

Continuing Issues in VR

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Learning Objectives

- 1) Identify VR related advocacy issues
- 2) Analyze laws/regulations related to these issues
- 3) Discuss strategies used to address and overcome these critical issues

VR Issues

**Customized
Employment**

Customized Employment Presentation Highlights

- Overview of Customized Employment (CE)
- Analyze laws/regulations related to CE
- Identify barriers and challenges

Customized Employment Presentation Highlights

- Case Example
- CE Program Pilot in Illinois
- Strategies - What CAP can do to advocate for this approach to employment

Customized Employment Utilization Nationwide



Overview of Customized Employment

Customized Employment (CE) is a flexible process designed to personalize the employment relationship between a job seeker and an employer in a way that meets the needs of both.

WIOA CE Definition (34CFR361.5(c)(11))

- *Customized employment* means **competitive integrated employment**, for an individual with a significant disability, that is—
- Based on an individualized determination of the unique strengths, needs, and interests of the individual with a significant disability;

WIOA CE Definition (34CFR361.5(c)(11) (cont.)

- Designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer; and
- Carried out through flexible strategies

Vocational Rehabilitation Policy

- 34 CFR 361.5(c) (15) **Employment outcome** means, with respect to an individual, entering, advancing in, or retaining full-time or, if appropriate, part-time competitive integrated employment, as defined in paragraph (c)(9) of this section (**including customized employment**, self-employment, telecommuting, or business ownership), or supported employment as defined in paragraph (c)(53) of this section, that is consistent with an individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

Vocational Rehabilitation Policy

- *34 CFR 361.42 (2) **Presumption of benefit.*** The designated State unit must presume that an applicant who meets the eligibility requirements in paragraphs (a)(1)(i) and (ii) of this section can benefit in terms of an employment outcome.

Vocational Rehabilitation Policy

- 34 CFR 361.36 (a) (3) (A) In accordance with criteria established by the State for the order of selection, **individuals with the most significant disabilities will be selected first** for the provision of vocational rehabilitation services;

Why does there appear to be a **RESISTANCE?**

Could it be?....

- Time
- Cost of services
- Lack of qualified providers
- Limited capacity
- Lack of awareness

What do YOU think?

Illinois CAP Case Example

- Youth wanted to apply for adult VR services
- Youth and parent met with VR Counselor
- Outcome of initial meeting
 - Youth and parent left discouraged
 - Referred to Division of Developmental Disabilities
- Parent asked CAP to get involved

Illinois CAP Case Example (Cont.)

Facts of the case

- Youth with a disability considered most significant
- Had a desire to work
- Transition Specialist documented the abilities and strengths this youth demonstrated while attending high school:
 - Participates well in conversation
 - Eager to learn
 - Organized
 - Creative
 - Able to navigate school building

Illinois CAP Case Example

CAP Approach

- Advocacy
- Awareness
- Education

Illinois CAP Case Example

Outcome

- Customized Employment determined a good fit
- IPE was developed
- Provider of service agreed upon
- Currently, client is progressing well in the CE process

Illinois Customized Employment Program Pilot

- "Reinserts the provisions of the introduced bill, but with the following changes: Provides that the purpose of the Act is to assist individuals with intellectual or developmental disabilities or similar conditions resulting in a most significant disability (rather than individuals with intellectual or developmental disabilities and complex needs). **Provides that the Customized Employment Pilot Program shall be implemented through an individualized plan for employment developed by the individual with a disability and the vocational rehabilitation counselor employed by the Division of Rehabilitation Services.** Provides that the individual with a disability may choose to have a personal representative participate in the development of the individualized plan for employment. Includes the State Rehabilitation Council to the list of entities the Department of Human Services is required to seek advice and recommendations from concerning the creation, operation, and administration of the Customized Employment Pilot Program."
- **Background:** Advocates in the community were looking for more individuals with developmental and intellectual disabilities to exit non-competitive jobs and be provided with an opportunity to explore work in the community. They reached out to legislators and now we have the CE Act in place.

Illinois Customized Employment Program Pilot (Cont.)

- Creates the Customized Employment for Individuals with Disabilities Act. Requires the Department of Human Services' Division of Rehabilitation Services to establish a 5-year Customized Employment Pilot Program that serves a minimum of 25 individuals by the second year of the Pilot Program. Provides that the Pilot Program shall include certain components, including:
 - (1) an intensive discovery phase during which the unique needs, abilities, and interests of each program participant will be explored;
 - (2) a customized **person-centered** planning process based upon information gathered during the discovery phase that involves capturing, organizing, and presenting the information in a blueprint for the job search; and

Illinois Customized Employment Program Pilot (Cont.)

- (3) an employer negotiation process in which job duties and employee expectations are negotiated to align the skills and interests of each program participant to the needs of an employer.
- Provides that community-based agencies serving persons with intellectual or developmental disabilities shall identify and refer individuals to the Department for participation in the Pilot Program. Requires program participants to reflect the geographical, racial, ethnic, gender, and income-level diversity of the State. Contains provisions concerning data collection and reporting, administrative rules, and other matters.

What CAP can do....

- **Educate yourselves**
- **Advocate**
- **Education and Outreach**
- **Systemic Advocacy**