination Activities also include coordination with local businesses, America's Job Center of California (AJCC), and Local Workforce Development Boards to develop work opportunities for SWD. Teams will work with these partners to establish a variety of work opportunities, including internships, informal apprenticeships, on-the-job trainings (OJTs), summer employment, and other employment opportunities available throughout the school year.

Staff Travel

Coordination Activities additionally include staff travel (time and mileage) to and from the site at which Coordination Activities are being performed. Travel time allocated to the reserve will correspond to the portion of the time spent coordinating DOR Student Services.

For example, if a VR counselor traveled to the school and spent one hour on Coordination Activities (e.g., attending an IEP meeting) and another hour providing general transition services, staff would pay for 50% that time and mileage with the Federal funds reserved for pre-employment transition services. Alternately, if Coordination Activities are the sole reason for the travel, staff would pay 100% of that time and mileage from the reserved Federal funds.

Authority: 34 CFR 361.48(a)(4); 34 CFR 361.24(c)

Go to [CFR](#).

3044.3 Third-Party Cooperative Arrangements (12/17)

Third-party cooperative arrangements (TCPAs) may provide the five DOR Student Services to potentially eligible or eligible students with disabilities. (Refer to [Section 3043](#).) These include the following programs:

- Transition Partnership Programs with Local Educational Agencies.
- Workability II with Adult Education Programs.
- Workability III with California Community Colleges.
- Workability IV with California State University / University of California (CSU/UC).
- Mental Health with County Mental Health Agencies.

The DOR may utilize or develop additional TPCA programs for the delivery of DOR Student Services.

Internal controls to account for time and expenditures in TPCAs include the following:

- TPCA contracts identify the DOR Student Services that may be provided.
- Quality assurance includes monitoring invoices on a monthly basis to ensure that the only costs reported are for DOR Student Services for students ages 16-21. Monitoring is conducted by the DOR Cooperative Program Section, in cooperation with the DOR Budgets, Fiscal Forecasting & Research Section.
- Supporting documentation includes the monthly Service Invoice, the client list of students served that month, and monthly progress reports that identify the specific DOR Student Services provided for each student. Supporting documentation is received by the Rehabilitation Counselor and the Contract Administrator, who will communicate sufficiency or issues regarding documentation, as appropriate.
- TPCA allowable activities are limited to those identified in the scope of services in the TPCA contracts. These do not include Coordination Activities conducted by TPCA staff.
- TPCA program reviews and technical assistance performed by DOR Cooperative Program staff.

In accordance with 34 CFR 361.28(c), the “Certified Match Budget” for the non-Federal share consists entirely of certified personnel expenditures for the time cooperating agency staff spent directly providing services.

The TPCA “Service Budget” itemizes the total costs of providing contracted services. The DOR reimburses the cooperating agency for these contract costs. In accordance with the RSA 2017 Monitoring and Technical Assistance Guide (p.33), DOR does not extract administrative costs from total contract costs when reporting contract costs as pre-employment transition services.

Authority: 34 CFR 361.28; 34 CFR 361.48(a)(4)

3044.4 Purchased Case Services (12/17)

DOR Student Services will be provided through purchased case services in accordance with the needs of the student and the available options in the local area. Only students with disabilities may receive purchased DOR Student Services, and only those services may be paid for with reserved funds.

Purchased case services include various types, including but not limited to fee-for-service, contracts, grants, awards, and other means. Costs of purchased case services associated with DOR Student Services include but are not limited to the following:

- WE Can Work contracts, where the LEA is the employer of record.
- Self-Advocacy training, in which the curriculum includes instruction in self-advocacy skills in an educational, community and home setting, self-knowledge and planning for future employment, personal self-advocacy planning, and identifying resources and needs.
- Work Experience fee-for-service, where the community rehabilitation provider (CRP) is the employer of record.
- Work Experience fee-for-service, where the Community College Foundation is the employer of record.
- Other grants, contracts, and awards to be developed.

The DOR may utilize or develop additional purchased case services for the delivery of DOR Student Services.

Team Managers will be responsible to ensure that only students with disabilities receive DOR Student Services and only those services are paid for with reserved funds.

Refer to [Section 3040.1](#) for information on internal controls, including but not limited to Team Manager oversight and semi-annual records of services reviews.

3045 Authorized Activities (10/17)

The DOR will engage in authorized activities for the purpose of building and strengthening the infrastructure for DOR Student Services in the State of California. Authorized activities are limited to those listed below and will not

include the provision of the five required activities to students with disabilities. This is consistent with the intention of Authorized Activities, which are designed to promote innovation and build capacity for the provision of DOR Student Services.

The DOR will only engage in authorized activities after (1) making the five required activities available to all students with disabilities who need them statewide, and (2) conducting fiscal forecasting for authorized activities in the Statewide Assessment.

Authorized activities are not documented in the record of services for a specific student; rather they are intended to increase and improve service delivery for students with disabilities in general.

The VRSD teams or designated DOR staff may conduct certain authorized activities and will account for their time appropriately ([Section 3046.1](#)).

Authorized activities consist of the following:

1. Implementing strategies to increase independent living and inclusion in communities and competitive integrated workplaces.
2. Developing and improving strategies for individuals with intellectual disabilities and individuals with significant disabilities to live independently, participate in postsecondary education, and obtain, advance in, and retain competitive integrated employment.
3. Providing instruction to vocational rehabilitation counselors, school transition personnel, and other persons supporting students with disabilities.
4. Disseminating information about innovative, effective, and efficient approaches to achieve the goals of DOR Student Services.
5. Coordinating activities with transition services provided by local educational agencies under the IDEA.
6. Applying evidence-based findings to improve policy, procedure, practice, and the preparation of personnel to achieve the goals of DOR Student Services.
7. Developing model transition demonstration projects.

8. Establishing or supporting multistate or regional partnerships involving states, local educational agencies, designated state units, Department of Developmental Services, regional centers, private businesses, or other participants to achieve the goals of DOR Student Services.
9. Disseminating information and strategies to improve the transition to postsecondary activities of individuals who are members of traditionally unserved and underserved populations.

Note: Authorized activities shall not include administrative costs. Refer to [Section 3040.1](#) for information on internal controls.

Authority: 34 CFR 361.48(a)(3)

3046 Documenting DOR Student Services (10/17)

Documentation requirements for DOR Student Services include the following:

- DOR Staff Time.
- Verification of Student with a Disability.
- Receipt of DOR Student Services.

3046.1 Documenting DOR Staff Time (10/17)

Designated DOR staff will document their time spent on activities to develop or deliver DOR Student Services activities using the DR 650 TIMESHEET form. This includes all time spent on providing or arranging for the provision of DOR Student Services, Coordination Activities, and Authorized Activities.

The DR 650 form provides documentation of staff time dedicated to DOR Student Services. Internal controls for the accuracy of this documentation include the supervisor's review and approval of the DR 650 form. Supervisor review of supporting documentation will include, but is not limited to, verification through direct observation, Outlook calendars, and case notes.

Refer to [Section 3044.3](#).

Refer to [Exhibit F—DR 650 Timesheet Form Instructions](#) for additional information.

3046.2 Verification of Student with a Disability (01/18)

The definition of a student with a disability has three components: age, educational program enrollment, and the requirement that the individual is eligible for and receiving special education or related services under IDEA, or is in an individual with a disability for the purposes of section 504 of the Act.

The VRSD teams will use the “Potentially Eligible” or “PE” case type in AWARE to document the record of services for students who are potentially eligible for VR services ([Section 3047](#)). The VRSD teams will use the VR Case Type to document the record of services for students who are eligible for VR services in accordance with federal and state regulations related to the VR program ([Section 3048](#)).

For students served in either the PE or the VR case type, the VRSD teams will document the following in AWARE:

- Unique identifier.
- Student’s social security number, if available.
- Date of birth.
- Race (required if the student is in elementary or secondary education).
- Ethnicity (required if the student is in elementary or secondary education).

In order to identify an individual as a student with a disability, VRSD teams will document all three components of a student with a disability in AWARE, as follows:

1. Age – AWARE calculates age automatically from the date of birth.
2. Current School Enrollment – Complete the Educational Goal grid on the Education page in AWARE. The individual is identified as currently enrolled when the current Educational Goal does not have an end date.

- o Note: The “Student with a Disability” field in AWARE will display “Yes” for an individual aged 16–21 with a current Educational Goal. However, the RSA-911 will not identify that individual as a student with a disability unless the Schools grid on the Educational Goal page is also completed.
3. Disability – Complete the Schools grid in the current Educational Goal page: enter the School Name and indicate Yes or No in the “IEP” and “504” fields. This documents that the student meets one of the following criteria at the time DOR Student Services are provided, and for the duration of the services:
- o Is a student with a disability eligible to receive special education services under the IDEA, or
 - o Is considered an individual with a disability under Section 504.

In addition to identifying the individual as a student with a disability in AWARE, VRSD teams will obtain and maintain supporting documentation for the student’s disability and current school enrollment. The student must be enrolled in a recognized education program at the time DOR Student Services are provided Educational programs include:

- Secondary education programs.
- Non-traditional or alternative secondary education programs, including home schooling.
- Postsecondary education programs.
- Other recognized educational programs, such as those offered through the juvenile justice system.

Acceptable forms of supporting documentation for a student’s disability include any of the following:

- Case note in AWARE documenting any of the following:
 - o Rehabilitation Counselor observation
 - o Review of school records*
 - o Statements of education staff*
- Referral form, e.g., DR 203 DOR STUDENT SERVICES REQUEST, with the identification of the student’s disability, signed by school staff and parent/guardian if the student is underage of majority. *

- Copy of any of the following:
 - Individualized Education Program (IEP)*
 - SSA beneficiary award letter
 - School psychological assessment*
 - Documentation of a diagnosis or disability determination
 - Documentation related to 504 accommodations*

Items marked with an asterisk (*) in the list above also provide sufficient documentation of enrollment in a recognized education program, as long as they reflect the current school year. Other options for supporting documentation of school enrollment include any of the following:

- Report card
- Class schedule
- College registration receipt
- Other documentation from the educational program

Team Managers will ensure the accuracy of supporting documentation to verify the student's disability and enrollment in a recognized education program.

Refer to [Section 3040.1](#) for more information on internal controls.

3046.3 Documenting DOR Student Services in AWARE (10/17)

To ensure that DOR Student Services are documented in the RSA-911 Report, the VRSD teams will document, for each student who receives DOR Student Services, all of the following:

- The service provided.
- The type of provider.
- The start date of the service.
- The amount expended for the service (only required for purchased case services).

AWARE allows the DOR to identify each student who received an in-house service or a purchased case service. These services are documented using individual Actual Services entries or purchase authorizations.

The VRSD teams will take the following actions to document DOR Student Services for students in AWARE:

- For the five required DOR Student Services provided directly by DOR staff, the VRSD teams will document on the Actual Services page in AWARE.
 - The VRSD teams will use the Actual Services Page in AWARE for both the VR and PE Case Types.
 - An Actual Services Page entry will be made for each student receiving services, regardless of whether services are provided in an individual or group setting.
 - Refer to [Section 3043](#) for information on the five required activities.
 - Refer to the [AWARE Reference Guide](#) for additional information.
- For purchased case services provided on an individual basis, document using the appropriate authorization form. The earliest begin date on authorization is the start date of the DOR Student Services activity.
- For TPCAs, the following protocol will be observed:
 - The Rehabilitation Counselor will create an authorizing case note with the specific services provided and their begin dates for each student receiving DOR Student Services.
 - Each TPCA will submit a monthly progress report for each student, which includes the specific services provided; progress reports are reviewed by the Rehabilitation Counselor.
 - The TPCA will additionally provide a listing of consumers who were provided with services in that invoice month. Lists are reviewed by the Contract Administrator.
 - The DOR Cooperative Program staff will apply the invoice to the group authorization.
- Refer to [RAM Chapter 11—Encumbering and Disencumbering](#).

The VRSD team may use case note types to document the identification and provision of DOR Student Services. Case note types include but are not limited to the following:

- Records (Medical/School).

- Progress Update.
- Appointment Notes.
- IEP/IPP Meeting.
- Completion of Services.
- Other.

The VRSD teams will utilize the AWARE Service Categories, Procedure Categories, and Procedure Codes to identify the provision of purchased and in-house DOR Student Services. Accurate coding is important to ensure DOR is able to track and monitor allowable expenditures for the DOR Student Funding Reserve.

Team Managers will review and verify the accuracy of coding in AWARE for DOR Student Services.

The following table provides the current codes available in AWARE for both the VR and PE Case Types.

**Service Categories, Procedure Categories and Procedure Codes
for DOR Student Services**

Service Category	Procedure Category	Procedure Code
Pre-ETS 1: Job Exploration Counseling	Pre-ETS 1: Job Exploration Counseling – DOR	P1-DOR
	Pre-ETS 1: Job Explor Counseling – Aux Aids & Svcs	P1-AAS
Pre-ETS 2: Work-Based Learning Experiences	Pre-ETS 2: Work-Based Learning Experiences-DOR	P2-DOR
	Pre-ETS 2: Work Experience - FFS	P2-CRP
		P2-CRPw
	Pre-ETS 2: Work Experience – Non CRP	P2-NonCRPw
	Pre-ETS Work Experience Aux Aids & Services	P2-AAS
Pre-ETS 3: Postsecondary Counseling	Pre-ETS 3: Postsecondary Counseling – DOR	P3-DOR
	Pre-ETS 3: Postsecondary Counseling – Aux Aids & Srv	P3-AAS
Pre-ETS 4: Workplace Readiness Training	Pre-ETS 4: Workplace Readiness Training – DOR	P4-DOR
	Pre-ETS 4: Workplace Readiness Trng Aux Aid & Svcs	P4-AAS
	Pre-ETS 5: Self-Advocacy Training - DOR	P5-DOR

Service Category	Procedure Category	Procedure Code
Pre-ETS 5: Self Advocacy Training	Pre-ETS 5: Self-Advocacy Summer Training	P5-CSCsum
	Pre-ETS 5: Self-Advocacy Auxiliary Aids & Services	P5-AAS

The DOR may add, revise, or delete codes in accordance with available DOR Student Services activities.

