

APPENDIX C COMMUNITY REHABILITATION PROGRAMS

ARKANSAS CAREER TRAINING INSTITUTE (ACTI)

MISSION

To assist individuals with disabilities to become employed through the provision of comprehensive rehabilitation services.

SELECTION OF CLIENTS

Residents of Arkansas who make inquiry to ACTI will be referred to a Field Counselor. The Field Counselor will give these referred cases first priority for investigation, as well as all others referred for ACTI services by other sources. This investigation must be sufficient to determine whether the referred case is eligible or ineligible for services.

ACTI will provide services to individuals with disabilities whom it is believed can benefit from ACTI Services directed towards rehabilitation goals.

ADMISSION GUIDELINES

Applications for admission to ACTI will be reviewed in accordance with these guidelines. The responsibility for the administration of these guidelines rests with the ACTI Admissions Coordinator in consultation with various other staff representing the service delivery units of the facility.

GENERAL REFERRAL CONSIDERATIONS

Each request for admission will be evaluated using the following criteria:

- 1) The reported needs of the individual.
- 2) The stability of the disabling condition and prognosis.
- 3) Capability of existing staff and facilities to meet the individual's service needs.
- 4) The ability of the individual to adapt to a group living experience.
- 5) Reasonable assurance that enrollment will not be harmful to the individual nor to other students.
- 6) Medically Stable.
- 7) No pending legal issues.
- 8) Individual will commit to an employment outcome.
- 9) Status as a registered sex offender (note: if registered at a level higher than two the individual is not eligible for services at ACTI).

BEHAVIOR CONSIDERATIONS FOR GROUP LIVING

Given the wide variety of disabilities served at ACTI, it is essential to create and maintain an effective and productive rehabilitation environment in which needs of persons with significant disabilities may be addressed.

Therefore, admission of any individual having the following anti-social patterns is not eligible for services at ACTI.

- A. Physical Aggression
- B. Deliberate use of abusive and provocative language.
- C. Willful destruction of property.
- D. Overt sexual behavior.

GUIDELINES FOR SPECIFIC DISABILITIES

These guidelines relate to specific disabling conditions and/or individual's problems meriting careful consideration by all ARS staff, both in the field and at the ACTI, in the process of selecting individuals for ACTI services. Each of these areas must have reasonable assurance that enrollment will result in employment:

- 1) **Epilepsy** - Persons with seizures who are candidates for vocational programs must be stabilized on medication and possess a level of seizure control consistent with participation in a six hour per day learning environment. Persons interested in vocational programs such as Auto Technology, Auto Collision, Construction Technology, Outdoor Power Equipment Technology and Welding that require the use of dangerous equipment must be seizure free for one year.
- 2) **Psychiatric Disabilities** - Psychological and psychiatric services at ACTI are not equipped to provide primary mental health care. The psychiatric and psychological services available are designed to support and maintain those individuals who enter an ACTI program. For admission, individuals must meet the following criteria:
 - A. A current psychological or psychiatric assessment and report of mental disability and prognosis. There must be full disclosure of mental and/or psychiatric illness. (Completed within the last 6 months.)
 - B. The report of clear documented series of primary psychiatric or psychological treatment.
 - C. Stabilized on medication or otherwise determined stable by attending psychiatrist/psychologist. The reasonable assurance that enrollment will not be harmful to client or others.
- 3) **Cognitive Disabilities** - ACTI does not provide close 24-hour supervision, nor are students confined to the facility environment. Students requiring close supervision and monitoring are not candidates for ACTI services. For admission, individuals must meet the following criteria:
 - A. Have demonstrated a capacity to function independently and appropriately in-group living situations.
 - B. Follow a prescribed schedule.
 - C. Appropriately respond to direction.
 - D. Manage free time, both within a structured environment and in the community.

- 4) **Alcoholism, Drug Dependence, Abuse or Addiction** - ACTI is not a primary treatment program for alcoholism, drug dependence, abuse or addiction. Its mission is to continue the vocational rehabilitation of these individuals after the primary condition is well controlled. For admission, individuals must meet the following criteria:
- A. A medical diagnosis of the condition is present and on record.
 - B. The individual has successfully participated in a primary treatment program and/or the individual has not engaged in alcohol or drug abuse for a period of six (6) months and has a good, medically documented prognosis.
 - C. Participate in NA/AA Programs as recommended by ARS/ACTI Staff and submit to drug screens.
- 5) **Medication Management** - Students will be capable of self-administering their own medication or capable of learning this skill.

