

Chapter 10

Individualized Plan for Employment (IPE)

10.1 Authority: 34 CFR 361.45

10.2 Policy

USOR policy, in accordance with the Workforce Innovations and Opportunities Act (WIOA), requires an Individualized Plan for Employment (IPE) be completed as soon as possible, but no later than 90 days after the determination of eligibility or activation from the Order of Selection waiting list. The IPE must be developed through a Comprehensive Assessment of Rehabilitation needs which includes data used for assessment of eligibility and priority of service category and additional information outlined in section 10.5. Extensions to the 90 Day limit may be granted if there is a documented agreement between the VR Counselor and client, with a specific date by which the IPE shall be completed (See section 10.8).

USOR VR Counselors, with cooperation from the client, will engage in a meaningful Comprehensive Assessment of Rehabilitation Needs, in a timely manner as described above, to develop an effective IPE. An effective IPE is one which meets the client's individual rehabilitation needs, provides informed choices to the client, and is designed to achieve a specific, competitive, integrated employment outcome. USOR policy also requires that all services must be included in the IPE or amendments prior to the provision of those services. USOR does not provide funding, reimbursement, or retroactive payment for any activity or service that the client has obtained, or engaged in, prior to its inclusion in their IPE with prior specific written authorization. All services provided in an IPE must be connected to the client's employment goal as necessary and appropriate for reaching that goal. Continued provision of services is dependent upon progress and participation requirements outlined in the IPE.

Prior to the implementation of the IPE, VR Counselors must gather documents to verify the identity of eligible clients.

EXCEPTIONS: Services required for eligibility, and services required to enable the eligible individual to engage in a meaningful Comprehensive Assessment of Rehabilitation Needs are exempted from the requirement of inclusion in an IPE. See **Client Service Manual Chapter 12.11** for information regarding the provision of restoration services to enable an eligible individual to engage in a Comprehensive Assessment of Rehabilitation Needs.

Accessibility: USOR shall provide information to each eligible client, or as appropriate, the client's representative, in writing and, if appropriate, in the native language or mode of communication of the client or the client's representative options for developing an IPE.

10.3 Options for Developing an IPE

- A. The eligible client or the client's representative may develop all or part of the IPE:
 1. Without the assistance from USOR or any other entity; or
 2. With assistance from:
 - i. A qualified VR Counselor from USOR
 - ii. A qualified VR Counselor who is not from USOR

- B. The VR Counselor will inform the client that only a qualified VR counselor from USOR can determine eligibility, approve an IPE or any amendments to the IPE and authorize for services. USOR will not pay for IPE development services from other providers.
- C. Information given to clients regarding options for developing the IPE must include:
 - 1. Information on the availability of assistance, to the extent determined to be appropriate by the eligible client, from a qualified VR Counselor from USOR in developing all or part of the individualized plan for employment for the client.
 - 2. The availability of technical assistance in developing all or part of the individualized plan for employment for the client.
 - 3. A description of the full range of components that shall be included in an Individualized Plan for Employment.
 - 4. In all cases: a description of the rights and remedies available to the client, including, if appropriate, recourse to administrative review, mediation and impartial fair hearing; and a description of the availability of the Client Assistance Program (CAP) and information about how to contact CAP.
 - 5. And as appropriate:
 - i. An explanation of agency guidelines and criteria associated with financial commitments of the client concerning an IPE; (Financial Need)
 - ii. Additional information the eligible client requests or USOR determines to be necessary; and
 - iii. Information on the availability of assistance in completing USOR forms required in developing an IPE.

10.4 Identification Verification for IPE Implementation

- A. Clients declare their identity when they complete and sign the Vocational Rehabilitation Application (USOR-4 Form).
- B. Prior to the implementation of an IPE all clients eligible for Vocational Rehabilitation Services must provide picture documentation that verifies their identity. Clients must provide one original, unexpired document from the following list of seven acceptable forms of picture identification:
 - 1. Driver's license issued by a state or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, sex, height, eye color, and address
 - 2. ID card issued by federal, state or local government agencies or entities provided it contains a photograph or information such as name, date of birth, sex, height, eye color, and address
 - 3. U.S. Passport or U.S. Passport Card
 - 4. US Active Duty/Retiree/Reservist Military ID Card that contains a photograph
 - 5. Permanent Resident Card
 - 6. Employment Authorization Document (Card) that contains a photograph
 - 7. School ID card that contains photograph
 - 8. Native American Tribal Photo Identification Card
- C. Review of Picture Identification:
 - 1. USOR Staff must examine the picture identification presented. Expired identification documents cannot be accepted.