Refer to [Section 3040.1](#) for more information on internal controls.

Refer to [RAM Chapter 10, Exhibit A](#).

Go to [CFR](#).

3047 PE Case Type: Serving Potentially Eligible Students (10/17)

A potentially eligible (PE) student with a disability is not required to apply for VR services before receiving DOR Student Services. The DOR serves potentially eligible students through the PE Case Type.

The purpose of offering services to potentially eligible students is to offer an early intervention to students with disabilities to support their participation in activities to maximize opportunities for future success.

Nothing in the section precludes an individual from applying for VR services; to the contrary, the DOR encourages students to access every service necessary based on their individual needs and person-centered planning.

A potentially eligible student refers to a student with a disability who has one of the following:

- Not applied for VR services.
- Applied for VR services, but an eligibility determination has not yet been made.

A potentially eligible student may continue to receive DOR Student Services under the PE Case Type as long as they continue to meet the definition of a student with a disability. They may also receive auxiliary aids and services needed to participate in DOR Student Services, in accordance

with the implementing regulations of the Americans with Disabilities Act (ADA) and the Rehabilitation Act ([Section 3047.3](#)).

A student with a disability who needs individualized VR services, in addition to DOR Student Services, must apply and be determined eligible for the VR program and have an approved IPE. Students in need of more extensive services, including the full range of accommodations and supports are encouraged to apply for VR services.

Once a student applies for VR services and an eligibility determination has been made, the student is no longer “potentially eligible.” Instead, the student is either “eligible” or “ineligible.”

Refer to [Section 3046.2](#) and [Section 3046.3](#) for more information on tracking and accounting for the expenditures of DOR Student Services to students with disabilities.

Forms for the PE Case Type

The VRSD teams may use the following forms to assist in providing or arranging for the provision of DOR Student Services for potentially eligible students with disabilities:

- DR 200 DOR STUDENT SERVICES FACT SHEET to provide general information about DOR Student Services to students, parents, LEAs, and other partners.
- DR 203 DOR STUDENT SERVICES REQUEST form to facilitate the coordination of referrals of potentially eligible students from LEAs and other partners and to confirm that an individual meets the definition of a student with a disability.
- DR 205 DOR STUDENT SERVICES AGREEMENT form to facilitate the informed choice of potentially eligible students and to identify expected DOR Student Services, chosen providers, and estimated start dates.
- DR 205A DOR STUDENT SERVICES OPTIONS to facilitate understanding of the five required DOR Student Services through examples of activities.

Authority: 34 CFR 361.48(a)(1); 34 CFR 361.50(a)

3047.1 PE Referrals for DOR Student Services (12/17)

A referral for DOR Student Services for a potentially eligible student may be submitted by school personnel, family members, guardians, students with disabilities, or other interested persons via a referral form, phone call, email, or other method. The VRSD teams may use the DR 203 DOR STUDENT SERVICES REQUEST form to facilitate the collection of required information and coordination with LEAs.

The DOR referral process assures the following:

- Parent/Guardian consent is obtained for collaboration between DOR and the school.
- Individuals referred for DOR Student Services meet the definition of a student with a disability.
- Referrals for DOR Student Services include appropriate supporting documentation from the school.
- The DOR is invited to IEP meetings, when appropriate.

The DOR will work closely with school districts to ensure the statewide availability of DOR Student Services. The DOR local offices may address referrals by taking the following actions:

- Adopt the DR 203 DOR STUDENT SERVICES REQUEST form for referrals to DOR Student Services.
- Identify the designated school official(s) at each district who will be responsible for coordinating referrals for to the DOR.
- Encourage LEAs to engage students with disabilities and their families in the transition planning, including the provision of DOR Student Services, in coordination with DOR transition coordinators.
- Communicate with individual teachers / LEA staff to coordinate student referrals after obtaining the necessary parental consent, when necessary, utilizing accepted forms, to request DOR Student Services for identified students.
- Obtain the required documentation for each student prior to providing any DOR Student Services.

Referral information must include the following minimum information:

- Student's social security number, if available.
- Date of birth.
- Race.
- Ethnicity.
- Disability description and documentation.
- Written consent for the student to participate in DOR Student Services activities, typically provided on the DR 203 form.

All required documentation must be provided, and the student or parent/legal guardian must respond to contact by the DOR or the LEA within a reasonable period of time, in order for the DOR Student Services request to be submitted.

Team Managers will ensure the following:

- DOR Student Services requests are accepted, assigned, and registered in AWARE promptly.
- Referrals include documentation verifying that the student meets the definition of a student with a disability, in accordance with [Section 3046](#).

Authority: 34 CFR 361.50

Go to [CFR](#).

3047.2 Initial Discussion & Agreement for PE Students (12/17)

The VRSD team member will meet with the student for an initial discussion of DOR Student Services and ensure that all required documentation and consents are received ([Section 3046.2](#)).

The purpose of the initial discussion is to provide the student with information on DOR Student Services activities, engage the student in identifying needed services and exercising informed choice, and document the DOR Student Services activities in which the student expects to participate.

These conversations may occur individually with the student, with the student and his or her parents, guardians, and/or representatives, or with a

group of students; the conversation may be held at the school, the DOR office, in a location in the community, or via phone conversation, as appropriate.

During the initial discussion, the VRSD team member may perform the following actions, as appropriate:

- Provide pertinent information about DOR Student Services and processes.
- Review the DR 205A DOR STUDENT SERVICES OPTIONS form. This includes discussions about:
 - The needs and interests of the student, as these pertain to DOR Student Services.
 - The options for DOR Student Services activities in the student's area.
- Engage the student in exercising informed choice in identifying needed DOR Student Services and activities.
- Prepare a DR 205 DOR STUDENT SERVICES AGREEMENT form. This includes documentation of the following:
 - Verification that the student meets the definition of a student with a disability and can receive DOR Student Services.
 - Identification of the specific DOR Student Services activities in which the student is expecting to participate, consistent with the student's informed choice, and which may be completed before the student no longer meets the definition of a student with a disability.
 - For each DOR Student Services activity listed, the providers of the service and the estimated begin dates.
- Identify whether auxiliary aids or services are needed for the student to participate in the DOR Student Services activities.
- Provide the student with a copy of the DR 1000 RIGHTS AND REMEDIES form.
- Discuss next steps.

Once the DR 205 DOR STUDENT SERVICES AGREEMENT form is complete, the VRSD team member will perform the following actions:

- Provide a copy of the DR 205 form to the student.
- Provide or arrange DOR Student Services.

Authority: 34 CFR 361.50

Go to [CFR](#).

3047.3 Auxiliary Aids and Services for PE Students (12/17)

The DOR will ensure that no qualified student with a disability is denied the benefit of DOR Student Services on the basis of the individual's disability. If a potentially eligible student with a disability requires auxiliary aids or services to access information for, or participate in, any of the required DOR Student Services, the DOR may pay for such costs when no other public entity is required to provide such aid or service.

Auxiliary aids and services are described in the Americans with Disabilities Act and in section 504(a) of the Rehabilitation Act. They are products and services that allow students with visual, hearing, or manual impairments to have equal access to information, materials, services, and activities.

Auxiliary aids and services purchased for DOR Student Services participation must only be used for the duration of the DOR Student Services activity. When an auxiliary aid is equipment or a device, the DOR will retain ownership and require its return at the conclusion of the service for which it was provided, so that it may be available for use by other students receiving DOR Student Services. Where prior approval is required, the DOR will follow DOR procurement process for prior approval.⁶

Funds for DOR Student Services may not be used to modify a student's personal equipment or devices, or to provide personal equipment or devices of which students would retain ownership. If a student requires a personal device to participate in services, the DOR may loan the device, contingent on availability. The student will be required to return the device when it is no longer required for DOR Student Services participation.

⁶ Refer to [RAM Chapter 9](#). (currently in revision)

Refer to [RAM Chapter 15—Case Service Property](#) for information about loaned equipment and devices.

Auxiliary Aids and Services may include:

- Interpreters.
- Note takers.
- Real-time transcription services (computer-aided).
- Open and closed captioning.
- Closed caption decoders.
- Readers.
- Written materials.
- Taped texts.
- Braille materials and displays.
- Audio recordings.
- Large print materials.
- Assistive listening devices or systems.
- Secondary auditory programs (SAP).
- Telephone handset amplifiers.
- Telephones compatible with hearing aids.
- Videotext displays.
- Voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones.
- Real time captioning.
- Screen reader software.
- Magnification software.
- Optical readers.
- Equipment adapted for use by students with manual impairments.

- Other effective methods of making materials available to students with hearing, visual, or manual impairments, including the acquisition or modification of equipment or devices.

Auxiliary aids and services do not include:

- Personal devices (e.g., computers, laptops, tablets, etc.).
- Prescribed devices (e.g., eyeglasses, hearing aids, wheelchairs).
- Readers for personal use or study.
- Attendant Care or other services of a personal nature.
- Home or vehicle modifications.

Additional Accommodations and Supports

When a potentially eligible student needs accommodations or supports beyond the scope of auxiliary aids and services (e.g., uniform, bus pass, job coach, personal device) to participate in any DOR Student Services activity, the student must first apply and be found eligible for the VR program.

Additional accommodations and supports may then be purchased using traditional VR funding, consistent with the Individualized Plan for Employment (IPE) and the DOR financial need policy. The DOR may also loan the device to the individual, if available.

Refer to [RAM Chapter 15 Case Service Property](#).

Authority: 28 CFR 35.104; 28 CFR 35.135; 34 CFR 104.44; 34 CFR 361.50(a)

3047.4 Financial Participation in the PE Case Type (12/17)

The DOR financial need policy and the possibility of a student/family financial contribution will not apply when a potentially eligible student participates in DOR Student Services or when such student requires auxiliary aids and services to participate in DOR Student Services.

Authority: 34 CFR 361.50(a); 34 CFR 361.54(b)

Go to [CFR](#).

3047.5 End of the PE Service Record (12/17)

The VRSD team will distinguish the criteria described in the section for ending of the PE Service Record for a potentially eligible student in the PE Case Type. The criteria below are different from the requirements for closure of a record of services for an applicant or eligible individual in the VR Case Type in accordance with Federal and state regulations ([Section 3070](#)).

The Rehabilitation Counselor or designated district staff member may “end” the PE service record for a student receiving DOR Student Services when the individual:

- No longer meets the definition of a student with a disability.
- Has completed or stops participating the DOR Student Services.
- Does not respond verbal or written communication from the DOR or a provider of DOR Student Services within a reasonable period of time.
- Indicates, verbally or in writing, that he or she will not continue to participate in DOR Student Services activities at this time.
- Has applied for VR services.

The VRSD team member will close the PE service record when DOR Student Services are discontinued or when the student applies for VR services. If the closure is due to the student applying for VR services, the VRSD team will move the service record to the VR case type.

Authority: 34 CFR 361.5(c)(51); 34 CFR 361.48(a); 34 CFR 361.50(a); 34 CFR

Go to [CFR](#).

3048 VR Case Type: Serving Eligible Students in the VR Program (10/17)

A student with a disability is not required to apply for VR services before receiving DOR Student Services or auxiliary aids and services needed to participate in DOR Student Services ([Section 3047](#)).

A student with a disability who needs individualized transition services, individualized VR services, or accommodations or supports beyond the scope of auxiliary aids and services, must apply and be determined eligible for the VR program and have an approved IPE, and will be encouraged to do so.

If a student with a disability is receiving DOR Student Services through the PE Case Type prior to applying for VR services, the VRSD team member will transfer the student's PE service record to the VR Case Type upon the student's application for VR services.

A student who applies and is determined eligible for VR services will be assigned to an Order of Selection category. Students with disabilities are not exempt from any of the order of selection requirements for VR services.

A student who applies and is determined ineligible for VR services is no longer considered potentially eligible and may not receive VR services or DOR Student Services.

Authority: 34 CFR 361.48(a)

Go to [CFR](#).

3048.1 Assignment to an Open Order of Selection Category (12/17)

A student who is found eligible for VR services and assigned to an open order of selection category may have DOR Student Services included on the IPE and provided for as long as the individual continues to meet the definition of a student with a disability.

A student who is receiving DOR Student Services prior to applying and being found eligible for VR services may continue to receive needed DOR Student Services until the IPE is developed. Additional DOR Student Services will then be provided as identified in the IPE. All DOR Student Services provided after application but prior to the development of the IPE will be documented in the student's record of services in the VR case type.

Authority: 34 CFR 361.36(e)(3)(A)

**3048.2 Assignment to a Closed Order of Selection Category
(12/17)**

A potentially eligible student who received DOR Student Services prior to applying for the VR program may continue to receive such services until an IPE is developed, even if the student is assigned to a closed order of selection. In this case, the VRSD team will document DOR Student Services using the VR case type.

A student with a disability who did not receive DOR Student Services prior to applying for the VR program may not receive any DOR Student Services until the IPE is developed. This means that an eligible student who is assigned to a closed order of selection category and placed on a waiting list for VR services before receiving DOR Student Services may not receive DOR Student Services until they are removed from the waiting list and an IPE is developed.