ARKANSAS CAREER TRAINING INSTITUTE DRUG POLICY

Students enrolling at Arkansas Career Training Institute (ACTI) must sign the Arkansas Rehabilitation Services Substance Free Policy with their Field Counselor. All students enrolled at Arkansas Career Training Institute will be tested for prohibited substances during the first week of enrollment. If a student tests positive for drugs, the student will be suspended for 45 calendar days. The student will be required to provide ACTI with a clean drug screen and sign a behavioral agreement prior to their return. The student will be retested within 30 days of their return to ACTI. If the student tests positive for drugs at that time, the student will be discharged from ACTI.

Readmission is subject to the criteria outlined in the ACTI Alcoholism, Drug Dependence, Abuse, or Addiction policy. The student must demonstrate 1) successful participation in a primary treatment program and/or 2) the individual has not engaged in alcohol or drug abuse for a period of six months and has a good, medically documented prognosis and 3) participate in NA/AA programs as recommended by ARS/ACTI staff and 4) submit to drug screens (ARS Policy Procedure Manual, Appendix C.)

ACTI students are subject to random drug testing.

ADMISSION PROCEDURES FOR ARKANSAS REHABILITATION SERVICES CLIENTS

To schedule a client for admission to ACTI, the Field Counselor will provide the Admissions Coordinator the following information.

ACTI REQUEST FOR SERVICES FORM (SEE APPENDIX E)

This referral document will be submitted for entry into ACTI for an evaluation not to exceed 60 calendar days in (Status 06) or Vocational Rehabilitation, services (Status 10 - 22). The

Request for Services form will interpret the Field Counselor's impressions and opinions of the individual's abilities, personality, background, social and behavior assets and limitations, giving particular attention to describing the rehabilitation problem. The Field Counselor will identify any specific problem areas, including the need for special diet and medication with copies of the physician's prescriptions. The Request for Services form is the primary means for the Field Counselor to provide substantial and meaningful knowledge to ACTI personnel and should also include such information as the ~~consumer~~ individual's choice of limb maker, program identification for SSI/SSDI cases and any current insurance information (Medicare, Medicaid, private) that may provide funding for services. For referral of individuals who are alcohol dependent, a statement should be included that the individual has not consumed alcohol for a 6-month period and/or has successfully completed treatment in a recognized treatment facility. A similar statement is required for individuals with a known history of substance abuse. If the individual has previously been an ACTI student, include the name(s) used at each enrollment if known.

A completed copy of the Survey Interview/Application, the general medical reports provided by other agencies or facilities that substantially cover content of the General Medical Form may be accepted in lieu of the Agency General Medical Form, Specialists' Reports, and the ACTI Medical Supplement Form (PHS-2) will be submitted. In addition, available case narratives, ARS-75, test results, profile sheets and school records will be provided the Admissions Coordinator. A copy of the Test Record Form (complete form) of the Wechsler Adult Intelligence Scale (WAIS) results will be included if these tests have been administered. A copy of Rehabilitation Initial Diagnosis and Assessment for Clients (RIDAC) completed within the last six months is required for admissions.

For Status 06 referrals

If referred to ACTI in 06 Status cases must be moved to Status 19 when the student is enrolled in Vocational Training or other training related Support Services. A completed Individualized Plan for Employment (IPE) for Extended Services will be submitted prior to the individual's admission for evaluation services as an authorizing document.

For Status 12 and above referrals

A completed Individual Plan for Employment (IPE) will be submitted prior to the individual's admission for Vocational Rehabilitation Services as an authorizing document. The case **MUST** be in status 18 at the time of admission or moved into status 18 prior to enrollment into Vocational Training or Other Training Related Support Services.

CHECKLIST FOR CASES SUBMITTED TO ACTI ADMISSIONS COORDINATOR

The following documents must be completed with necessary signature before the Admissions Coordinator can review a case:

- 1) RS-344 Request for ACTI Service
- 2) General Medical Examination Record, if appropriate
- 3) Client Referral and Survey Information

- 4) PHS-3 Living at ACTI
- 5) PHS-2 Medical Supplement (those cases with limited mobility and/or limited activities of daily living capabilities)
- 6) IPE, plus Amendments for VR services other than EE
- 7) Specialists Reports (medical, psychological, psychiatric)
- 8) Case Note (demographic info)
- 9) Test Results (including WAIS profile sheet results and RIDAC.)
- 10) School Records
- 11) Background and Social Information
- 12) Medication taken to include prescriptions (if applicable*)
- 13) Individual's preference of limb maker (limb cases only)
- 14) Demographic Referral Form
- 15) Immunization Record Must be forwarded to Admissions with referral materials
- 16) Social Security Card (copy)
- 17) Insurance Cards
- 18) University of Rhode Island Change assessment and ACTI screening questionnaire.
- 19) A referral from the clients' primary care physician for medical services if they receive Medicaid benefits.
- 20) Provide a list of accommodations.

Student will bring a 1-week supply of medications to ACTI.

