

Rehabilitation Services Policy Manual

SECTION Administrative Issues
PART Organizational Structure

SECTION NO. 1-1
PUBLISHED 11/24

Section 1 Administrative Issues

Part 1 Organizational Structure

Rehabilitation Services offers a variety of programs and services to meet the diverse needs of Kansans with disabilities.

Vocational Rehabilitation (VR) services are the cornerstone of our efforts to empower Kansans with disabilities to become gainfully employed and self-sufficient.

Pre-Employment Transition Services (Pre-ETS), which are part of the VR program, are designed to help students with disabilities prepare for the adult world of work and independent living.

Services for people who are blind or visually impaired - Programs include independent living services for persons who are age 55 or older, and the Business Enterprise Program (BEP).

Centers for Independent Living (CILs)- Services include advocacy, independent living skills training, peer support, information/referral, and deinstitutionalization support.

Kansas Commission for the Deaf and Hard of Hearing (KCDHH) - Services include information/referral, quality assurance screening for sign language interpreters, advocacy.

Disability Determination Services (DDS) - This program determines disability status for Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) claims filed in Kansas.

Unless otherwise specifically noted, the policies in this manual relate to the VR program as authorized through the Rehabilitation Act, Public Law 93-112.

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Part 2 Purpose of the Rehabilitation Act and Vocational Rehabilitation Services

The purpose of the Rehabilitation Act is to empower persons with disabilities to maximize employment, economic self-sufficiency, independence and inclusion and integration into society.

Reference: PL 93-112, Sec. 2(b)

Synopsis of federal regulation

The purpose of Title I of the Rehabilitation Act is to provide a comprehensive, coordinated, effective, efficient, and accountable program that is designed to assess, plan, develop, and provide vocational rehabilitation (VR) services for individuals with disabilities, consistent with their strengths, resources, priorities, concerns, abilities, capabilities, and informed choice, so that they may prepare for and engage in gainful employment.

Reference: §361.1

Effective Date: May 1, 1998

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SECTION Administrative Issues
PART Mission, Values and Goals

SECTION NO. 1-3
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Section 1 Administrative Issues

Part 3 Mission, Values and Goals

Department for Children and Families (DCF)

Mission: To protect children, strengthen families and promote adult self-sufficiency.

Rehabilitation Services (RS)

Mission: Working in partnership with Kansans with disabilities to achieve their goals for employment and independence.

Our values and goals:

RS values the worth, rights and contributions of people with disabilities. Our goals are to:

- Guarantee meaningful participation in planning and obtaining services through informed choice and shared responsibility.
- Deliver rehabilitation services that meet or exceed the expectations of individuals served.
- Achieve high quality rehabilitation outcomes.
- Advocate for the rights of persons with disabilities.

RS values competent, facilitative and responsive staff. Our goals are to:

- Use outcome-oriented performance standards for all staff.
- Recruit, employ, support, develop and promote qualified staff, and compensate them equitably.
- Practice open communication and participation.
- Celebrate exemplary performance.

RS values a supportive and accountable organization. Our goals are to:

- Promote an organizational climate of trust and consistency.
- Establish management systems that support participation.
- Use management practices that emphasize outcomes.
- Use measures of client satisfaction and other outcomes to improve organization performance.

RS values responsive acquisition and accountable management of resources. Our goals are to:

- Allocate and manage all resources, including staff, in a timely manner according to the changing needs of Kansans with disabilities.
- Increase resources to improve and expand the scope and quality of services.
- Collaborate with others in the public and private sectors to ensure that the needs of Kansans with disabilities are addressed.

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RS values public support. Our goals are to:

- Involve persons with disabilities and other consumers in developing agency policy and legislation.
- Obtain the active participation of business and industry.
- Assist Kansas employers in meeting their workforce needs through referral of qualified individuals with disabilities.
- Inform and educate the public.

Effective Date: May 1, 1998; Updated May 20, 2013

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PART Public Input for Program Administration

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Part 4 Public Input for Program Administration

Kansas Rehabilitation Services (KRS) will seek and consider the views of a variety of stakeholders in matters relating to general policy development and implementation and in administration of the State Plan for Vocational Rehabilitation (VR). The State Plan describes the VR program and the plans and policies to be followed in carrying out the program. The Plan is submitted to the federal Rehabilitation Services Administration.

Public participation requirements – [361.20](#)

Conduct of public meetings.