3048.3 Development of the IPE for Students and Youth with Disabilities (12/17)

When a student with a disability has an IPE, the provision of DOR Student Services will be included on the IPE.

Documenting the Individualized Plan for Employment

The Rehabilitation Counselor will refer to 34 CFR 361.46(a) when developing the IPE. The IPE must include a specific employment goal consistent with the general goal of competitive integrated employment, except in the case of an eligible individual who is a student or a youth with a disability.

For a student or a youth with a disability, the employment goal may be a description of the individual's "projected post-school employment outcome" instead of a specific employment goal.

The Rehabilitation Counselor must revise the IPE to indicate a specific vocational goal once the career development process is complete. Additionally, the Rehabilitation Counselor must document in the IPE the DOR Student Services, specific transition services, and supports needed for the eligible student or youth with a disability to achieve an employment outcome or projected post-school employment outcome, as appropriate to the individual.

The IPE for an individual who is 14 to 24 years old at the time of plan development will include the following additional language:

- “For a youth a disability (ages 14-24) or a student with a disability (ages 16-21), identify the steps, stages, or phases toward employment, including collaboration with secondary schools and/or other community partners, planning, coordination, and/or delivery of specific transition services, such as supports needed to achieve the employment outcome or projected post school employment outcome and DOR Student Services for students with disabilities.”
- “For students with disabilities (ages 16-21), services will include one or more of the following DOR Student Services: job exploration counseling, work-based learning experiences, counseling related to post-secondary opportunities, workplace readiness training, and self-advocacy training.” Notably, students receive these services only if they need them.

The Rehabilitation Counselor may use the DR 205A DOR STUDENT SERVICES OPTIONS form to facilitate understanding of the five required DOR Student Services and identify appropriate activities to include in the IPE.

Note: If the consumer is not in the 14 to 24 age range at the time the plan is being developed by the Rehabilitation Counselor, the additional language will not appear on the IPE.

Refer to [Section 3053](#) for more information on developing plans for a student or a youth with a disability.

Authority: 34 CFR 361.46(a)(1)

3048.4 Financial Participation in the VR Case Type (12/17)

When DOR Student Services and associated reasonable accommodation or auxiliary aids and services are included in the IPE, the DOR financial need policy and the possibility of a consumer contribution does not apply to the provision of those services.

However, the DOR financial need policy and the possibility of a family contribution does apply to all other services included in the IPE ([Section 3095](#)).

Authority: 34 CFR 361.50(a); 34 CFR 361.54(b)

Go to [CFR](#).

3048.5 Discontinuation of DOR Student Services (12/17)

DOR Student Services shall cease to be provided under an IPE once the individual no longer meets the definition of a student with a disability. All other VR services may continue as planned. DOR Student Services shall not be provided to any student age 22 or older.

The Rehabilitation Counselor will only close the record of services in a VR case type in accordance with federal and state regulations. Refer to [Section 3070](#) for more information on record of services closure.

Authority: 34 CFR 361.5(c)(51); 34 CFR 361.48(a); 34 CFR 361.50(a)

Go to [CFR](#).

3050 INDIVIDUALIZED PLAN FOR EMPLOYMENT (01/16)

The DOR shall ensure an Individualized Plan for Employment (IPE) is developed, documented, implemented, amended, and reviewed in a timely manner. The IPE is a written plan of services that assists a consumer to achieve a specific, agreed-upon employment outcome. The plan is written after an individual has been determined eligible for DOR services and has met the priority for services during an Order of Selection (OOS).

The DOR shall develop an IPE according to the following dates:

- For a consumer with an application date of October 1, 2006, or later, the IPE will be developed within 90 days of eligibility determination.
- For an eligible individual who is removed from the OOS waiting list, regardless of the date of application, the IPE will be developed within 90 days from the date of removal from the waiting list.
- For a consumer who is a (secondary school) student with a disability, the IPE will be developed and approved as early as possible in the transition planning process, but at the latest, by the time the consumer leaves the school setting.

The DOR shall provide information on available options for developing the IPE to each consumer in writing and, if appropriate, in the consumer's native language or preferred mode of communication. The consumer may develop all or part of the IPE with no assistance from the DOR, with assistance from a DOR Rehabilitation Counselor, with assistance from a qualified VR counselor who is not employed by the DOR, or with assistance from other resources. While the IPE may be "developed" by others, a Rehabilitation Counselor employed by the DOR must approve the IPE.

The DOR shall use the DR 214A PLAN DEVELOPMENT EXTENSION form if exceptional, unforeseen circumstances arise that are beyond the control of the DOR and preclude the IPE from being completed within 90 days. Both the Rehabilitation Counselor and the consumer must agree to, sign, and date the DR 214A form.

The DOR shall use the DR 215 INDIVIDUALIZED PLAN FOR EMPLOYMENT form in AWARE to document the IPE, including agreed-upon IPE services, service start dates, and "planned services." The consumer must agree to, sign, and date the IPE. A Rehabilitation Counselor employed by the DOR

must approve, sign, and date the IPE. The IPE is effective on the date on which both the Rehabilitation Counselor and the consumer reach agreement. If the two signatures bear two different dates, the later date will govern. The signature date in AWARE must match the date of the original signature on the DR 215 hardcopy form.

The DOR shall develop a new DR 215 INDIVIDUALIZED PLAN FOR EMPLOYMENT in AWARE to document substantive changes to a consumer's employment goal (also known as a "Major Plan Revision"). A Rehabilitation Counselor employed by the DOR must approve, sign, and date the new IPE.

The DOR shall use the DR 215A PLAN AMENDMENT form in AWARE when the Rehabilitation Counselor and the consumer agree to substantive changes that include changes in VR services, or providers. Both the Rehabilitation Counselor and the consumer must agree to, sign, and date the Plan Amendment document. The DR 215A form is effective on the date on which both the Rehabilitation Counselor and the consumer reach agreement. If the two signatures bear two different dates, the later date will govern. The signature date in AWARE must match the date of the original signature on the DR 215A hardcopy form.

The DOR shall use the DR 216 PLAN REVIEW form to document the consumer's progress in achieving the identified employment outcome and to ensure that the consumer has the opportunity to participate in, and knows options for, the review. The Rehabilitation Counselor employed by the DOR must approve, sign, and date the DR 216 form; the consumer's signature on the DR 216 form is not required.

The DOR shall use the DR 217 PLAN SERVICES INTERRUPTED form to document the date of interruption, reason for the interruption, and the anticipated date for the continuation of services.

The DOR shall use AWARE descriptions to refer to the following service categories:

- When IPE development is extended, the category is "Eligible - E."
- When a plan is developed and approved, the category is "Service."
- When a consumer is job ready, the category is "Service - J."
- When plan services are interrupted, the category is "Service - I."

- When a consumer is employed, the category is “Employed.”

Authority: Section 102(d) of the Rehabilitation Act; 34 CFR 361.5(b)(16), 361.5(b)(53), 361.5(b)(54), 361.22, 361.42(a)(4), 361.45, 361.46, 361.48, 361.50, 361.52, and 361.54, 361.81, and 363.6; CCR, title 9, sections 7001.5(c), 7006, 7011, 7018, 7018.4, 7024.9, 7028, 7029.6, 7029.7, 7029.9, 7122, 7128-7138, 7160, 7191-7193, 7196, 7270-7272, and 7321.

[Go to CCR.](#)

3051 Developing the Individualized Plan for Employment (12/16)

The Rehabilitation Counselor will refer to CCR 7130, CCR 7130.5, and CCR 7131 when developing the IPE.

The IPE may be documented in any of the following AWARE plan categories: counseling and guidance, physical and mental restoration (PR), or training.

While PR is one of the three plan categories, PR services may be included in any plan category within the scope of VR services provided to an individual with a disability, as appropriate to the individual case. Physical and mental restoration services may be provided only to the extent that financial support is not readily available from a source other than the DOR, such as through health insurance or another comparable service and benefit.

The Rehabilitation Counselor will use existing information obtained for the purposes of determining eligibility and priority for services whenever possible to develop the IPE. If additional information is needed, the Rehabilitation Counselor will conduct a comprehensive assessment to determine the employment outcome and the nature and scope of services to be included in the IPE (CCR 7130.5(b)(c)).

The Rehabilitation Counselor will notify the consumer of the options for developing the IPE (CCR 7129).

The Rehabilitation Counselor, in collaboration with the consumer, will perform the following actions:

- Promptly develop the IPE.
- Determine the employment outcome, employment setting, VR services, and providers.
- Discuss information relating to the cost, accessibility, and duration of services, in accordance with CCR 7029.6(d).
- Amend the IPE (see [Section 3054](#)), or create a new IPE (known as a “Major Plan Revision”) if needed, (see [Section 3055](#)).
- Provide the full range of services in a timely manner, as appropriate to the individual case (CCR 7149).
- Review, when the IPE is signed, the consumer’s responsibilities to appropriately use DOR funds, goods, and services.
- Discuss the requirement for Plan Reviews at least annually, and frequency of periodic progress updates, if any (see [Section 3057](#)).

The consumer will have the responsibility to fully participate and cooperate in obtaining and providing the information needed by the Rehabilitation Counselor to develop the IPE promptly and to complete the IPE as agreed.

The consumer’s responsibilities regarding financial participation (see [Section 3095](#)) and comparable services and benefits for VR goods and services are stated in the IPE (see [Section 3096](#)). The consumer’s signature serves as acknowledgment of his or her responsibilities.

Services provided in the IPE will not start until the IPE is approved and signed by the Rehabilitation Counselor, consumer, and the Team Manager, if applicable. For the Rehabilitation Counselor with approval authority, the Team Manager’s signature is not required to validate the IPE.

The Team Manager will independently ensure IPEs are developed within 90 days of eligibility (CCR 7128(b)), are appropriately documented, and comply with federal and state regulations.

Refer to [RAM Chapter 12](#) and [RAM Chapter 15](#) for more information on authorizing case service expenditures and case service property.

[Go to CCR.](#)

Primary Employment Factors and Labor Market

“Primary employment factors” refer to the consumer’s unique strengths, resources, priorities, concerns, abilities, and capabilities. The Rehabilitation Counselor will consider a consumer’s primary employment factors, informed choice, interests, and the labor market in assessment of the employment outcome, employment setting, VR services, and providers.

A consumer’s informed choice to select a particular employment goal must be consistent with his or her primary employment factors. The Rehabilitation Counselor may disagree and not approve an IPE when a consumer desires a vocational goal that is not consistent with his or her primary employment factors.

While labor market conditions alone cannot be determinative of whether an employment goal is appropriate, the Rehabilitation Counselor will also consider labor market factors in evaluating an appropriate employment goal for an individual with a disability.⁷

Documenting the Individualized Plan for Employment

The Rehabilitation Counselor will thoroughly document each consumer’s IPE in the record of services.

The Rehabilitation Counselor will perform the following actions:

- Document the plan data pages in AWARE according to the AWARE Reference Guide.
- Create the DR 215 INDIVIDUALIZED PLAN FOR EMPLOYMENT form in AWARE in all cases.
- Ensure that the signature date in AWARE matches the date of the original signature on the DR 215 hardcopy form.

The Rehabilitation Counselor or designated district staff will complete documentation in accordance with [Section 3004](#).

The consumer’s status will change to “Service” in AWARE.

⁷ RSA-PD-97-04 Employment Goal For An Individual With A Disability

Refer to Sections [3054](#), [3056](#), and [3057](#) for more information on documenting Plan Amendments, Plan Reviews, and periodic progress updates, respectively.

Documenting Job Readiness and Employment

The Rehabilitation Counselor and the VRSD team will document Job Readiness by completing the Job Ready layout page in AWARE according to the AWARE Reference Guide. Updating this field when a consumer has completed plan services and is ready for employment allows the VRSD team to begin employment services. The consumer's status will change to "Service-J" in AWARE.

The Rehabilitation Counselor and the VRSD team will complete the employment page in AWARE according to the AWARE Reference Guide. The information must match the data in the Employment Information case note or corroborating documentation. Updating the consumer's employment status in AWARE will trigger the timeframe for employment monitoring and generate an Activity Due notifying the Rehabilitation Counselor when the record of services may be closed.

The Rehabilitation Counselor and the VRSD team will record the employment start date in the record of services based on corroborating written documentation or verbal reports.

Corroborating written documentation may include an employer wage statement, paycheck stub, service provider report, or consumer or representative correspondence. The corroborating documentation must either be filed in the hard copy file or be attached in AWARE.

Verbal corroboration may be received from the consumer, representative, employer, or service provider. The Rehabilitation Counselor and the VRSD team will document verbal reports that confirm employment in a detailed case note in AWARE under the category Employment Information. The following data will be included in the case note:

- Employer.
- Occupation.
- Start date of employment. This is the first day that the source indicated that the consumer began employment.

- Hours worked per week.
- Hourly wage.
- Source of employment information.

The consumer's status will change to "Employed" in AWARE.

The Rehabilitation Counselor and the VRSD team will document employment services provided by designated district staff (e.g., a DOR Employment Coordinator) in AWARE, as appropriate to the individual case.

The Team Manager will monitor records of services in "Service" and "Service-J" to ensure documentation reflects appropriate and timely movement into "Service-J" and "Employed," respectively, as appropriate to the individual case.

Documenting the IPE in Other Languages

While the DOR provides a MS Word version of the DR 215 form in required languages in accordance with the Dymally-Alatorre Bilingual Services Act,⁸ the English version must be maintained in the record of services.

The Rehabilitation Counselor or designated district staff may create the preferred language IPE outside of AWARE using MS Word. If so, then the Rehabilitation Counselor or designated district staff will perform the following actions:

- Scan and attach the preferred native language IPE to the record of services in AWARE.
- Complete the English version of the DR 215 form in AWARE in accordance with [Section 3004](#).