SHORT-TERM ADMISSION FOR ACTI MEDICAL SERVICES

Short-term admissions (normally from one to ten working days) for initial wheelchair prescription, revision, repair, adjustment, replacement of prosthetic or orthotic appliances, neuropsychological evaluations and driver rehabilitation assessments/physical functional abilities assessment can be accomplished by submitting the following forms and information:

- 1) RS-344 Request for ACTI Services
- 2) Demographic Referral Information
- 3) PHS-2 Medical Supplement
- 4) RS-600 IPE or Amendment in Status 06 or above status 12.
- 5) All medical information substantiating need for requested service including doctor's prescriptions
- 6) The purpose of this assessment is to assure employment outcome.

If incidental expenses, clothing, transportation, and/or meals other than the noon meal for non-residents are to be provided, this must be planned for and recorded in the Services Section of IPE and specified on RS-344 Request for ACTI Services.

PROSTHETIC/ORTHOTICS AT ACTI

All new or initial wearers and individuals who have had difficulty wearing a limb may attend the ACTI Amputee Clinic for evaluation. ACTI Admissions Coordinator will schedule the individual for admission to the Amputee Clinic. The individual's Field Counselor will submit the same materials, including recommendations from a physician that the residual limb is

ready for fitting; the signed Application for Services; and the completed Request for ACTI Services.

When possible, the vocational objective or tentative objective should be indicated since this type of information is extremely helpful to the clinic team in their total evaluation. Although the amputees' initial evaluation normally lasts five days, the length of time for ACTI services may vary from case to case. The Admissions Coordinator will advise the prosthetist and the counselor when the individual must report to the ACTI. The Field Counselor will notify the individual. The individual should expect to return home when the initial evaluation is completed.

The appropriate prosthetist is required to attend the Clinic for the initial prescription or evaluation of the prosthesis. All replacement prostheses recommended through this clinic will be evaluated as outlined below. The prosthetists may be required to attend other clinics to help resolve prosthetic problems.

The appropriate ACTI Counselor will immediately notify the Field Counselor of the evaluation results. If the Clinic recommends prosthesis, the Field Counselor may provide the limb in accordance with the recommendations. Actual construction of the new prosthesis (upper or lower extremity) should not begin before verbal or written authorization is received from the Field Counselor.

The details of measurement and fitting will be arranged by agreement between the Field Counselor, the individual, and the vendor. If the individual cannot travel to the limb company for the measurement and/or initial fitting, the prosthetists should contact the Field Counselor. A copy of the IPE will be submitted to the Admissions Coordinator prior to the individual's returning to ACTI for the final fitting.

A prosthesis should be made and returned to ACTI for initial evaluation within two (2) weeks of initial measurement. The prosthesis will not be delivered to the individual's home unless it is a replacement prosthesis recommended outside the ACTI Amputee Clinic.

The Field Counselor will notify the ACTI Counselor when the individual is ready to return to ACTI for the first fitting of the prosthesis.

The final fitting will be performed at the ACTI Amputee Clinic. The individual will remain at ACTI for training in the use of the limb. The prosthetist will notify the Field Counselor in writing with a copy of the notification to the individual and the Admissions Committee at least one week prior to the time the individual will be ready for final fitting. The individual will re-enter ACTI the day prior to the scheduled date.

CASE PROCESSING

Prior to the individual's entry into ACTI in Status 12 or above, the results of the diagnostic study and a supporting IPE are to be provided. Even when this study is completed, the individual may be sent to ACTI for additional diagnostic/evaluation services. Request for evaluation at ACTI will be addressed regardless of rehabilitation status.

Each individual is assigned to an ACTI Counselor upon arrival. The ACTI Counselor

becomes the extension of the Field Counselor in the case management and case processing while the individual remains at ACTI. All communication regarding a student's program is communicated through the ACTI Counselor. The ACTI Counselor is ACTI's liaison with the Field Counselor and service provider. The ACTI Counselor and Field Counselor will negotiate authorizations for necessary services provided outside ACTI. The ACTI Counselor who prepares the authorization and any additional documents such as Amendments to the IPE will be responsible for proper disposition of copies. The ACTI Counselor may authorize any services essential for the completion of the VR program.

All Statements of Account and related documents will be attached to the authorization in the case management system and payment entered for checks to be issued after the ACTI Counselor has verified that services have been rendered. The ACTI Counselor will be responsible for following up to verify that payment has been completed.

CLOTHING PRIOR TO ENROLLMENT

It is essential each individual arrive at ACTI with a 5-day supply of clothes that would be considered appropriate on the job to maintain a clean and neat appearance. A suggested list of minimum clothing has been established and such clothing is to be purchased or otherwise provided prior to arriving at ACTI. In planning with the individual, seasonal changes and the type of training must be considered. Students should have at least two pairs of shoes to wear in the training areas.