2. USOR Staff cannot give preference for one type of picture identification document over another or make requirements in addition to, or separate from this policy.
3. USOR Staff must accept picture identification that reasonably appear to be genuine. USOR Staff will not accept identification known to be false, forged or belonging to someone other than the person offering them.
4. USOR Staff must place a copy of the picture identification in the client record (scanned into the AWARE client database or filed behind the Vocational Rehabilitation Application, USOR-4 Form).

D. Lack of Acceptable Picture Identification:

1. If a client cannot provide the required form of picture identification, the VR Counselor shall advise the client of how to obtain the necessary documents and provide appropriate assistance to help the individual obtain an acceptable picture identification card.
2. Until the client provides the acceptable form of picture identification the IPE cannot be implemented. If the client does not provide the required picture identification and does not collaborate with the VR Counselor in efforts to obtain the required verification of identity, the client record will be closed prior to IPE implementation.
3. Reasonable assistance for the procurement of picture identification, when necessary, may be provided as part of the Comprehensive Assessment of Rehabilitation Needs for IPE development.

10.5 IPE Development Based on Comprehensive Assessment of Rehabilitation Needs

- A. The VR Counselor must conduct a Comprehensive Assessment of Rehabilitation Needs for each eligible individual in a timely manner following eligibility. The purpose of the assessment is to determine the specific employment outcome and the nature and scope of vocational rehabilitation services to be included in the IPE.
- B. This assessment should be comprehensive and thorough, but limited to information that is necessary to identify the rehabilitation needs of the individual and to develop the IPE. The word "limited" means that the VR Counselor should tailor the assessment activities to the individual and not obtain information or take time and resources that may not be necessary in each case. The VR Counselor should tailor the assessment activities to those needed on each individual client.
- C. USOR will utilize to the maximum extent possible and appropriate and in accordance with confidentiality requirements, existing information and information that can be provided by the individual and, where appropriate, the family of the individual.
- D. This assessment **may include**, to the degree needed, an assessment of:
 1. Interests.
 2. Work experience.
 3. Educational achievements.
 4. Interpersonal skills.
 5. Intelligence and related functional capacities.
 6. Vocational aptitudes.
 7. Personality.
 8. Personal and social adjustments.

9. Employment opportunities of the individual.
10. Medical, psychiatric, and psychological factors.
11. Other pertinent vocational, educational, legal, cultural, social, recreational, and environmental factors that affect the employment and rehabilitation needs of the individual.
12. An appraisal of the patterns of work behavior of the individual.
13. Services needed for the individual to acquire occupational skills.
14. Services to develop work attitudes, work habits, work tolerance, and social and behavior patterns necessary for successful job performance, including the utilization of work, in real job situations to assess and develop the capacities of the individual to perform adequately in a work environment.

Intent of Congress:

Congress emphasized the significance of, in appropriate situations (particularly if the individual has not been employed in a competitive work situation in the past), assessments that include the utilization of work in real job situations to assess and develop the capacities of the individual to perform adequately in a work environment. Situational assessment approaches place the individual in a range of simulated and real work settings with supports, as necessary, in order to identify the general skills, work performance, attitudes, and behaviors that are necessary for the individual to perform specific job tasks. Congress intends that such a situational assessment be used whenever possible and appropriate. (SR 103-357, Page 23)

POLICY: The Comprehensive Assessment of Rehabilitation Needs includes many activities that begin with the initial interview and continue through the life of the case. As with any VR Counseling activities each meeting is documented in the AWARE electronic client record. It is USOR policy that the VR Counselor, prior to, or at the time of the development of the IPE, will summarize the Comprehensive Assessment of Rehabilitation Needs in a single summary narrative in the electronic client record.

10.6 Determining a Specific Employment Outcome

The VR Counselor and client will jointly determine (meaning VR Counselor informs, facilitates and presents options and client chooses) an appropriate employment goal based on the information gathered from the assessment, including information consistent with the primary employment factors of the client. In all cases an employment goal can only be assigned with the input and agreement of the client. It is the responsibility of the VR counselor to only support employment goals for which the client's individual factors and broader employment data indicate a reasonable chance of a viable and competitive employment outcome.

If the employment goal is achieved through a Supported Employment (SE) Placement, keep in mind that the outcome needs to be stated as a specific occupation not supported employment. An example would be auto detailer/supported employment. See Chapter 30, Supported Employment, for detailed information.

If a client and VR Counselor cannot agree on the vocational goal or a particular objective or service, regardless of the evaluative information at hand, skillful counseling is imperative. VR Counselors are advised to seek consultation with peers and supervisors.

Informed Choice: VR Counselors providing Informed Choice will discuss available options, information regarding vocational rehabilitation policy, duration of service provision, purchasing procedures, and policy regarding fraud, waste and abuse.