As an alternative, the Rehabilitation Counselor or designated district staff may also arrange for oral interpretation of the DR 215 form into the consumer's native language using the DOR [Telephonic Interpretation](#) contract (see G drive / Public Folder / Telephonic Interpretation).

Refer to the DOR [Office of Civil Rights](#) for more information on bilingual services.

⁸ California Government Code Section 7290 – 7299.8.

Documenting Estimated Costs

Documenting service costs is necessary for budgeting, case management, and statistical purposes. Estimated costs describe how IPE goods and services will be funded.

The Rehabilitation Counselor will document the Planned Service data page in AWARE according to the AWARE Reference Guide as follows:

- Document the value of comparable services and benefits.
- Document estimated costs paid by the DOR, less any comparable services and benefits. For example, estimated costs paid by DOR for training may include the training costs after the consumer's actual or anticipated financial aid is applied.
- Document estimated costs paid by a source not yet determined.

Estimated costs paid by the consumer will be documented in the IPE data page in AWARE according to the AWARE Reference Guide.

The AWARE Help Desk module contains medical and non-medical rates, including procedure codes subject to maximum rates.

Refer to the [Community Rehabilitation Program \(CRP\) Guide to Certification and Vendorization](#) (located on the District Management Portal / Community Partnerships tab on the intranet) for CRP uniform rates and service specifications.

3052 Plan Development Extension (09/14)

The Rehabilitation Counselor may only extend development of an IPE when the both of the following conditions exist:

- There is the need for an extension due to exceptional, unforeseen circumstances that arise, which are beyond the control of the DOR.
- The Rehabilitation Counselor and consumer agree to a specific extension of time.

The Rehabilitation Counselor and the consumer will agree to only one IPE development extension without prior approval. This extension will not exceed 90 days.

In the event that a second extension of IPE development is requested, only the District Administrator, or their designee, may again extend IPE development—typically, not to exceed an additional 90 days.

The Rehabilitation Counselor will perform the following actions:

- Ensure no undue delay in IPE development.
- Discuss the need for an IPE extension with the consumer, come to an agreement on the actions required, and collaboratively decide on an IPE development date.
- Document the IPE development extension in AWARE.
- Provide counseling and guidance to encourage consumer cooperation and participation.
- Consult with a Team Manager periodically until the IPE is developed, as appropriate to the individual case.
- Refer the consumer to plan development activities that will facilitate his or her informed choice about a vocational goal and appropriate services.
- Consider closure of the record of services if unable to develop an IPE after good faith efforts are made, as appropriate to the individual case.

The VRSD team will perform the following actions:

- Schedule plan development appointments promptly.
- Assist the Rehabilitation Counselor in guiding the consumer toward plan development activities to facilitate the individual's informed choice. For example, the VRSD team may help the consumer conduct additional school research that is required in order to determine the most appropriate training facility.
- Track plan development extensions in AWARE.

The Team Manager will ensure plan development extensions are properly determined, are not expired, and the AWARE data page and the printed DR 214A form accurately reflect the same plan development extension date.

Documenting Plan Development Extension

The Rehabilitation Counselor will perform the following actions:

- Document the Plan Development Extension data pages in AWARE according to the AWARE Reference Guide.
- Create a DR 214A PLAN DEVELOPMENT EXTENSION form. The form describes the reason for the extension, the actions required, and the agreed upon IPE development date.
- Document in a case note, or series of case notes, efforts made to encourage the consumer to cooperate and participate fully and to exercise informed choice in the development of the IPE, as appropriate.
- Request Team Manager review and District Administrator approval on an additional extension using an Activity Due in AWARE.

The Rehabilitation Counselor or designated district staff will complete documentation in accordance with [Section 3004](#).

The applicant's status will change to Eligible-E in AWARE.

3053 Plans for Supported Employment; Plans for Students with Disabilities; Plans in a Self-Employment Setting (09/14)

Plans for Supported Employment

The Rehabilitation Counselor will refer to CCR 7131.1 when developing a plan for supported employment.

To develop a plan for supported employment, the Rehabilitation Counselor will confirm the following information:

- The consumer's priority for services rating is Category One, "most significantly disabled."
- Competitive employment has not traditionally occurred or has been interrupted or intermittent due to the significance of disability.
- The consumer is expected to need ongoing support services, including supported employment services from the DOR and extended services after transition.
- Ongoing support services provided by the DOR must not exceed the timeframe mandated in federal regulations unless special circumstances apply.

- There is a reasonable expectation that a source of extended services will become available.

Refer to [Section 3073](#) for more information on closing a record of services for a plan with supported employment; the CRP Guide to Certification and Vendorization for supported employment services and rates; and, [RAM Chapter 31](#) for policies on supported employment.

[Go to CCR.](#)

Plans for a Student with a Disability

The Rehabilitation Counselor will refer to CCR 7131.2 when developing a plan for a (secondary school) student with a disability.

The Rehabilitation Counselor will develop the IPE for a consumer who is a student with a disability as early as possible during the transition planning process, but at the latest, by the time the student *leaves* the school setting.

The Rehabilitation Counselor, in collaboration with the consumer and with the assistance of the VRSD team, will consider and coordinate the goals, objectives, and services identified in the Individualized Education Program (IEP) or 504 Plan, as appropriate, with the IPE.

Note: The federal term “leaves” is not synonymous with “graduates;” it may denote a student who exits secondary school without a diploma.

Refer to [Section 3072](#) for more information on successfully closing a record of services.

[Go to CCR.](#)

Plans in a Self-Employment Setting

The Rehabilitation Counselor will refer to CCR 7136.4–7136.9 and 7137–7138, when developing a plan in a self-employment setting.

Self-employment is an employment outcome in which the consumer works for profit or fee in his or her own business. Self-employment is an employment setting in which a consumer has control and responsibility for

decisions affecting the conduct of the business. In the process of identifying an employment outcome, the Rehabilitation Counselor and a consumer may determine that a self-employment setting best meets the consumer's needs.

The proposed self-employment setting is appropriate only under the following conditions:

- The small business is likely to produce sufficient income within a reasonable time (not to exceed 12 months).
- The small business will provide income for the consumer, at or above the minimum wage, but not less than the customary wage received by individuals engaged in the same or similar business.
- The consumer is able to obtain all resources necessary to establish and operate the proposed small business, including resources necessary to fund the ongoing operating expenses and to support the consumer's basic living expenses.

The Rehabilitation Counselor will use the system of Standard Occupational Classification (SOC) to describe the employment goal. The employment goal, by itself, will not be listed as "self-employment."

Prior to development of an IPE in a self-employment setting, the Rehabilitation Counselor will discuss the following with the consumer:

- The criteria and process for assessing whether the proposed self-employment setting is appropriate (CCR 7136.6).
- The criteria and process for assessing whether working in the proposed self-employment setting is consistent with the consumer's personal attributes (CCR 7136.7).
- The summary of the proposed small business prepared by the consumer, as part of the IPE development. If more detailed information is required, the consumer may be required to prepare a Small Business Plan (CCR 7136.8).
- The consumer's ability to obtain all resources necessary to establish and operate the proposed small business (CCR 7136.9).
- The scope of VR services that may be provided by the DOR to assist the consumer to achieve employment in a self-employment setting (CCR 7137).

The services provided by the DOR to assist the consumer to achieve employment in a self-employment setting may include assessment, technical assistance, training, and certain initial, one-time costs to establish the proposed small business.

Refer to [Section 3073](#) for more information on closing a record of services for a plan in a self-employment setting.

[Go to CCR.](#)

Individualized Plan for Employment with a Homemaker Goal

The Rehabilitation Counselor will refer to CCR 7136 when developing a VR plan with a homemaker goal.

Services that prepare an individual for activities directed toward personal care for others in the home, or toward the maintenance of the home itself, may be provided through a homemaker goal. Homemaking activities include cleaning, sewing, food preparation, meal service, laundry, childcare, and home management. Homemaking activities do not include activities of daily living or self-care, such as self-feeding, dressing, grooming, toileting, or self-medication.

Homemaker services may also be provided to achieve homemaking skills in a VR plan with *other than* a homemaker goal, as appropriate to the individual case. For example, a consumer may require homemaker services to improve food preparation skills while participating in a VR plan to achieve employment in a wage-earning occupation listed in the SOC.

[Go to CCR.](#)

Personal Goal / Non-vocational Services for Individuals who are Blind

The Rehabilitation Counselor will refer to CCR 7271 and 7272 when developing a plan for a personal goal (PG) case.

A plan for a PG case includes non-vocational services for consumers who are blind. These services do not expend VR funds, as these services are coded under administrative account code 081. A PG case does not require the usual status changes necessary in VR cases.

Refer to [RAM Chapter 10](#) for more information on account codes for personal goal plans.

[Go to CCR.](#)

3054 Plan Amendments (01/16)

The Rehabilitation Counselor will amend the IPE using the DR 215A PLAN AMENDMENT form due to substantive changes in the VR services or service providers. The Rehabilitation Counselor, in collaboration with the consumer, may determine what substantive means.

The DR 215A form will not include changes to the employment goal (i.e., a “Major Plan Revision”), or service end date. A new or cloned plan is needed to perform these actions, using the DR 215 form.

The Rehabilitation Counselor, in collaboration with the consumer, will develop a Plan Amendment that:

- Represents mutual agreement.
- Reflects new timelines and reasons for the changes.
- Takes effect after being signed by both parties.

Documenting Plan Amendments

The Rehabilitation Counselor will perform the following actions:

- Document a Plan Amendment in AWARE according to the AWARE Reference Guide.
- Create the DR 215A form when there is a substantive change in the VR services or service providers.
- Ensure that the signature date in AWARE matches the date of the original signature on the DR 215A hardcopy form.

The Rehabilitation Counselor or designated district staff will complete documentation in accordance with [Section 3004](#).

3055 Major Plan Revisions (01/16)

A substantive change in the employment goal is considered a “Major Plan Revision.” The Rehabilitation Counselor will create a new or cloned IPE

using the DR 215 INDIVIDUALIZED PLAN FOR EMPLOYMENT form, in lieu of a DR 215A PLAN AMENDMENT form, because of a substantive change in the employment goal or service end date. Service End date is the date that the IPE expires, as noted in the “Expected Plan End Date (Numeric Month/Year)**” field in AWARE. Service End date means Plan End date.

The Rehabilitation Counselor will refer to [Section 3051](#) for IPE development, including documentation requirements using the DR 215 INDIVIDUALIZED PLAN FOR EMPLOYMENT form in AWARE.

Refer to [Section 3054](#) for more information on Plan Amendments.

3056 Service Interrupted (09/14)

The DOR is prohibited from delaying services to a consumer. However, when circumstances arise that prevent a consumer from participating in his or her IPE, these circumstances may require a temporary interruption of services. Prior to agreeing to an interruption in services, the Rehabilitation Counselor will have a realistic expectation that the consumer will be able to restart the IPE within a reasonable time.

The Rehabilitation Counselor will perform the following actions, as appropriate to the individual case:

- Contact the consumer at least every 90 days—to review his or her ability and availability to participate in IPE services.
- Review the consumer’s circumstances periodically with the Team Manager to determine whether the record of services should remain open or be closed, as appropriate to the individual case.

The VRSD team will track records of services in interrupted status.

The Team Manager will review records of services in interrupted status and take appropriate action to ensure sufficient consumer contact and case movement.

Documenting Service Interrupted

The Rehabilitation Counselor, with assistance from the VRSD team, will perform the following actions, as appropriate to the individual case:

- Document the Service Interrupted data page in AWARE according to the AWARE Reference Guide.
- Create the DR 217 PLAN SERVICES INTERRUPTED form to note the date of interruption, reason for the interruption, and the anticipated date for the continuation of services.
- Document the individual's status at least every 90 days—including the anticipated date for the continuation of services in a case note typically titled—“Services Interrupted Update.”

The Rehabilitation Counselor or designated district staff will complete documentation in accordance with [Section 3004](#).

The consumer's status will change to Service-I in AWARE.

3057 Plan Reviews at Least Annually (09/14)

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

The Rehabilitation Counselor and the consumer will review the IPE at least annually using the DR 216 PLAN REVIEW form in AWARE, to assess the consumer's progress in achieving the identified employment outcome (CCR 7130(a)(5)). The plan review period typically begins from the signature start date of the consumer's first plan.

In accordance with CCR 7133, the Plan Review will include all of the following mandatory components:

- A summary of VR services provided by the DOR.
- Results or outcome of the provision of VR services.
- Evaluation of progress made by the consumer toward achievement of the employment outcome identified in the IPE.
- A summary of any changes in the consumer's circumstances that may affect his or her participation in VR services or progress toward achievement of the identified employment goal.
- Statements that demonstrate the consumer was informed about options for preparing the Plan Review and was given the opportunity to participate in the Plan Review.

The Rehabilitation Counselor, with assistance from the VRSD team, as appropriate to the individual case, will perform the following actions:

- Consider data originally used to develop the IPE and information accumulated after development of the IPE, including the cooperation and participation of the consumer.
- Ensure the current vocational goal and expected plan completion dates are correct.
- Verify the progress toward the employment outcome.
- Review progress reports or other pertinent information in the record of services.
- Ensure VR services are being provided as outlined in the IPE.
- Document the results and outcome of VR services.
- Review the plan for future services, if required.
- Obtain the consumer's views regarding participation in services and progress toward the vocational goal.
- Document the reasons the consumer did not participate in the Plan Review, if applicable.
- Review criteria for progress reviews for the following year.
- Discuss changes that may affect the IPE outcome.
- Review medical aspects with a DOR Consulting Psychologist or Medical Consultant, or other health care providers, as appropriate to the individual case.
- Determine any necessary changes in services and/or service providers, or if a reevaluation of the employment outcome is necessary.