CLOTHING AFTER ENROLLMENT

Requests for personal clothing after enrollment will be directed to the Field Counselor. The Field Counselor, after investigating the family resources, will determine what clothing ARS will provide and advise the ACTI Counselor. The ACTI Counselor will write the necessary Amendments and authorizations to provide the clothing. Designation of funds and preparation of authorization will be determined by the Field Counselor and ACTI Counselor.

TRANSPORTATION TO ACTI

When ARS provides transportation, planning should include the need for a round-trip. The Field Counselor should remind clients of the date to report to ACTI approximately two weeks prior to the scheduled reporting date. Recommended time to arrive at ACTI is on Sunday between 10AM and 3PM, unless otherwise specified in the admissions letter. This allows the student an opportunity to begin the orientation program on a timely basis. Students must be at ACTI in this time frame as orientation begins in the afternoon. Parents, guardians, or other family members should plan to stay for the 5:30 PM Orientation class. If any changes are necessary, ACTI should be notified. The Field Counselor should instruct the client to report to the Reception Office at ACTI immediately upon arrival.

TRANSPORTATION WHILE ENROLLED

The ACTI Counselor will write the amendment for transportation provided by an outside vendor if needed. Authorizations will not be written when such transportation is provided with ACTI vehicles and personnel. ACTI Counselor will authorize transportation only when the individual has no resources and only at times when ACTI is initiating individual's leaving such as Christmas closing, time of discharge, or when client has an extreme emergency situation that necessitates leaving. The ACTI Counselor will not provide transportation for home visits or other non-emergency conditions.

INCREASED PER DIEM COSTS

Authorizations and Amendments will not be written to provide for increased per diem costs due to the client's receiving short stay hospital or evaluation services. The ACTI Counselor will inform the Field Counselor of such changes in the original planning.

MEDICAL TREATMENT OUTSIDE OF ACTI

The ACTI Counselor, upon recommendation by the ACTI physician, will authorize emergency medical treatment and non-emergency medical diagnosis. If the ACTI Counselor has current information that indicates medical services are necessary and recommended by a physician outside ACTI, the Field Counselor must be notified by telephone followed or email followed by a case note in the case management system explaining the situation. The ACTI Counselor and the Field Counselor will confer and a determination will be made based on the circumstances, of which the Field Counselor will be responsible for payment and completing the need IPE Amendment and authorization.

Exception: When there is evidence either from the individual or the ACTI Counselor, the family or individual can purchase or make a substantial contribution to the purchase of the necessary prosthesis, appliance, etc., and/or treatment. The ACTI Counselor will submit the recommendation to the Field Counselor. The Field Counselor, after further investigation, may write the amendments and authorizations to the vendor, or request the ACTI Counselor complete them.

In the event outside medical treatment is needed due to actions purposely or deliberately caused by the student (example: breaking a window in anger) the student may be responsible for all medical expenses resulting from the injury.

INCIDENTAL EXPENSES

This service will not be authorized unless the ACTI and Field Counselor agree the service is needed. It is to be used for minor emergency needs only.

FINANCIAL PARTICIPATION

The Field Counselor, in accordance with ARS Policy and Procedure Manual, will determine financial participation. Refer to Appendix I. Fees for the ACTI Fees and Training Hours.

LEAVE POLICY FOR ACTI STUDENTS

Students enrolled in ACTI are expected to remain until services outlined in the IPE are completed or otherwise terminated. However, leave may be granted to students when the ACTI Counselor and/or Field Counselor deem it necessary. Leave may be granted to a student due to illness, personal or family problems, positive drug screen, suspension or the need to return home to plan with the Field Counselor.

If a student does not return at the end of his/her designated leave, contact will be made with the Field Counselor by the ACTI Counselor and a decision will be made to either extend the leave up to an additional 30 days or discharge the student.

Students on leave will be discharged at the end of 30 days unless an extension of leave time has been requested and agreed upon by the Field and ACTI Counselor, and approved by ACTI Counseling Supervisor. After a student has been discharged, an application must be submitted to the Admissions Coordinator before consideration for re-enrollment.

NON-RESIDENTS AT ACTI

ACTI is a residential facility. Exceptions may be for non-resident enrollment under certain conditions and upon specific request by the Field Counselor. These conditions are:

- 1) Students residing in Garland County and immediate area may be admitted for services as a non-resident student of the Field Counselor.
- 2) ACTI has no family facility or living quarters for students with family or dependents. In the event two students become married to each other; they will be required to become non-residents as soon as arrangements can be made.