- (1) The vocational rehabilitation services portion of the Combined State Plan must ensure that prior to the adoption of any substantive policies or procedures governing the provision of vocational rehabilitation services under the Combined State Plan, KRS conducts public meetings throughout the State to provide the public, including individuals with disabilities, an opportunity to comment on the policies or procedures.
- (2) For purposes of this section, substantive changes to the policies or procedures governing the provision of vocational rehabilitation services that would require the conduct of public meetings are those that directly impact the nature and scope of the services provided to individuals with disabilities, or the manner in which individuals interact with KRS or in matters related to the delivery of vocational rehabilitation services. Examples of substantive changes include, but are not limited to:
 - (i) Any changes to policies or procedures that fundamentally alter the rights and responsibilities of individuals with disabilities in the vocational rehabilitation process;
 - (ii) Organizational changes to KRS that would likely affect the manner in which services are delivered;
 - (iii) Any changes that affect the nature and scope of vocational rehabilitation services provided by KRS
 - (iv) Changes in formal or informal dispute procedures;
 - (v) The adoption or amendment of policies instituting an order of selection; and
 - (vi) Changes to policies and procedures regarding the financial participation of eligible individuals.
- (3) Non-substantive, *e.g.*, administrative changes that would not require the need for public hearings include:

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- (i) Internal procedures that do not directly affect individuals receiving vocational rehabilitation services, such as payment processing or personnel procedures;
- (ii) Changes to the case management system that only affect vocational rehabilitation personnel;
- (iii) Changes in indirect cost allocations, internal fiscal review procedures, or routine reporting requirements;
- (iv) Minor revisions to vocational rehabilitation procedures or policies to correct production errors, such as typographical and grammatical mistakes; and
- (v) Changes to contract procedures that do not affect the delivery of vocational rehabilitation services.

Notice requirements. The vocational rehabilitation services portion of the Combined State Plan must ensure that KRS, prior to conducting the public meetings, provides appropriate and sufficient notice throughout the State of the meetings in accordance with -

- (1) State law governing public meetings; or
 - (2) In the absence of State law governing public meetings, procedures developed by the designated State agency in consultation with the State Rehabilitation Council.
- (c) **Summary of input of the State Rehabilitation Council.** The vocational rehabilitation services portion of the Combined State Plan must provide a summary of the input of the State Rehabilitation Council into the vocational rehabilitation services portion of the Combined State Plan and any amendment to that portion of the plan, in accordance with [§ 361.16\(a\)\(2\)\(v\)](#).
- (d) **Special consultation requirements.** The vocational rehabilitation services portion of the Combined State Plan must ensure that the KRS actively consults with the director of the Client Assistance Program, the State Rehabilitation Council, and, as appropriate, Indian tribes, tribal organizations, and native Hawaiian organizations on its policies and procedures governing the provision of vocational rehabilitation services under the vocational rehabilitation services portion of the Combined State Plan.
- (e) **Appropriate modes of communication.** KRS must provide to the public, through appropriate modes of communication, notices of the public meetings, any materials furnished prior to or during the public meetings, and the policies and procedures governing the provision of vocational rehabilitation services under the vocational rehabilitation services portion of the Combined State Plan.

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State Rehabilitation Council

The State Rehabilitation Council (SRC) for Vocational Rehabilitation (VR) is defined federally as a group mandated by the Rehabilitation Act of 1973, as amended, specifically in Section 105. The SRC consists primarily of individuals with disabilities, alongside representatives from state agencies, community organizations, and businesses. Its primary function is to advise and assist the state VR agency in the development, implementation, and evaluation of its VR programs and services. In accordance with federal regulations, which are outlined in Section 105 of the Rehabilitation Act and [34 CFR §361.17](#), the State of Kansas SRC convenes quarterly to fulfill its responsibilities effectively. The SRC plays a pivotal role in ensuring that the needs and perspectives of individuals with disabilities are prioritized in the planning and delivery of VR services.

Comprehensive Statewide Needs Assessment (CSNA)

The Comprehensive Statewide Needs Assessment (CSNA) is mandated by federal regulations (34 CFR § 361.29) and serves as a crucial tool for the VR agency in evaluating and adjusting policies, procedures, and practices related to services for individuals with disabilities. This assessment is conducted jointly by the designated State unit and the State Rehabilitation Council (if applicable) every three years, with the results incorporated into the vocational rehabilitation portion of the Unified or Combined State Plan, as per the requirements of § 361.10(a) and related regulations.

The CSNA must comprehensively describe the rehabilitation needs of individuals with disabilities residing within the State, with a particular focus on:

- A. Individuals with the most significant disabilities, including their need for supported employment services;
- B. (B) Individuals with disabilities who are minorities and those who have been unserved or underserved by the vocational rehabilitation program;
- C. (C) Individuals with disabilities served through other components of the statewide workforce development system;
- D. (D) Youth with disabilities and students with disabilities, including their need for pre-employment transition services or other services, and an assessment of the coordination of such services with those provided under the Individuals with Disabilities Education Act (IDEA).