Refer to [Section 3054](#) for information on Plan Amendments. Refer to [Section 3055](#) for information on developing a new IPE when there is a substantive change to the employment goal ("Major Plan Revision"). Refer to [Section 3058](#) for more information on periodic progress updates.

During the plan review process, the Rehabilitation Counselor may determine it is appropriate to discontinue services or close the record of services because the consumer fails to cooperate, make reasonable effort, lacks regular attendance, or fails to maintain regular communication, in accordance with CCR 7029.9.

The Team Manager will ensure that Plan Reviews are completed at least annually with sufficient information to meet the required components.

[Go to CCR.](#)

Documenting Plan Reviews

The Plan Review is a non-delegable function. While the VRSD team may assist in preparing the Plan Review, only the Rehabilitation Counselor may approve and sign the DR 216 PLAN REVIEW form.

The Rehabilitation Counselor with assistance from the VRSD team will perform the following actions:

- Document the Plan Review data pages in AWARE according to the AWARE Reference Guide.
- Create the DR 216 PLAN REVIEW form.

The Rehabilitation Counselor or designated district staff will complete documentation in accordance with [Section 3004](#).

3058 Periodic Progress Updates (09/14)

A periodic progress update is different from a federally-required (annual) Plan Review. Periodic progress updates may be completed as frequently as needed using a record of services case note—typically titled, “Progress Update.”

The Rehabilitation Counselor or designated district staff will:

- Document an individual’s participation in pre-plan activities. The case note may include a summary of his or her participation in assessments to determine eligibility and priority for services, and plan development efforts.
- Document a consumer’s participation in plan activities. The case note may include an interim summary of training or school reports, grade reports, attendance records, mileage logs, job search logs, placement reports, and other pertinent information.
- Document a consumer’s progress toward completion of his or her Post-Employment Services (PES) Plan.

3058.1 Documenting Academic Progress (01/16)

This section gives the progress reporting requirements for IPEs containing academic training.

The Rehabilitation Counselor or designated district staff will request that, for each consumer in an academic training plan, the consumer meets with an academic advisor during the first year of school to create an academic plan. The academic plan will list the courses and timeframe required for completion of the certificate, degree, or transfer requirements, and the “good standing” requirements, related to the training needs of the IPE goal. A copy of the academic plan shall be included in the consumer's record of services.

The Rehabilitation Counselor or designated district staff will complete the following actions:

- Document in a progress review case note that the consumer developed an academic plan.
- Review the academic plan, transcripts, and grades with the consumer prior to next authorizing period.
- Assess the academic plan and IPE progress expectations and responsibilities with the consumer at the end of each training term and at the time of the Plan Review.
- Advise the consumer that the DOR may fund required training as described in the academic plan if financial aid is insufficient to meet this training cost.
- Note that additional coursework beyond the courses outlined in the academic plan may be funded by the DOR if the consumer and the Rehabilitation Counselor determine the additional coursework is necessary to achieve the IPE and financial aid is not available.
- Document of the necessity of all goods and services related to training in the IPE and/or case note, as appropriate.

3059 Ticket to Work Assignment at Plan Development (01/16)

The VRSD team will take the following actions to verify the consumer's ticket to work (TTW) is available to place “In-Use” with DOR at plan development:

- Call Beneficiary Assistance and Support Services (BASS) at 1-866-968-7842. The consumer will need to be present during the call to verify ticket status.
- Inform the consumer that his or her TTW will be placed “In-Use,” with the DOR. While In-Use with the DOR, the TTW is not available for assignment to an EN. The TTW can be assigned to an EN after the record of services is closed.
- If the consumer's TTW is currently assigned to an EN, contact staff in the DOR Social Security Programs unit, or locate them on the DOR intranet, to help facilitate “unassigning” the TTW from the EN so that it is available to place “In-Use” for the duration of the DOR case.
- Use the "[Beneficiary Fact Sheet on the Ticket to Work Program](#)" as talking points to discuss pertinent information about the TTW program and provide a copy to the consumer. The fact sheet is available on the DOR web site at www.dor.ca.gov.

Prior to obtaining the individual’s signature on the IPE, the Rehabilitation Counselor or designated district staff will explain the following TTW statement to the consumer:

“Ticket to Work (TTW) (Applies only to SSI/SSDI recipients): I am an SSI/SSDI beneficiary. My DOR counselor has provided me with the Beneficiary Fact Sheet on the TTW Program. I understand that so long as my Ticket is in-use and that I meet Social Security Administration's (SSA) Timely Progress benchmarks, SSA will suspend my medical Continuing Disability Reviews (CDRs). If I was initially referred by an Employment Network (EN) to DOR, I understand that my counselor will refer me back to this EN at the end of DOR services. I understand that I have the option to assign my ticket to an approved EN of my choice for follow-up, retention, and additional support services when my DOR case is closed.”

Refer to [Section 3013](#) and [Section 3071](#) for more information TTW.

Benefits Planning

Benefits planning services may be necessary to enable the consumer to obtain information about benefits and work incentives in order to make an informed decision about the vocational goal and VR services.

Benefits Planning is available to DOR consumers receiving SSI/SSDI who meet certain eligibility criteria through DOR's Work Incentives Planners (WIPs). Refer to [Social Security Programs](#) on the DOR intranet for current information about WIP Services, including the WIP roster.

DOR consumers who do not meet the current eligibility criteria for WIP Services can access benefits planning services from Work Incentives Planning and Assistance (WIPA) projects throughout California, without cost. Refer to [Social Security Programs](#) on the DOR intranet for the current WIPA directory. Benefits planning services are also available from many local ILCs.

A consumer can access work incentives information and resources without cost through the California [Disability Benefits 101](#) website (available at <http://www.db101.org>).

The VRSD team will be responsible for the following:

- Remain current on DOR projects that include benefits planning to improve efficiencies and increase employment outcomes.
- Document in AWARE benefits planning provided by designated district staff (e.g., a DOR WIP), as appropriate to the individual case.

Refer to Vocational Rehabilitation Policy & Resources Division (VRPRD), [Social Security Programs](#) on the DOR intranet for more information.

3060 RECORD OF SERVICES TRANSFER (09/14)

The DOR shall ensure applicants and consumers receive appropriate and continuous services, without undue delay, when transferring an individual's record of services to another district. The receiving Team Manager will not deny a transfer due to relocation unless District Administrator approval is given and documented in the record of services.

The DOR shall ensure a timely transfer process for individual and multiple record(s) of services transfers.

Authority: CCR, title 9, sections 7029.7(b)(6) and 7122.

3061 Individual Record of Services Transfer (09/14)

The Rehabilitation Counselor or designated district staff will promptly complete a record of services transfer—typically within 10 working days of the individual's transfer request—to prevent any impact on the provision of services. Records of services will be transferred to an active Rehabilitation Counselor caseload.

For the purpose of record of services transfer, the following applies:

- The current Rehabilitation Counselor / Team Manager will be the sending Rehabilitation Counselor / Team Manager.
- The new Rehabilitation Counselor / Team Manager will be the receiving Rehabilitation Counselor / Team Manager.
- Team Managers, as well as District Administrators, can transfer and accept transferred cases, as appropriate.

The sending Rehabilitation Counselor may discuss the record of services with the receiving Rehabilitation Counselor to ensure continuity of services.

Designated district support staff in the sending office will use a mailing service with tracking capability. The individual's identification information will not be visible from the outside of the mailing package.

The sending Team Manager will ensure timely completion of case activities, documentation, and communication of transfer requests. The sending Team Manager and the receiving Team Manager will ensure

transfer of electronic and hardcopy records without undue delay as well as appropriate tracking of hardcopy records.

Documenting Record of Services Transfer

The sending Rehabilitation Counselor or designated district staff will perform the following actions to document a record of services transfer and ensure continuity of services:

- Enter transfer information in AWARE according to the AWARE Reference Guide.
- Update the Personal Information in AWARE and the hardcopy case label with the individual's new contact information, if available.
- Communicate the transfer request. An email may be attached to a case note, and/or an Activity Due may be assigned to the receiving office—typically titled, "Transfer Request from <sending> office."

The Rehabilitation Counselor in the sending office will make reasonable efforts to complete time sensitive case activities prior to case transfer, as appropriate to the individual case. These include, but are not limited to, eligibility determination within 60 days, completion of a written TWE Plan, IPE development within 90 days, and Plan Review at least annually.

Prior to the record of services transfer, the Rehabilitation Counselor or designated district staff from the sending office will enter a case note—typically titled, "Transfer Summary."

The transfer summary case note will typically include, but not be limited to, the following headings:

- New Contact Information.
- Reason for the Transfer and Effective Date.
- A Summary of Important Facts.
- Cooperation and Participation.
- Incomplete Case or Financial Activities.
- Disposition of Equipment.
- Next Steps.

Refer to [RAM Chapter 11](#) for information on transfer encumbrance adjustments, and [RAM Chapter 15](#) for issuance and disposition of case service property.

3062 Multiple Records of Services Transfer (09/14)

The DOR district may transfer multiple records of services for administrative reasons. Multiple records of services transfers shall not cause undue delay or disruption in VR services for consumers. For example, multiple records of services may be transferred when there is a change in Rehabilitation Counselor assignment.

The sending Team Manager will initiate the process of multiple records of services transfer. If the multiple transfer is between districts, the sending and receiving Team Managers will agree to, and complete, the multiple transfer in AWARE in a timely manner.

The Rehabilitation Counselor or designated district staff will complete the multiple records of services transfer process in AWARE according to the AWARE Reference Guide. Transfer summary case notes are not required for multiple records of services transfer, such as entire caseload transfers.

3070 RECORD OF SERVICES CLOSURE (12/16)

The DOR shall close an individual's record of services for a variety of reasons in accordance with the following regulations:

- Closing the record of services without an eligibility determination (CCR 7179).
- Closing the record of services with a determination of ineligibility (CCR 7179.1).
- Closing the record of services with an employment outcome (CCR 7179.2).
- Closing the record of services for other reasons (CCR 7179.3).
- Self employment; Closure with an employment outcome (CCR 7179.4).
- Self-employment; Closure without an employment outcome (CCR 7179.5).
- Supported employment program; Closing the record of services with an employment outcome (CCR 7179.7).
- Closing from the waiting list (CCR 7055(d) and (e)).

The DOR shall ensure that an individual's record of services is only closed based on regulatory authority as outlined in this section. For example, consumer behavior may constitute closure based on failure to participate or cooperate, or disability too severe to benefit from services with clear and convincing evidence.

The DOR shall follow federal and state regulations regarding mandatory reviews after the record of services has been closed.

The DOR shall require a Team Manager to independently review and approve an individual's record of services at closure, regardless of Rehabilitation Counselor approval authority.

The DOR shall not allow a record of services to be re-opened after closure. If an exception is needed due to an error or an unusual event, such as the closure is not upheld on appeal, only the District Administrator and one District Administrator designee are allowed to re-open the record. If the record of services is re-opened, the District Administrator must review the record and document a justification for re-opening the record in a case note. The District Administrator must notify the DOR Program Policy and

Implementation Unit by email anytime that a record of services is re-opened. The email must contain the participant ID number with the original closure date.

The DOR shall use the following forms:

- When a record of services is closed after an employment outcome is achieved, the Rehabilitation Counselor will complete and sign the DR 229A CLOSURE REPORT – REHABILITATED form.
- When a record of services is closed without an eligibility determination, with a determination of ineligibility, or for other reasons (other than employment outcome achieved), the Rehabilitation Counselor will complete and sign the DR 229B CLOSURE REPORT – OTHER THAN REHABILITATED form.

The Team Manager's electronic approval in AWARE shall serve as verification of review and approval.

The DOR shall use AWARE descriptions to describe record of services closure statuses as follows:

- "Closed-Rehab"
- "Closed-Other"

Authority: 34 CFR 361.5(b)(11), 361.43, 361.44, 361.47(a)(9), 361.55, and 361.56; CCR, title 9, sections 7006.3, 7011, 7013.6, 7055(d) and (e), 7098, 7122, 7179, 7179.1, 7179.2, 7179.3, 7179.4, 7179.5, 7179.7, 7181, and 7181.1.

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Process for Record of Services Closure

When the record of services is closed, the Rehabilitation Counselor will provide written notice to the individual, supplemented as necessary with other appropriate modes of communication, consistent with the informed choice of the individual. The DR 229A or DR 229B form is sufficient to serve as the written notice.

When the reason for closure is “inability to locate or contact the individual,” the Rehabilitation Counselor or designated district staff will send the notice to the last known address of the individual.

A written notice issued shall include all of the following information:

- The reason the record of services was closed and reference to the federal or state statute or regulation or federal policy directive issued by the RSA that supports the closure.
- A description of the means by which the individual may appeal the DOR decision to close the record of services, including administrative review, mediation, and fair hearing processes.
- A description of services available from CAP and information on how to contact the program.

To close the record of services in AWARE, the Rehabilitation Counselor will perform the following actions:

- Determine the suitability of an employment outcome as a non-delegable function.
- Document the closure page in AWARE according to the AWARE Reference Guide.
- Complete the DR 229A or DR 229B form in accordance with the regulations described, as appropriate to the individual case.
- The VRSD team will perform the following actions:
 - Complete documentation in accordance with [Section 3004](#).
 - Follow the guidelines in [RAM Chapter 15](#) for the documentation and disposition of case service property.
 - Mail the Authorization Register to the consumer. The Authorization Register is a report in AWARE.
- The designated district support staff will file the record of services in accordance with DOR record retention policies.