Non-residents are authorized to eat a noon meal in the ACTI's cafeteria on Monday through Friday as part of the usual ACTI services. After analyzing the individual's financial needs, the Field Counselor may request the individual be provided additional meals per day on maintenance services. The request for additional meals per day must be specified and authorized in the IPE and requested on the RS-344. These guidelines should be reviewed with and understood by students prior to admission.

Non-resident students will be provided normal/routine health care services from 7: 00 a.m. to 3 p.m. Monday through Friday. Non-resident students will be required to arrange for their own emergency care other than these specified hours, unless special arrangements are made on an individual basis with appropriate ACTI staff.

COMMUNITY REHABILITATION PROGRAMS

External Employment Services are provided by Community Rehabilitation Programs (CRPs) in the community through vocational rehabilitation services, supported employment services and other employment oriented services (, discovery process, job exploration, career readiness skills, individual job coaching, job placement and pre-employment transition services) The primary purpose for utilizing the CRP's services is to assist individuals with disabilities to be successful at work and live independently the community.

GOAL OF THE COMMUNITY PROGRAM DEVELOPMENT SECTION

ARS Community Program Development Section (CPDS) primary responsibility is to identify the service needs, along with the Field Services staff, which can be met through purchasing of performance based services from a non-profit or public CRP's. Once the needs are defined, ARS establishes Purchased Services Agreements with CRP's. The ARS Community Program Development Section guidelines must be followed by all parties to assure the timely provision of quality rehabilitative services to eligible individuals'. ARS works with CRP's to develop new initiatives and to update their programs to assure ARS ~~consumer~~ individuals with disabilities are moving towards competitive integrated employment outcome.

The Community Program Development Section provides continuous fiscal and programmatic oversight of contract agreement guidelines, and technical assistance.

COUNSELOR LIAISONS

ARS Manager will assign a vocational rehabilitation counselor to act as the liaison to each CRP. The counselor liaison's role is to establish and foster relationship, which encourage collaboration, increase referrals to the CRP and job placements opportunities for referred individuals. The counselor liaisons are required to visit the assigned CRP once a month providing a monthly report to the assigned CPD Rehabilitation Program Specialist by the first Friday of each month. This report addresses activities at the CRP, the relationship between the ARS and the CRP, bridging any existing gaps, and addressing any concerns. In addition, the counselor liaison may request periodic conferences with ARS staff, CPDS staff, and the CRP staff to discuss Certification/Contract issues and scheduled programmatic/fiscal reviews.

COMMUNITY REHABILITATION PROGRAM SERVICES

Supported Employment Services
Individual Job Coaching
Employment First (E1st) Career Pathways Job Placement Services
Pre-Employment Transition Service

Individuals who utilize the CRP services may be unsure of their career field interest or be ready for work and in search of a job. The individual may need job supports (job coaching) to learn and keep a job. Students and youth can receive pre-employment services from certified CRP's.

JOB PLACEMENT SERVICES

Job Placement Services are available through External Employment Vendors. The counselor has made the determination the individual is job ready and only needs placement services. Typically, the individual has work skills from previous job experiences, or the individual completed a training program and needs assistance with job seeking and placement in competitive integrated employment.

Before referral to an External Employment Vendor, the counselor is required to refer a job ready client to the Business Engagement Representative in their District, if available. If the Business Engagement Representative determines the internal job placement services are not available at this time, the counselor refers the individual to an External Employment Vendor. **Note:** The client has the right to informed choice and may choose a vendor over the Business Engagement Representative. Informed choice is mandated by federal law, even if the Vendor refers an individual to ARS for services.

The Vendor is required to meet with the individual at a minimum twice monthly leading to closure, unless an exception has been granted through memo justified by ARS.

JOB REFERRAL

- The counselor makes a referral to the vendor chosen by the individual by sending the Job Placement Services Referral Form and RS-315.
- The vendor acceptance to serve the individual begins when Referral Form is signed by the individual and returned to the counselor. If the Vendor does not accept the referral, the counselor will assist the individual to select another vendor.
- The Vendor is required to provide a completed Job Placement Services Activities Log (JP-1a) during the job seeking phase.

JOB PLACEMENT: The Vendor assist an individual to obtain a job in an **competitive integrated** setting based on their preference, interests, abilities, needs, and informed choice to be successfully employed long-term.

- The Vendor will provide two forms during this service and once employed a copy of the individual's first paycheck.
- The forms are the Job Placement Services Activities Log (JP-1a) during the job seeking phase and the Job Match/Placement Monthly Progress Reports (JP-2).
- Once placed in a job, the Job Match/Placement Monthly Progress Reports (JP-2) is required through the 90 days towards successful employment.

JOB CLOSURE (90 DAYS): The individual is being compensated commensurate with others in their similar positions, working preferably 20 hours a week at the federal minimum wage or higher for consecutive 90 days.