If there is still disagreement, refer to Chapter 21, USOR appeals procedure.

10.7 Revising Vocational Goals

- A. If counselor and client are in agreement on a request for change of employment goal a documented comprehensive assessment of the new vocational goal must be performed to justify the change in employment goals. This does not require supervisory review or additional notification.
- B. After a specific vocational goal has been chosen and identified in an IPE there may be instances in which new information becomes available to the VR Counselor providing substantial evidence that a specifically chosen and approved employment goal is not, or no longer, viable or appropriate. In such cases the VR Counselor may initiate a review of the existing job goal in order to document evidence and concerns as to why an agreed upon employment goal is no longer supportable.

Counselor reasons for halting support for an existing employment goal include, but are not limited to:

1. Evidence that the information used to justify the original job goal was substantially incorrect, misrepresented, or fraudulent.
2. Discovery of legal issues including convictions or pending charges against the client which would functionally prohibit employment in the chosen position or field (e.g. inability to gain or retain licensure).
3. The occurrence of an interim or secondary disability that has a direct and negative impact on the client's ability to master the skills needed for, or the ability to function in, the chosen profession.
4. Discovery that the client has undocumented deficits, for which reasonable accommodations cannot be made, in areas central to the Knowledge, Skills, and Abilities required for the chosen position.
5. Discovery that there are extremely limited or no viable openings in a chosen field for which the client was reasonably able to apply or compete for employment. (e.g. a business which has been displaced due to a new technology or been eliminated due to economic, social, or legal conditions).
6. Discovery that client and counselor have made an administrative error and assigned an unintended job title with requirements that were not anticipated or acceptable to both client and counselor at the time the IPE was created (e.g. client and counselor intended to enter client into an associates level career but mistakenly listed the profession at a level which requires a graduate degree).

7. Client demonstrates a repeated pattern of failure to meet evaluation criteria outlined in the IPE resulting in substantial and multiple delays in demonstrating progress toward their vocational goal or in meeting minimal standards required for training programs (i.e. multiple delays in moving through training program, GPA resulting in academic suspension, or GPA below what is competitive for entry into a training program after reasonable attempts at restoration and/or accommodation have been attempted).
- C. Whenever a counselor determines that an employment goal is inappropriate for further support due to any of the factors listed in section 10.7 B, the counselor shall staff the case with their supervisor prior to proceeding with any change in employment goal or suspension of services. If the need for a goal change is determined necessary, the client shall be notified of the intent to amend a job goal and suspension services associated with the prior job goal. This notification shall be in writing and with appeal rights outlined in accordance with USOR CSM Chapter 21 appeals procedure.

In all instances, due diligence and good faith efforts must be made and documented by the counselor to engage the client in a discussion regarding the need to modify the current job goal to an appropriate and supportable job goal. A new comprehensive assessment must be completed in a timely manner to document the appropriateness of a change to a new job goal.

During the process of changing an employment goal, in accordance with the above criteria, all services in the IPE attached to that job goal must be re-negotiated in order to match the newly agreed upon job goal. In the event that a counselor has suspended services for a job goal due to reasons according 10.7 B, then restoration services may be maintained during the suspension of other services, at the discretion of the counselor in consultation with their supervisory chain.

If a client refuses to engage in a vocational change when they have received notification in accordance with 10.7, a review shall be conducted by the District Director. Failure to cooperate with a vocational change request, if upheld by a District Director review, may be considered a refusal of service and justification for case closure. In such an event the client shall receive written notification of their appeal rights.

10.8 IPE Requirements

The IPE shall be based upon the Comprehensive Assessment of Rehabilitation Needs, (see 10.4). Each IPE shall, as appropriate, include but not be limited to statements concerning:

- A. A description of the specific employment outcome that is chosen by the individual and agreed to by the VR counselor which takes into consideration primary employment factors. This goal, to the maximum extent possible, should include placement in integrated settings.
- B. The specific vocational rehabilitation services to be provided to achieve the employment outcome, including as appropriate, assistive technology devices and assistive technology services.