The Team Manager will independently review and approve record of services closures. Monitoring of closed cases will include a review of the Authorization Register to ensure appropriate disposition of equipment in accordance with [RAM Chapter 15](#).

Refer to the DOR Business Services Section for more information on procedures for sending records of services to the State Records Center.

3071 Ticket to Work Assignment at Closure (09/14)

Under the TTW program, a consumer may receive services from the DOR to meet his or her intensive, upfront service needs. After the record of services is closed, the individual may assign his or her ticket to an EN for retention and other support services. The Rehabilitation Counselor may assist the individual in assigning his or her ticket to an EN. Assignment to an entity other than the DOR may offer TTW holders the support they may need to retain employment, reach or exceed “substantial gainful activity” (SGA) level earnings, and decrease reliance on public assistance.

For consumers with a TTW “In-use Status” with the DOR at the time of closure, the Rehabilitation Counselor will perform the following actions:

- Inform the consumer that protection from medical CDR will extend for 90 days after record of services closure, if he or she has met the SSA Timely Progress Review.
- Inform the consumer that a TTW can be assigned within the next 90 days to an EN in order to receive follow-up, retention, or other support services to maintain employment and the assignment is voluntary.
- Refer the consumer back to the EN that made the original referral to the DOR for ongoing supports to maintain the employment outcome.
- Explain the assignment of the TTW to the EN is voluntary and that the consumer may decide at any time to reassign the TTW back to the DOR.

Refer to [Section 3013](#) and [Section 3059](#) for more information on TTW.

3072 Closure With an Employment Outcome (12/16)

The Rehabilitation Counselor will refer to CCR 7179.2 when closing the record of services with an employment outcome. If the Rehabilitation Counselor is successfully closing the record of services for a plan in a self-employment setting or a plan for supported employment, the Rehabilitation Counselor will do so in accordance with CCR 7179.4 and 7179.7, respectively, *instead of* CCR 7179.2.

The Rehabilitation Counselor will close the record of services (for plans other than those in a self-employment setting or for supported employment) only when all of the following requirements have been met:

- The consumer has achieved the employment outcome described in the IPE or the major plan revision.
- The employment outcome is consistent with the consumer's strengths, resources, priority, concerns, abilities, capabilities,
- The employment outcome has been maintained for an appropriate amount of time, but not less than 90 days, to ensure stability and that no further VR services are needed.
- At the end of the appropriate amount of time, but not less than 90 days, the consumer and the Rehabilitation Counselor consider the employment outcome to be satisfactory and agree that the consumer is performing well in the employment.

Prior to closing the record of services with a successful employment outcome, and in consideration of whether the employment outcome is satisfactory, the Rehabilitation Counselor will perform the following actions:

- Verify and document that consumers who achieve competitive employment are receiving a wage and a level of benefits not less than that customarily paid by the employer for the same, or similar, work performed by non-disabled individuals, and that the consumer is earning at least minimum wage.
- Verify that the employment data on the Employment page and Closure page is consistent with the corroborating documentation or verbal report as documented on the Employment Information case note (refer to [Section 3051](#)).
- Ensure that the consumer is informed of the availability of PES (refer to CCR, sections 7021.5; 7149(o); and 7176, except 7176(c)).
- Review the IPE or amended IPE service(s) and document the substantiality of services (i.e., how the service provided contributed to the successful employment outcome).

Refer to [Section 3073](#) for more information on record of services closure for plans for supported employment and plans in a self-employment setting.

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Documenting Closure with an Employment Outcome

The Rehabilitation Counselor will perform the following actions:

- Document how all services provided under the IPE substantially contributed to the achievement of the employment outcome, including how the services provided were required by the individual to achieve the employment outcome.
- Document reasons for any service(s) that was not provided or is no longer required.
- Document the closure page in AWARE according to the AWARE Reference Guide.
- Create the DR 229A CLOSURE REPORT – REHABILITATED form.

The Rehabilitation Counselor or designated district staff will complete documentation in accordance with [Section 3004](#).

The consumer's status will change to Closed-Rehab in AWARE.

3073 Closure: Plans for Supported Employment; Plans in a Self-Employment Setting (09/14)

Plans for Supported Employment

The Rehabilitation Counselor will refer to CCR 7179.7 in lieu of CCR 7179.2 when closing a record of services for a plan for supported employment.

Plans for supported employment with individual placement and plans for supported employment with group placement as defined in CCR 7016.1 have specific closure requirements. In part, the criteria include *a minimum of 60 days for stabilization and an additional 60 days of monitoring after transition.*

Refer to [Section 3053](#) for information on developing plans for supported employment and [RAM Chapter 31](#) for supported employment.

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Plans in a Self-Employment Setting

The Rehabilitation Counselor will refer to CCR 7179.4 in lieu of CCR 7179.2 when successfully closing a record of services with a plan that includes employment in a self-employment setting.

Plans in a self-employment setting have specific closure requirements. In part, the criteria require that the consumer has maintained employment in the self-employment setting specified in the IPE for a sufficient period of three months to one year.

The Rehabilitation Counselor will refer to CCR 7179.5 when closing a record of services with a plan in a self-employment setting without an employment outcome.

Refer to [Section 3053](#) for more information on plans in a self-employment setting.

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3074 Closure Without an Eligibility Determination (09/14)

The Rehabilitation Counselor will refer to CCR 7179 when closing the record of services without an eligibility determination.

In accordance with CCR 7179(a), the Rehabilitation Counselor will close an applicant's record of services without (prior to) an eligibility determination when the following two conditions exist:

- The applicant declines to participate in, or is unavailable to complete, the assessment for determining eligibility and priority for services, including a TWE necessary to determine eligibility (CCR 7179(a)(1)).
- The Rehabilitation Counselor or designated district staff has made at least three attempts over a 30-day period to contact the applicant or, if appropriate, the applicant's representative, to encourage the applicant's participation. The first attempt shall be made in writing to the last known address of the applicant or his or her representative; the Rehabilitation Counselor or designated district staff may use the DR 905 CLOSURE CONTACT form (CCR 7179(a)(2)).

In accordance with CCR 7179(b)(1), an applicant is considered to have declined to participate in the assessment to determine eligibility and priority for services when one of the following conditions applies:

- The individual chooses not to participate in VR services.
- The individual prevents the completion of the assessment by failing to cooperate in such assessment or any part thereof, including:
 - Repeatedly failing to keep appointments, maintain contact, or carry out the individual's responsibilities with respect to the assessment.
 - Making threats or engaging in violent conduct, or engaging in abusive language or behavior directed at a DOR employee, vendor, or other applicant or eligible individual, when such language or behavior continues *after notice is given* that the language or behavior is inappropriate.

An individual is considered unavailable to complete the assessment to determine eligibility and priority for services when one of the following conditions applies:

- The applicant cannot be located or contacted.
- The applicant is unavailable to participate for an extended or indefinite period because of health problems or prolonged confinement in a hospital, nursing home, prison, jail, treatment center, or similar facility.
- The applicant is deceased.

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Documenting Closure Without an Eligibility Determination

Prior to closure of the record of services without an eligibility determination, the Rehabilitation Counselor or designated district staff will perform the following actions:

- Document in a case note(s) required attempts to contact the applicant or, if appropriate, applicant's representative over a 30-day period, including a description of efforts to encourage cooperation and participation.

- Complete the DR 905 CLOSURE CONTACT form, or other written notification, and provide a copy to the individual.

The Rehabilitation Counselor will perform the following actions:

- Document the closure page in AWARE according to the AWARE Reference Guide.
- Create the DR 229B CLOSURE REPORT – OTHER THAN REHABILITATED form.

The Rehabilitation Counselor or designated district staff will complete the closure documentation in accordance with [Section 3004](#).

The individual's status will change to Closed-Other in AWARE.

3075 Closure With a Determination of Ineligibility (09/14)

The Rehabilitation Counselor will refer to CCR 7179.1 when closing the record of services with a determination of ineligibility.

The Rehabilitation Counselor will perform the following actions:

- Close the record of services as ineligible when he or she determines an applicant is ineligible for VR services or determines a consumer is no longer eligible for services.
- Provide the individual with an opportunity for a full consultation about the ineligibility determination. If, after consultation, the ineligibility determination remains appropriate, then the Rehabilitation Counselor will proceed with the record of services closure.

An individual is not eligible for services when any of the following conditions exist:

- There is clear and convincing evidence as defined in CCR 7004.6 that the individual cannot benefit from VR services in terms of an employment outcome due to the severity of the individual's disability.
- The individual does not have a physical or mental impairment, as defined in CCR 7021.
- The individual's impairment does not constitute a substantial impediment to employment, as defined in CCR 7027.

- The individual does not require VR services provided by the DOR to prepare for, secure, retain, or regain an employment outcome consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, including circumstances in which the individual has obtained an employment outcome without benefit from DOR services.

The Rehabilitation Counselor or designated district staff will provide the following information to the individual:

- Other employment assistance programs whenever possible, if the ineligibility determination is based on the inability to achieve competitive, integrated employment (e.g. an extended employment provider).
- How to request a review of the ineligibility determination (e.g., administrative review, mediation, and/or a fair hearing).
- The Client Assistance Program (CAP).

The Team Manager will independently review cases, monitor ineligibility determinations, and take appropriate action to ensure compliance.

Refer to [Section 3025](#) for more information on ineligibility determination.

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Documenting Closure With a Determination of Ineligibility

Prior to record of services closure, the Rehabilitation Counselor or designated district staff will provide the consumer with an opportunity for consultation. Notification of this opportunity may be accomplished using the DR 905 CLOSURE CONTACT form.

The Rehabilitation Counselor will perform the following actions:

- Document reason(s) for the ineligibility determination in a case note—typically titled, “Ineligibility Determination.”
- Summarize the basis for the ineligibility determination, as appropriate to the individual case.
- Document the closure page in AWARE according to the AWARE Reference Guide.

- Create the DR 229B CLOSURE REPORT – OTHER THAN REHABILITATED form.

The Rehabilitation Counselor or designated district staff will complete the closure documentation in accordance with [Section 3004](#).

The individual's status will change to Closed-Other in AWARE.

3076 Closure From the Waiting List (09/14)

The Rehabilitation Counselor will refer to CCR 7055(d) and (e) when closing the record of services of an eligible individual on a wait list, who does not respond to a DR 68H 60-DAY WAIT LIST NOTIFICATION form.

The Rehabilitation Counselor will place an eligible individual on a waiting list when his or her priority category for VR services is not being served in accordance with [Section 3035](#). If an eligible individual who is on the waiting list does not respond to the DR 68H form within 60 days, or if he or she declines to remain on the waiting list, the record of services will be closed in accordance with [Section 3038](#).

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Documenting Closure From the Waiting List

The Rehabilitation Counselor will close the record of services in AWARE and create the DR 229B CLOSURE REPORT – OTHER THAN REHABILITATED form. The final notice of case closure will include the following required information (CCR 7055(d)):

- The date of record of services closure.
- The information regarding reevaluation as stated in CCR 7055(f).
- The individual's appeal rights as stated in CCR 7350 through 7361.

The Rehabilitation Counselor or designated district staff will perform the following actions:

- Document closure from the waiting list in a record of services case note—typically titled, “Closure from the Waiting List.”
- Summarize the reason that the record of services is being closed from the waiting list. For example, the case note may indicate the

consumer requested removal from the wait list, or the consumer did not respond to 60-day letter, or another reason, as appropriate to the individual case.

- Complete closure documentation in accordance with [Section 3004](#).

The individual's status will change to Closed-Other in AWARE.

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3077 Closure for Other Reasons (09/14)

The Rehabilitation Counselor will refer to CCR 7179.3 when closing the record of services of an eligible individual for other reasons.

The Rehabilitation Counselor will close the record of services, either before or after an IPE is developed, when the eligible individual:

- Chooses to not participate or continue to participate in the VR program (7179.3(a)(1)).
- Cannot be located or contacted and, as a result, fails to participate (CCR 7179.3(a)(2)).
- Is unavailable to participate for an extended or indefinite period due to health problems or a prolonged confinement in a hospital, nursing home, prison, jail, treatment center, or similar facility, or for another reason (CCR 7179.3(a)(3)).
- Is deceased (CCR 7179.3(a)(4)).
- Requires services more appropriately obtained from sources other than the DOR, including another State's VR program (CCR 7179.3(a)(5)).
- Fails to cooperate at any point in the VR program, including repeated failure to keep appointments, maintain regular contact with the Rehabilitation Counselor, or carry out other responsibilities associated with participation in the program specified in CCR 7029.9 (CCR 7179.3(a)(6)).
- Is unable to participate in VR services, or accept or maintain employment, because suitable transportation required for participation is not feasible or available (7179.3(a)(7)).

- Requires extended services for supported employment and the extended services needed are not available (7179.3(a)(8)).
- Has engaged in criminal activity when applying for or receiving VR services, including fraud or misrepresentation used to obtain services, collusion, or theft (7179.3(a)(9)).

Prior to record of services closure, the Rehabilitation Counselor or designated district staff will provide the eligible individual with an opportunity for consultation. Notification of this opportunity may be accomplished using the DR 905 CLOSURE CONTACT form in AWARE.

The Rehabilitation Counselor will proceed with closing the record of services, if any of the following applies:

- The applicant or consumer does not respond to the opportunity for consultation.
- After consultation, the Rehabilitation Counselor and the eligible individual agree to closure.
- After consultation, the Rehabilitation Counselor determines the closure remains appropriate.

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Documenting Closure – Other Reasons

The Rehabilitation Counselor will close the record of services in AWARE and create the DR 229B CLOSURE REPORT – OTHER THAN REHABILITATED form.