The Vendor will provide the Employment Closure Final Report (JP-3) reporting at the completion of 90 days employed.

PROCEDURES - JOB PLACEMENT SERVICES

- Amend the IPE for these services utilizing informed choice.
- ARS sends the Job Placement Services Referral Form, and a RS-315 for Job Placement Services.
- Vendor returns the Referral Form signed by the individual as acceptance for service. Document in ECF.
- ARS will purchase services on a fee-for-service basis.
- Attach monthly progress reports to the ECF.
- When billing statement is received, verify the individual received the service. Document in the ECF.
- Key required information into the case management system for payment. Support staff will be responsible for making payments. Payment will not be processed without an attached bill from the vendor.

Competitive Integrated Employment Case by Case Determination

Prior to job placement, an ARS Counselor, Business Engagement Representative or an External Employment vendor may seek assistance from the ARS Community Program Development Section as to whether a position qualifies as Competitive Integrated Employment. As stated in 29 U.S.C. § 705(5), “competitive integrated employment” means full- or part-time work:

for which an individual is compensated at a rate that shall be not less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 ... or the rate specified in the applicable State or local minimum wage law; and ...

is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities, and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills; or ...

in the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities, and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills; and ... is eligible for the level of benefits provided to other employees; [and]

that is at a location where the employee interacts with other persons who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that individuals who are not individuals with disabilities and who are in comparable positions interact with other persons; and ...

that, as appropriate, presents opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.

Establishment Defined

Establishment, development, or improvement of a public or nonprofit community rehabilitation program means:

The establishment of a facility for a public or non-profit community rehabilitation program (as defined in 34 CFR 361.5(b)(18) to provide vocational rehabilitation (VR) services to applicants or eligible individuals. 34 CFR 361.5(c)(16)(i).

Establishment Authority

Section 103(b)(2)(A) of the Rehabilitation Act of 1973, as amended and 34 CFR 361.49(a)(1) authorize the use of VR funds to support “[t]he establishment, development, or improvement of a public or other nonprofit community rehabilitation program that is used to provide vocational rehabilitation services that promote integration into the community and prepare individuals with disabilities for competitive integrated employment, including supported employment and customized employment, and under special circumstances, the construction of a facility for a public or nonprofit community rehabilitation program. The authority is used to provide financial support to community rehabilitation programs to establish or develop service programs, or improve them and to increase their effectiveness in providing VR services to applicants or eligible individuals.

In serving groups of individuals with disabilities, ARS is authorized to establish, develop, or improve a public or private CRP, pursuant to section 103(b)(2)(A) of the Rehabilitation Act and 34 CFR 361.49(a)(1). ARS is permitted under the VR program to alter or remodel a CRP and install fixed or movable equipment, as necessary, to establish, develop, or improve the facility for a CRP (34 CFR 361.5(c)(10)(iv) and (vi)).

Community Rehabilitation Program

Section 7(5) of the Rehabilitation Act of 1973, as amended and 34 CFR 361.5(c)(7) defines CRP as a program that provides directly or facilitates the provision of one or more VR services to individuals with disabilities to enable those individuals to maximize their opportunities for employment, including career advancement.

Vocational Rehabilitation Services

Vocational rehabilitation (VR) services are those services provided to an individual pursuant to an Individualized Plan for Employment in accordance with 34 CFR 361.48 or to groups of individuals with disabilities in accordance with 34 CFR 361.49 (section 103 of the Rehabilitation Act of 1973, as amended and 34 CFR 361.5(c)(57)). Section 111(a)(1) of the Rehabilitation Act of 1973, as amended and 34 CFR 361.3 require that VR funds be used solely for the provision of VR services or for the administration of the VR program.

Establishment Activities

The need for establishment, development or improvement of a CRP must be determined through the ARS Comprehensive Statewide Needs Assessment (CSNA).

Plans to establish, develop and improve CRPs through establishment activities must be included in the ARS State Plan in the following attachments, if applicable:

- CSNA (Attachment 4.11(a))
- State Goals and Priorities (Attachment 4.11(c)(1))
- State's Strategies (Attachment 4.11(d))
- Cooperative Agreements with Private Nonprofit Organizations (Attachment 4.8(b)(3))
- Arrangements and Cooperative Agreements for the Provision of Supported Employment Services (Attachment 4.8(b)(4))
- Evaluation and Report of Progress (as the project moves forward) (Attachment 4.11(e)(2))

Comprehensive Statewide Needs Assessment

ARS and the State Rehabilitation Council conduct the Comprehensive Statewide Needs Assessment (CSNA) every three (3) years, or update the CSNA as needed. ARS and the rehabilitation council conduct the CSNA for the purpose of describing the rehabilitation service needs of individuals with disabilities residing within the state. The CSNA must include an assessment of the need to establish, develop, or improve community rehabilitation programs (CRPs) within the state (34 CFR 361.29(a)(1)(ii)). Any update to the CSNA is required to be reported to the Rehabilitation Services Administration (34 CFR 361.29 (a)(2)).