- C. If appropriate, specific on-the-job and related personal assistance services to be provided to the individual and if appropriate and desired by the individual; training in managing, supervising, and directing personal assistance services to be provided to the individual.
- D. As determined to be necessary, the expected need for post-employment services and, if appropriate, the need and source of extended services.
- E. The estimated timelines for achieving the employment outcome and the projected dates for initiation and anticipated duration of each service.
 - NOTE:** These dates are estimated timelines only. IPE's do not "expire" if services continue beyond the estimated timelines.
- F. A description of the service providers and methods used to procure services.
- G. On specific services requiring consultation and supervisory approval, obtain approval prior to including the service in the IPE.
- H. Terms and conditions for the provision of VR services, including:
 - 1. Client responsibilities
 - 2. Client participation in cost of services, if any
 - 3. Comparable services and benefits as appropriate
 - 4. Provision of services may be affected by availability of funding
 - 5. Services to be provided in most integrated settings
- I. Information regarding client due process rights and remedies for any dissatisfaction, including the opportunity for a review of VR Counselor determinations. The client must be informed of who to contact to request the review and the client must also be informed of the availability of the Client Assistance Program (CAP). (See USOR Appeals Procedure - Chapter 21.)
- J. For clients who are also eligible for services under the Individuals with Disabilities Education Act (IDEA); the IPE will be prepared in coordination with the appropriate educational entity and shall include relevant elements of the Individualized Education Program (IEP) for that client. The appropriate educational entity may vary with each school district, however, in most instances it would be the teacher or special education coordinator (for specific details regarding the relationship of the IPE to the IEP see Chapter 24 - Transition).

10.9 IPE Extension

The IPE must be developed within 90 calendar days of the eligibility determination or activation from the Order of Selection Wait List. Meeting the 90 Day timeframe is the mutual responsibility of the VR Counselor and the client. If the IPE cannot be developed within 90 days the client or authorized representative of the client, and the VR Counselor must agree to a specific extension of time. It is a USOR guideline that an extension should not exceed 90 Days at maximum.

- A. Appropriate Reasons for an IPE Extension may include:
 - 1. Additional time is needed for vocational counseling and guidance to assist the client in selecting an employment goal or rehabilitation activities and services;
 - 2. Lack of information needed to adequately complete the Comprehensive Assessment of Rehabilitation Needs. Additional evaluations and assessments may be required;
 - 3. The client is temporarily unavailable; through no fault of his/her own to participate in the IPE development. Examples of such situations include illness, hospitalization or relocation;

4. Pending a Due Process decision related to the development of the IPE.
- B. If an IPE Extension is appropriate, the VR Counselor must document the following in the client record:
1. The reason for the delay,
 2. The specific steps that will be taken to ensure IPE development,
 3. The date by which the IPE will be developed, and
 4. The client's agreement with the extension.

If an IPE cannot be developed during the timeframe identified in the extension, the client or his/her representative and the VR Counselor may agree to another specific extension of time. In determining the appropriateness of further IPE Extensions careful consideration should be given to identification and resolution of barriers. VR Counselor must also document the circumstances necessitating the continued extension in the client record. All IPE Extensions beyond the initial extension require supervisor review and approval.

10.10 IPE Review Requirement

The IPE will be reviewed as often as necessary, but at least annually by the client and the VR Counselor. The purpose of the review is to discuss services provided, to update the client record as necessary and to assess the client's progress toward achieving the identified employment outcome. Any amendments proposed as a result of the review shall not take effect until agreed to and signed off by the client and approved by a Qualified Vocational Rehabilitation Counselor (QVRC) from USOR. The IPE must also include a procedure, criteria, schedule and record of the review/evaluation of progress toward achieving the specific employment outcomes. For detailed guidance see CSM Chapter 7.

10.11 IPE Progress Evaluation Criteria

The VR Counselor and client establish evaluation criteria to evaluate client progress toward achieving an employment outcome and include these criteria in the IPE. Evaluation of progress on the IPE should include at a minimum and as appropriate:

- A. The criteria, i.e., grades, speed, capacity, attendance, etc.
- B. The method by which criteria is evaluated, i.e., by grade slips, interviews, progress reports, etc.
- C. The schedule, how often - Quarterly, weekly, monthly, etc.

10.12 IPE Signatures

USOR requires that the Individualized Plan for Employment (IPE) is developed with the client exercising the options outlined in 10.3, agreed to and signed by the client then approved and signed by the VR Counselor. Additionally, the client must be given an opportunity to review the program and if necessary, redevelop, agree to, and sign off any revisions (amendments) to the IPE. Amendments shall not take effect prior to sign off and approval by the USOR VR Counselor.

10. 13 IPE Implementation

When the IPE has been completed, agreed upon and signed; and the required acceptable form of identity verification has been obtained, the VR Counselor should proceed with providing the services outlined in the plan. Please keep in mind:

- A. All VR services provided must be written on the IPE.
- B. All services provided in the IPE must be necessary, appropriate, and reasonable for attainment of the vocational goal
- C. All services provided in the IPE are dependent upon the client meeting the evaluation criteria for participation and progress agreed upon in the IPE.
- D. If for any reason a service on the IPE cannot or was not provided, amend the plan to delete the service and document the reason with case narrative.