The Rehabilitation Counselor or designated district staff will complete the closure documentation in accordance with [Section 3004](#).

The individual's status will change to Closed-Other in AWARE.

3078 Case Closure and Personal Safety (01/16)

The Rehabilitation Counselor will close an applicant's or consumer's record of services based on existing federal and state regulations that apply to applicants and consumers. The Rehabilitation Counselor will cite one of the

regulations in [Section 3070](#) as the basis for record of services closure, as appropriate to the individual case.

The Rehabilitation Counselor will not close an applicant or consumer's record of services based on DOR administrative policy. For example, while the DOR [Workplace Violence and Bullying Prevention Program](#) governs DOR employee actions, it does not provide the necessary regulatory authority to close an applicant or consumer's record of services.

The Rehabilitation Counselor will address threatening or harassing consumer conduct on a case-by-case basis using DOR guidelines.

3078.1 Guidelines for Addressing Threatening or Harassing Behavior by Applicants or Consumers (01/16)

The DOR employees, vendors, partners, applicants, consumers, and members of the public are entitled to interact in a secure and safe environment, free from threatening or harassing behavior, and to be treated with dignity and respect in the provision of VR services. These guidelines describe threatening or harassing behavior by applicants or consumers and provide the DOR staff with a consistent procedure for documenting and reporting threats and potential threats.

The DOR staff must take into consideration the disability of the applicant or consumer when assessing a behavior to determine whether it is threatening or harassing. A disabling condition or medication problem could result in a behavior appearing to be, but that is not, threatening or harassing.

Examples of Threatening or Harassing Behavior

Examples of threatening or harassing behavior directed at a DOR employee, vendor, partner, applicant, consumer, or other related individual, which may cause a reasonable person to be fearful or have the intention or effect of alarming or intimidating, include, but are not limited to, the following:

- Hitting, throwing, or shoving an individual or an object.
- Raising one's voice in a loud disruptive manner, this may include profanity, obscenities, or discriminatory language.

- Telling an individual that she or he may be harmed.
- Following or stalking an individual.
- Suggesting that violence against an individual or damage to property is appropriate.
- Touching an individual in a sexual manner or engaging in lewd, indecent, or obscene conduct.
- Carrying firearms or weapons during the provision of VR services.

Threats and/or harassment may be direct or indirect, in person, by telephone, by mail, email, via an electronic device, or an alternate form of communication.

Responding to Reports of Threatening or Harassing Behavior

Any emergency situation that involves a credible threat of imminent serious violence or physical harm that would cause a reasonable person to fear for his or her safety should be reported to local law enforcement by dialing the 9-911 emergency number or 911 from an outside phone. Any employee who feels that he or she is at risk of harm may dial 911 with or without a supervisor's approval. If an employee does not consider himself or herself to be in immediate danger, he or she should notify his or her supervisor for the supervisor to determine the appropriate action.

The DOR should seek assistance from law enforcement (e.g., police, sheriff, or California Highway Patrol) when an applicant or consumer commits or threatens to commit a crime on the premises of the DOR or against DOR personnel. When an applicant or consumer threatens to commit a crime of violence against a person other than a DOR employee, the DOR should also contact law enforcement and report. If law enforcement conducts an investigation, or an applicant or consumer is prosecuted for a threat on DOR premises or against a DOR employee, the DOR is authorized to share information in an applicant or consumer's record of services (CCR 7143(a)(7) and 7143.5(a)). If there is no investigation or prosecution, however, the DOR may not share information from an applicant or consumer's record of services with law enforcement.

If there is reasonable concern that an applicant or consumer is a danger to himself or herself, DOR professional staff (e.g., Rehabilitation Counselor,

Team Manager, Rehabilitation Supervisor, District Administrator, Medical Consultant, and Consulting Psychologist) should immediately contact law enforcement and report the behavior. In accordance with federal regulations, the DOR may release confidential information from an applicant or consumer's record of services in order to protect the individual or others, if the individual poses a threat to his or her safety or the safety of others (34 CFR 361.38(e)(5)).

If the incident does not involve an imminent threat of serious violence or physical harm, the supervisor will inform the next supervisory level of the occurrence. The California Highway Patrol, rather than local law enforcement, should be contacted to investigate.

Whether there is an imminent threat or a less serious but repeated threat or harassment, an applicant or a consumer's conduct may be the basis for closing the record of services (CCR 7179(b)(1), 7179.1(c)(1), or 7179.3(a)(6)), or for obtaining a temporary or permanent restraining order. The next supervisory level may seek advice from the Health and Safety Officer (HSO) in the DOR Business Services or the DOR Office of Legal Affairs and Regulations. The HSO may have some additional information that is helpful to reduce the risk, and the Legal Affairs Office will assess the facts to determine if the state and federal regulations support closing the case and if the DOR should contact the Attorney General's Office for assistance in obtaining a restraining order.

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Reporting Threatening or Harassing Behavior

All DOR employees who observe or experience threatening or harassing behavior in the workplace are responsible to report it immediately to their direct supervisor or the person acting in that capacity. The immediate supervisor will document the incident on a DR 160 INCIDENT REPORT form, located on the DOR intranet.

Department of Rehabilitation employees who observe indicators that an applicant or consumer may be having difficulties that could result in threatening or harassing behavior will notify their supervisor and the Rehabilitation Counselor of record of these observations. The District Administrator, Team Manager, or Rehabilitation Counselor of

record may consult with a DOR Medical Consultant or Consulting Psychologist, as appropriate. The applicant or consumer's psychiatrist, psychologist, medical doctor, family member, or case manager may also be consulted if proper release forms have been obtained. Indicators of potential for threatening or harassing behavior include, but are not limited to, mood swings, changes in appearance (disheveled), aggressive speech or behavior, or indicators that the individual may be under the influence of alcohol or illegal drugs.

Documenting Threatening or Harassing Behavior in the Record of Services

All reports of threatening or harassing behavior by applicants or consumers must be documented in a case note in AWARE and reported to the immediate supervisor to determine the course of action, including record of services closure and possibly obtaining a restraining order. In addition, a DR 160 form must be completed, reviewed, signed by the supervisor, and sent to the HSO in the DOR Business Services Section, with a copy to the District Administrator within three days.

The DOR must, as soon as practical, report all crimes on state property to the California Highway Patrol, State Police Division (Government Code section 14613.7). If a crime is committed on state property and a law enforcement entity other than the California Highway Patrol responds, the supervisor must complete an STD 99 REPORT OF CRIME ON STATE PROPERTY form located on the Internet at <http://www.dgs.ca.gov/dgs/Home.aspx>. This report is provided to the local California Highway Patrol office, with copies forwarded to the HSO in Business Services and the District Administrator.

A Rehabilitation Counselor, with the Team Manager, in consultation with a District Administrator, will determine the need for subsequent action. For applicants and consumers, depending on the severity of the violation, this may include closure of the record of services. This determination will be made by a Rehabilitation Counselor in accordance with the facts of the incident(s), the consumer's record of services, current case status and the applicable regulations, most likely either CCR 7179(b)(1), 7179.1(c)(1), or 7179.3(a)(6). The DOR district staff may wish to seek advice from the DOR Legal Affairs and Regulations Office, as the office can, as noted above, assess the

facts to determine if the state and federal regulations support closing the record of services.

An applicant or consumer who disagrees with the action taken by the DOR has the right to contact CAP or request an administrative review, mediation, and/or a fair hearing. Refer to DR 1000 – RIGHTS AND REMEDIES form.

Refer to the DOR's [Workplace Violence and Bullying Prevention Program](#) located on the Administrative Services Divisions / Business Services Section / Health & Safety page on the DOR intranet for more information on policies and procedures.

Refer to the [RAM Chapter 30 Toolbox](#) for sample warning letters.

Refer to [Section 3070](#) for information on record of services closure.

[Go to CCR.](#)

3079 Mandatory Reviews After Closure (01/16)

The Rehabilitation Counselor will conduct a mandatory review under the circumstances detailed in this section. The purpose of a mandatory review is to ensure that an individual, who may not be working to maximum capacity or who may have had changes in disability or circumstances since a determination of ineligibility, is given the opportunity to receive additional VR services.

In accordance with CCR 7181.1(a) that states in part:

[Begin Citation]

“This review may not be conducted in situations in which the individual has refused it, the individual is no longer present in the State, the individual’s whereabouts are unknown, or the individual’s medical condition is rapidly progressive or terminal.”

[End Citation]

The VRSD team will identify individuals who require mandatory review by periodically checking and contacting individuals listed on the Federal Follow-up Needed Report in AWARE.

The Team Manager will periodically review the Federal Follow-Up Needed Report in AWARE to monitor cases and take appropriate action to ensure that mandatory reviews are completed.

Mandatory Review for Individuals Earning Less than Minimum Wage or in Extended Employment

The Rehabilitation Counselor will conduct a review and reevaluation when a record of services has been closed for any consumer served under the VR program who falls into any of these three categories:

- Achieved an employment outcome in an integrated setting and is earning less than minimum wage.
- Is working in extended employment on the basis the consumer is unable to achieve an employment outcome in an integrated setting.
- Made an informed choice to remain in extended employment.

For purposes of the VR program, extended employment:

- Means work in a non-integrated or sheltered setting for a public or private non-profit agency or organization that provides compensation in accordance with the Fair Labor Standards Act (29 U.S.C. 214(c).
- May be provided as an interim and transitional step in the VR process to prepare the individual for employment in an integrated setting.
- Is not an end-point in the VR process.
- Is not considered an employment outcome as defined by CCR 7011.

Refer to CCR 7013.6 for more information on extended employment.

The Rehabilitation Counselor will review the determination within 12 months after closure, and annually thereafter for two years, or if requested by the individual.

In accordance with CCR 7181.1(c) that states:

[Begin Citation]

“For each individual with a disability described in (b) of this section, the Department must ---

- (1) Annually review and re-evaluate the individual’s status for two years after the individual’s record of services is closed (and thereafter if requested by the individual or, if appropriate, the individual’s representative) to determine the interests, priorities, and needs of the individual with respect to competitive employment or training for competitive employment as defined in Section 7006.3 of these regulations;
- (2) Enable the individual, or if appropriate, the individual’s representative to provide input into the review and re-evaluation and document that input in the record of services as required by (d) of this section, with the individual’s or, as appropriate, the individual’s representative’s signed acknowledgement that the review and re-evaluation have been conducted; and
- (3) Make maximum efforts, including identifying and providing vocational rehabilitation services, to assist the individual in engaging in competitive employment as defined in Section 7006.3 of these regulations.”

[End Citation]

Refer to [RAM Chapter 31](#) for more information on supported employment.

[Go to CCR.](#)

Mandatory Review for Individuals Closed Ineligible

The Rehabilitation Counselor will review the record of services when one of the following conditions exists:

- A record of services is closed because an applicant was determined ineligible for VR services.
- An eligible individual, whether or not the individual is receiving services under an IPE, is determined no longer eligible for services based on a finding that the individual was incapable of achieving an employment outcome.

The Rehabilitation Counselor will review the determination within 12 months of the decision, and annually thereafter, if such annual review is

requested by the individual or, if appropriate, by the individual's representative.

Documenting Mandatory Review

The VRSD team will complete documentation in accordance with CCR 7122(j) which states:

[Begin Citation]

“In the event that an individual achieves an employment outcome in which the individual is compensated in accordance with section 14(c) of the Fair Labor Standards Act (FLSA((29 USC 214(c))), or the Department closes the record of services of an individual in extended employment on the basis that the individual is unable to achieve an employment outcome consistent with Section 7011 of these regulations, or an eligible individual through informed choice chooses to remain in extended employment, documentation of the results of the mandatory reviews after the record of services has been closed required by Section 7181.1(b) of these regulations, the individual's input into those reviews, and the acknowledgement of those reviews were conducted.”

[End Citation]

The Rehabilitation Counselor or designated district staff will perform the following actions:

- Review the Federal Follow-up Needed Report in AWARE.
- Complete the appropriate contact letter from the AWARE letters catalogue.
- Document the mandatory review in AWARE as outlined in the AWARE Reference Guide.

3080 POST-EMPLOYMENT SERVICES (01/16)

The DOR shall follow CCR 7021.5 in lieu of CCR 7176(c). The purpose of post-employment services (PES) is to maintain suitable employment and preserve the gains made through the consumer's VR program.

For an individual whose record of services has been closed with an employment outcome, PES may be required to maintain, regain, or advance in employment that is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. Post-employment services are limited in scope and duration, and do not require the complex or comprehensive provision of VR services. A redetermination of eligibility is not required to develop a PES Plan. The provision of PES will be subject to the same requirements as the provision of any other VR service.

In accordance with CCR 7176(f), for an individual whose record of services has been closed with supported employment as the employment goal, the provision of PES shall be limited to services that are both of the following:

- Not available through the extended services resource.
- Necessary to support and maintain an individual in employment.

The DOR shall use a PES Plan in AWARE to document PES services. The consumer must agree to and sign the PES Plan, and the Rehabilitation Counselor must approve, sign, and date the PES Plan. The PES Plan is effective on the date on which both the Rehabilitation Counselor and the consumer reach agreement. If the two signatures bear two different dates, the later date will govern.

The DOR shall use the following AWARE descriptions:

- PES
- Closed – PES

Authority: Section 103(a)(18) of the Act; 29 U.S.C. 723(a)(18); 34 CFR 361.5(b)(42), 361.46(c) and 361.48; CCR, title 9, sections 7021.5, 7122, and 7176.

[Go to CCR.](#)

3081 Process for Providing Post-Employment Services (09/14)

A PES Plan is different from an IPE. To address projected PES needs, the IPE will include statements concerning the following:

- The expected need for PES.
- The terms and conditions of PES.
- How PES will be provided or arranged through other entities.