The CSNA particularly focuses on the vocational rehabilitation services needs of:

- Individuals with the most significant disabilities, including their need for supported employment services;
- Individuals with disabilities who are minorities;
- Individuals with disabilities who have been unserved or underserved by the vocational rehabilitation program; and
- Individuals with disabilities served through other components of the statewide workforce investment system.

Expenditures

Other expenditures are permitted if related to establishment, development, or improvement of a CRP that are necessary to: Make the program functional or increase its effectiveness in providing VR services to applicants or eligible individuals, but are not ongoing operating expenses of the program. 34 CFR 361.5(c)(16)(iii).

The acquisition of an existing building and, if necessary, the land in connection with the acquisition is permitted, if the building has been completed in all aspects for a least one (1) year prior to the date of the acquisition and the Federal share of the cost of acquisition is not more than \$300,000. 34 CFR 361.5(c)(17)(i).

The remodeling or alteration of an existing building is permitted, provided the estimated cost of remodeling or alteration does not exceed the appraised value of the existing building. 34 CFR 361.5(c)(17)(i)

The expansion of an existing building is permitted provided that:

- The existing building is complete in all respects;
- The total size in square footage of the expanded building, notwithstanding the number of expansions, is not greater than twice the size of the existing building;
- The expansion is joined structurally to the existing building and does not constitute a separate building; and
- The costs of the expansion do not exceed the appraised value of the existing building. 34 CFR 361.5(c)(17)(iii)

Other expenditures allowed:

- Architect's fees, site survey, and soil investigation, if necessary in connection with the acquisition, remodeling, alteration, or expansion of an existing building; and
- The acquisition of fixed or movable equipment, including the cost of installation of the equipment, if necessary to establish, develop, or improve a community rehabilitation program. 34 CFR 361.5(c)(10)(v) and (vi)

Financial Impact

- The non-federal share of an establishment project is 21.3 percent. 34 CFR 361.60(a)(1) and (b)(1); 2 CFR 200.306(b).
- The match may be made, in whole or in part, by the state VR agency or contributions by private entities (private organizations, agencies, individuals). 34 CFR 361.60(b)(3)(i)
- Contributions from private entities used to meet the non-federal share of an establishment project must be deposited in the account of the state agency in accordance with state law. 34 CFR 361.60(b)(3)

Allowable Costs

- The federal share of the cost of acquiring a building, if the building has been completed in all respects for at least one year prior to the date of acquisition, to be used for community rehabilitation program purposes cannot exceed \$300,000.
- Acquisition includes land and is subject to the \$300,000 Federal Fund Participation limitation.
- Remodeling or alteration costs of an existing building provided that the estimated cost does not exceed the appraised value of the building.
- The expansion of an existing building, provided that the existing building is complete in all respects; and the total square footage of the expanded building is not greater than twice the size of the existing building.
- The expansion of an existing building, provided that the expansion is joined structurally to the existing building; and the costs of expansion do not exceed appraised value of the existing building.

- Architect's fees, site survey, soil investigation. (If necessary in conjunction with the acquisition, remodeling, alteration, or expansion of an existing building)
- Fixed or moveable equipment, including the cost of installation of the equipment. (If necessary to establish, develop, or improve a community rehabilitation program) 34 CFR 361.5(c)(17)(i) - (v)

Staffing

- Federal financial participation is limited to a total of 48 months.
- The total percentage of costs in which the federal government will participate is reduced each year during the 4-year period.
- Staffing limit is imposed to preserve the amount of funds available to ARS for providing services to eligible individuals, while preserving ARS's authority to expend VR funds to support necessary development or expansion of community rehabilitation facilities.
- If necessary to establish, develop or improve a CRP to serve applicants or eligible individuals, funding for staffing is permitted for a period of four (4) years, with financial participation available at the applicable matching rate for the following levels of staffing costs. 34 CFR 361.5(c)(16)(ii)

Staffing Costs

Year 1	100%
Year 2	75%
Year 3	60%
Year 4	45%

State Purchasing Requirements

ARS must comply with all State of Arkansas purchasing requirements including solicitation of bids, if applicable, in the provision of establishment activities.

Effect of Costs on Maintenance of Effort

Non-Federal expenditures incurred for the establishment, development, or improvement of a facility for a CRP are exempt from the calculation of the State's maintenance of effort requirement pursuant to 34 CFR 361.62(a), (b).