The Rehabilitation Counselor will create a PES Plan according to the AWARE Reference Guide only after the following has occurred:

- A record of services is closed in Closed-Rehab status.
- The consumer requests PES.
- The Rehabilitation Counselor verifies that the individual requires PES to maintain, regain, or advance in employment.
- It is determined that the PES is limited in scope and duration, and does not require complex or comprehensive services.

If more comprehensive services are required, the individual may reapply to the DOR to open a new record of services. The completion or end of a PES Plan is described as Closed – PES.

The Team Manager will ensure PES Plans are properly determined, documented, and completed or ended in a timely manner.

Refer to [Section 3070](#) to review the regulations for successful closure.

Documenting PES Plans

The Rehabilitation Counselor will perform the following actions:

- Complete the PES Plan in AWARE in accordance with the AWARE Reference Guide.
- Approve, sign, and date the PES Plan.

The individual's status will change to PES in AWARE.

The Rehabilitation Counselor or designated district staff will perform the following actions:

- Complete the PES Plan documentation in accordance with [Section 3004](#).
- Document the consumer's progress in AWARE case note(s).

3082 Conditions for PES Completion or End (09/14)

The Rehabilitation Counselor or designated district staff will document completion or end of the PES Plan in AWARE when one of the following conditions is present:

- Services have been provided, and the consumer is able to maintain, regain, or advance in employment.
- Services needed are no longer limited in scope and duration.
- Services needed are complex and comprehensive.

In accordance with CCR 7176(e) that states:

[Begin Citation]

“Post-employment services shall be terminated when the client's suitable employment has been maintained or when a new evaluation of the client's situation is deemed necessary.”

[End Citation]

[Go to CCR.](#)

Documenting PES Completion or End

The Rehabilitation Counselor will document the end of PES in AWARE according to the AWARE Reference Guide.

The individual's status will change to PES-Closed in AWARE.

3090 AUTHORIZING GOODS AND SERVICES (09/14)

The DOR is committed to providing goods and services to consumers in an efficient, effective, and timely manner. The DOR shall provide goods and services determined necessary for completion of a consumer's IPE as developed by the Rehabilitation Counselor in collaboration with the consumer and documented in the record of services.

The DOR shall follow procurement rules in accordance with RAM Chapter 9 and Department of General Services (DGS) rules.

The DOR shall ensure that any goods and services provided prior to IPE development, to an applicant or an eligible individual who is not yet receiving services under an IPE, are necessary to complete only the following activities:

- An assessment for eligibility and priority category when existing data is unavailable, insufficient, or inappropriate.
- A comprehensive assessment to determine the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, including the need for supported employment, for development of an IPE when existing data is unavailable, insufficient, or inappropriate.

The DOR shall only purchase agreed-upon goods and services for an applicant or consumer at the time such goods and services are needed.

The DOR shall ensure appropriate oversight of purchased services, including supporting documentation in the record of services, including but not limited to procurement documents, receipts, and verification of goods and services received.

The DOR shall require receipts for books and supplies, including those paid with a bank draft. This policy supersedes RAM Chapter 12, the 2006 Bank Draft Expansion memo, the Bank Draft Reference Guide, and any other policies or documents that do not articulate these requirements.

The DOR shall require prior approval from a Team Manager, District Administrator, or other authorized staff when authorizing certain goods and services (see [RAM Chapter 12](#), Exhibit A and Exhibit C).

The policies in this section apply to both medical or non-medical goods and services.

Authority: 34 CFR 361.5(b)(10), 361.12, 361.13, 361.45, 361.46, 361.53, and 361.54; CCR, title 9, sections 7006, 7013.2, 7024.7, 7028.4, 7122, 7149, 7154, 7155, 7156, 7190, 7191, 7192, 7193, 7196, 7197, and 7198.

[Go to CCR.](#)

3091 Process for Authorizing Goods and Services (09/14)

The DOR districts will adhere to the following process to “authorize” goods and services:

- The Rehabilitation Counselor will use an individual's record of services case notes and the IPE to document the necessity for issuance of goods and services.
- The Rehabilitation Counselor or designated district staff will use an AWARE “Activity Due” to document the request to purchase goods and services, or to reissue a previously purchased item from the storeroom.
- Designated district support staff will use an appropriate authorizing document to record the issuance of goods and services.

While the Rehabilitation Counselor determines whether goods and services are necessary, designated district support staff may request clarification of the Activity Due as necessary to complete an authorizing document.

Team managers will review cases to ensure proper documentation and timely completion of Activity Dues, including notation of “completed” status.

District managers will be responsible for reviewing authorizing documents, as necessary, to ensure that designated district support staff accurately interprets requested goods and services according to the Activity Due format in [Section 3092](#).

Refer to policies in [RAM Chapter 9](#) for procurement; [RAM Chapter 10](#) for accounting fund sources, codes and records; [RAM Chapter 11](#) for encumbering and disencumbering; [RAM Chapter 12](#) authorizing case service expenditures; and, [RAM Chapter 15](#) for case service property.

3092 Activity Due Format (12/16)

A consistent statewide Activity Due format supports the effective and efficient communication of procurement information. An “Activity Due” is a screen in AWARE typically used to communicate procurement requests (and other requests, actions, or information) to designated district support staff. The Rehabilitation Counselor or designated district staff also uses the Activity Due to transmit “prior approval” requests to, and receive documented approval from, Team Managers and other approving officials.

The Rehabilitation Counselor or designated district staff will create an Activity Due. The following headings, as appropriate, will be included in the Activity Due:

1. Fund Source
2. Goods/Services
3. Vendor
4. Cost/Units
5. Service Dates
6. Special Instructions
7. Comparable Services And Benefits
8. Financial Participation
9. Approvals
10. Rationale/Justification

For A.T. purposes, refer to [Exhibit E](#) for detailed description and required order of information.

The Activity Due may also include, but is not limited to the following:

- Contract number or provider name.
- Description of special circumstances justifying a preferred vendor. For example, a consumer may have a severe impairment and must receive follow-up visits by a provider within 25 miles from home.
- Cost details for goods and services. The Rehabilitation Counselor or designated district staff may leave this out if a cost is not available because of bid requirements.
- Medical insurance information.

- Treatment authorization request (often referred to as a “TAR”) to utilize medical comparable benefits.
- Other procurement information.

The Rehabilitation Counselor or designated district staff will perform the following actions when creating the AWARE Activity Due:

- Give the Activity Due a meaningful title, such as “Authorization – <xxx>.” The title may identify the specific goods or services authorized, as well as the vendor and the service dates. For example, an Activity Due titled, “Tuition—ABC College, Fall 2014” would indicate the designated district staff is authorizing payment of tuition at ABC College for the Fall 2014 term.
- Provide sufficient clarity and specificity to allow designated district support staff to accurately complete the authorizing document(s) for the requested goods and services.

Refer to [RAM Chapter 11](#) for more information on authorizing, encumbering, and disencumbering.

3093 Identifying Prior Approval Requirements (09/14)

The Rehabilitation Counselor and designated district staff will perform the following actions:

- Determine whether the good or service requires prior approval(s) before preparing an authorizing document.
- Obtain all necessary prior approvals before forwarding an Activity Due to designated district support staff.

Designated district support staff will perform the following actions:

- Review the authorizing Activity Due to verify that all required prior approvals are included.
- Reassign the Activity Due back to the Rehabilitation Counselor or designated district staff if prior approvals are not completed.
- Contact the Team Manager, as appropriate.

Refer to [RAM Chapter 12, Exhibit A](#) —Services that Require Prior Approval, and [RAM Chapter 12, Exhibit C](#)—Medical Services that Require Prior Approval.

3094 Bank Drafts Requirements (09/14)

The bank draft policies described in this section supersede RAM Chapter 12, the 2006 Bank Draft Expansion memo, the Bank Draft Reference Guide, and any other policies or documents that do not articulate these requirements.

The VRSD team will perform the following actions to use bank drafts appropriately as a method of payment:

- Make efforts to use a DR 297D PURCHASING AUTHORITY/PURCHASE ORDER or the consumer Cal-Card in lieu of a bank draft. The team will only use a bank draft when no other method of payment is possible.
- Work collaboratively with each consumer to facilitate timely provision of required books and supplies, including use of a “standard allowance” in accordance with [RAM Chapter 12](#).
- Collect receipts for *all* bank drafts—including bank drafts for books and supplies—within 30 days. In rare cases, the Rehabilitation Counselor may approve a longer time due to exceptional circumstances and document the reason in the record of services.

The Rehabilitation Counselor or designated district staff will perform the following actions to collect bank draft receipts:

- Notify the consumer of his or her responsibilities to submit bank draft receipts within 30 days.
- Review the consumer responsibilities as described in the IPE.
- Document in a record of services case note if there are discrepancies between the authorization and the items purchased, or no receipt submitted.
- Document the reason why a receipt cannot be submitted within 30 days, in rare cases.
- Create a custom Activity Due to the designated district support staff with the new date for submission of receipts, if extended.
- Monitor Activity Dues related to bank drafts in AWARE.

Designated district support staff will perform the following actions:

- Review the Activity Due list of consumers who have received bank drafts.

- Collect and file the bank draft receipts for each consumer. Acceptable receipts may be paper or electronic.
- Contact the consumer with a reminder prior to the 30-day deadline.
- Notify the Rehabilitation Counselor if there are discrepancies between the authorization and the items purchased, or no receipt submitted.

The Team Manager case review will include an examination of bank draft receipts, including those for books and supplies.

Refer to the Exhibit A, Attachment C—Documentation Required in the Hardcopy Record of Services.

3095 Financial Participation (09/14)

The Rehabilitation Counselor and designated district staff will apply the following regulations for financial participation:

- Client Financial Participation – General (CCR 7190).
- Exemptions from Client Financial Participation (CCR 7191).
- Computation of Client Financial Participation (CCR 7192).
- Client Financial Participation – Payment (CCR 7193).

The VRSD team will track completion of financial participation documents.

The Team Manager will independently review cases, monitor financial participation, and take appropriate action to ensure compliance.

Refer to [RAM Chapter 17](#) for information on processing payments of consumer financial participation to the DOR.

[Go to CCR.](#)

Documenting Financial Participation

The Rehabilitation Counselor or designated district staff will perform the following actions:

- Document the consumer's receipt of public assistance and benefits in AWARE according to the AWARE Reference Guide.

- Complete the DR 233 STATEMENT OF FINANCIAL STATUS form when financial participation applies.
- Document that the service provided is not exempt from financial participation in AWARE.
- Document financial participation received from the consumer in AWARE according to the AWARE Reference Guide.

3096 Comparable Services and Benefits (09/14)

The VRSD team will proactively assist the consumer to identify and apply for sources of comparable services and benefits prior to plan development. The goal is to assist the consumer in obtaining and utilizing comparable services and benefits at the time needed to participate in VR services.

The Rehabilitation Counselor and designated district staff will apply the following regulations for comparable services and benefits:

- General Requirements (CCR 7196).
- Exemptions (CCR 7196(b)).
- Additional Requirements – Institutions of Higher Education (CCR 7197).
- Extreme Medical Risk (CCR 7197).

Comparable services and benefits must be utilized, unless coordination of services and benefits would interrupt or delay the provision of VR services to a consumer who is determined to be at extreme medical risk, based on medical evidence provided by an appropriate, qualified medical professional.

In addition, CCR 7029.7(b)(6) states that consumers have a right to “receive appropriate services without undue delay, except where the delay results from circumstances beyond the Department’s control, such as the absence of training openings at schools or facilities, or unanticipated changes in the program due to new information or conditions.”

The VRSD team will track completion of comparable services and benefits documentation.

The Team Manager will independently review cases, monitor comparable services and benefits, and take appropriate action to ensure compliance.

Refer to the [Medical Services Unit Desk Manual](#) located on the Vocational Rehabilitation Employment Division / Medical Services Unit page on the intranet for more information on medically related comparable services and benefits.

[Go to CCR.](#)

Documenting Comparable Services and Benefits

The Rehabilitation Counselor or designated district staff will document the following information in a record of services case note:

- Existing and sought-after comparable services and benefits.
- Maximum efforts to secure and attempts at utilizing all comparable services and benefits.
- Any anticipated comparable services and benefits.
- Comparable services and benefits obtained at the time of purchase.
- Evidence of benefit or denial of comparable services and benefits.

The Rehabilitation Counselor or designated district staff will record comparable services and benefits for purchased services in AWARE according to the AWARE Reference Guide.

3097 Criteria for Dual Authorizations (09/14)

When a Rehabilitation Counselor or designated district staff creates dual authorizations, he or she is authorizing the same service to two providers for the same or overlapping service dates. While the Rehabilitation Counselor or designated district staff will not typically authorize the same service (e.g., job placement) to two service providers simultaneously, there may be special, limited circumstances where this is necessary in order to meet the needs of the consumer.

The Rehabilitation Counselor will perform the following actions:

- Consult with the Team Manager prior to requesting dual authorizations.
- Document the rationale for dual authorizations in a case note.

**EXHIBIT A STANDARDIZED STATEWIDE RECORD OF SERVICES
DOCUMENTATION SYSTEM**

EXHIBIT B AWARE STATUS DESCRIPTIONS

EXHIBIT C INITIAL INTERVIEW GUIDELINES

**EXHIBIT D SOURCES OF INFORMATION FOR ELIGIBILITY
DETERMINATION**

EXHIBIT E ASSISTIVE TECHNOLOGY ACTIVITY DUE TEMPLATE

EXHIBIT F DR 650 EMPLOYEE TIMESHEET FORM INSTRUCTIONS