Pursuant to section 111(a)(2)(B) of the Rehabilitation Act and 34 CFR 361.62, a State must ensure that non-Federal expenditures under the VR State plan for any given fiscal year must equal or exceed the non-Federal expenditures from two years prior to that year. For example, non-Federal expenditures incurred in FY 2013 would have to equal or exceed the agency's non-Federal expenditures incurred in FY 2011. Costs classified as administrative costs count towards the maintenance of effort requirement; however, costs classified as the establishment, development, or improvement of a facility for a CRP do not count towards the maintenance of effort requirement. 34 CFR 361.62(b).

Required Pre-Planning Activities

- The need for the establishment activities must be identified in the approved Comprehensive Statewide Needs Assessment jointly developed and agreed to

by ARS and the State Rehabilitation Council and approved by the ARS Commissioner. 34 CFR 361.29(a)(1)(ii); 34 CFR 361.13

- The development of goals, priorities, and strategies related to the establishment activities must be included and discussed in the ARS State Plan. 34 CFR 361.29(a)(1)(ii), (c)(1), and (d)(6)
- The establishment, development, or improvement of a public or other nonprofit community rehabilitation program that is used to provide vocational rehabilitation services must promote integration and competitive employment. 34 CFR 361.49(a)(1)
- ARS must ensure that it satisfies all pre-planning requirements before engaging in these activities.
- ARS also must ensure that it monitors all establishment expenditures to ensure compliance with Federal requirements pursuant to 34 CFR 80.40(a),), for VR grants issued prior to December 26, 2014, and 2 CFR 200.328, for VR grants issued after December 26, 2014.
- ARS will only consider requests to use establishment activities to develop a CRP if the needs for particular VR services are identified in the Comprehensive Statewide Needs Assessment (CSNA) and unavailable through other programs including the Arkansas Career Training Institute (ACTI). If the need for a VR service is identified, ARS will first determine if ACTI programs can be adapted to provide the service. If a VR need is identified in the CSNA and unavailable through other programs or ACTI or ACTI programs cannot be adapted to provide the services, then ARS will advertise for Request for Proposals. Unsolicited proposals will not be considered for establishment activities to provide the establishment, development, or improvement of a public or other nonprofit community rehabilitation program.

WIOA SECTION 511 REQUIREMENTS

The Workforce Innovation and Opportunity Act (WIOA) enacted Federal Regulations on July 22, 2014, which established Section 511 requirements impacting services to students, youth, and individuals with disabilities, their family members, local school districts, Arkansas Rehabilitation Services (ARS) personnel, Community Rehabilitation Programs (CRPs), other service providers, consumer organizations and employers who hold 14(c) subminimum wage certificates.

Specifically, Section 511 added new requirements for employers who hold special wage certificates, commonly known as 14(c) certificates, under the FLSA (29 U.S.C. 214(c)). These new requirements must be satisfied before an employer hires a youth with disabilities at subminimum wage or continues to employ individuals with disabilities of any age at the subminimum wage level.

YOUTH WITH A DISABILITY

A youth with a disability is an individual between the ages of 14 and 24. If the youth has completed secondary education and is younger than 24 years old, he/she cannot start working for less than minimum wage until he/she has had the opportunity to:

1. Receive Pre-Employment Transition Services under WIOA or transition services under IDEA;
2. Apply for ARS services, and either
 - a. be determined ineligible OR
 - b. be determined eligible AND
 - i. had an IPE developed, AND
 - ii. worked toward an employment outcome for a reasonable period without success, AND
 - iii. the case was closed unsuccessful despite having reasonable supports;
3. Receive career counseling, including information and referrals to other state and federal entities that provide employment services, from ARS.

In addition, individuals with disabilities regardless of their age who are employed by a 14(c) must be provided career counseling and information by ARS. These individuals also must be provided, by ARS or the CRP, information about self-advocacy, self-determination, and peer mentoring training opportunities available in the individual's geographic area every six months for the first year they are employed, and annually thereafter.

14(c) CERTIFICATE HOLDERS EMPLOYMENT

Employers with a 14(c) certificate who employ individuals with disabilities that earn less than minimum wage have the following responsibilities:

1. Comply with all US Department of Labor 14(c) requirements;
2. Do not employ any students with disabilities who are enrolled with a school district earning less than minimum wage;
3. Arrange with ARS for the semiannual reviews and annual review thereafter to be completed for individuals being paid less than minimum wage who have been made known to ARS;
4. Maintain documentation from the reviews.

PROCEDURES - SECTION 511:

1. ARS will ensure that youth with disabilities and individuals working in subminimum wage receive Career Counseling, Information and Referral.
2. The counselor will receive referrals of individuals who indicate they wish to go to work.
3. The individual shall be contacted by the counselor to proceed with an application for services.
4. The counselor and individual will jointly work to determine which services, including external employment services, the individual may need to be successfully employed.