Additionally, the CSNA includes an assessment of the need to establish, develop, or improve community rehabilitation programs within the State.

In accordance with federal regulations (34 CFR § 361.29), the vocational rehabilitation services portion of the Unified or Combined State Plan ensures that updates to the CSNA assessments are submitted to the Secretary as required.

Furthermore, the VR agency will utilize the findings of the CSNA to inform the development of strategies (as required by 34 CFR § 361.29(d)(2), (3), and (4)) aimed at addressing identified needs, particularly related to students and youth with disabilities. These strategies may include innovative approaches to service provision, supported by funds available under the innovation and expansion authority described in 34 CFR § 361.35.

In summary, the CSNA serves as a critical mechanism for assessing and addressing the needs of individuals with disabilities and guides the VR agency in developing responsive strategies to enhance service provision and coordination with other relevant programs and initiatives.

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Section 1 Administrative Issues

Part 5 Workplace Violence and Safety

Synopsis of State of Kansas Workplace Violence Policy

The safety and security of State of Kansas employees and customers are very important. Threats, threatening behavior, acts of violence, or any related conduct which disrupts another's work performance or the organization's ability to execute its mission will not be tolerated.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on state-owned or leased property may be removed from the premises pending the outcome of an investigation. Threats, threatening behavior, or other acts of violence executed off state-owned or leased property but directed at state employees or members of the public while conducting official state business, is a violation of this policy. Off-site threats include but are not limited to threats made via the telephone, fax, electronic or conventional mail, or any other communication medium.

Violations of this policy will lead to disciplinary action that may include dismissal, arrest, and prosecution. In addition, if the source of such inappropriate behavior is a member of the public, the response may also include barring the person(s) from state-owned or leased premises, termination of business relationships with that individual, and/or prosecution of the person(s) involved.

Employees are responsible for notifying the agency's Personnel Office of any threats which they have witnessed, received, or have been told that another person has witnessed or received. Employees should also report any behavior they have witnessed which they regard as threatening or violent when that behavior is job related or might be carried out on state-owned or leased property or in connection with state employment.

Each employee who receives a protective or restraining order which lists state-owned or leased premises as a protected area is required to provide the Personnel Office with a copy of such order.

Reference: [Workplace Violence Policy, Kansas Department of Administration](#), March, 27, 2023

Rehabilitation Services (RS) Policy

When an individual demonstrates by past or present actions that they pose a threat to RS staff, they have forfeited the right to receive vocational rehabilitation (VR) services. The Field Services Administrator in the RS Administration Office should be consulted in all such cases.

- If there is an open case, the case should be closed as "failure to cooperate." The individual should be notified in writing of the closure, the reason for the closure (the individual's behavior which was identified as violent or threatening), the State's workplace violence policy, and the standard rights to appeal.
- Requests to open new cases or reopen previously closed cases should be assessed very carefully. The individual must provide independent evidence that they have received services or therapy to address the previously identified violent or threatening behavior.

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It is the individual's responsibility to provide such evidence. Independent sources for such evidence and evaluation may be a psychiatrist, psychologist, medical doctor, or other professional whom the counselor deems qualified to assess such situations. Participation in such services or therapy alone does not equate to eligibility for VR services. The individual would still have to be determined eligible according to the standard eligibility policies and procedures. If a case is not opened or reopened, the individual should be notified in writing of the RS decision, the reason for the action, the State's workplace violence policy, and the standard rights to appeal.

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SECTION Administrative Issues

SECTION NO. 1-6

PART Appeals – Review of Rehabilitation Counselor Decisions

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Section 1 Administrative Issues

Part 6 Appeals-Review of Rehabilitation Counselor and Pre-ETS Transition Specialist Decisions

Rehabilitation Services (RS) procedures

Applicants, clients, or former clients who are dissatisfied with any determination by the rehabilitation counselor regarding the provision or denial of Vocational Rehabilitation (VR) services may request timely review of those determinations through a mediation process, informal resolution, or formal hearing. A client's or applicant's representative may also make such a request. Such requests must be made within 30 days of the agency decision in question.

Applicants and clients are informed of their appeal rights in writing at key stages of the rehabilitation process. Key stages of the rehabilitation process include, but are not limited to, application, request for services and information release, determination of eligibility, determination of ineligibility, Pre-ETS verification, Individualized Plan for Employment (IPE) development, Pre-ETS Agreement, IPE/service changes, Pre-ETS inactive/discontinuation and case closure. The information on appeal rights must include the name and address with whom to file requests for reviews. Information about the Client Assistance Program (CAP) must also be provided. One method of providing this information is through Your Guide to VR Services. This information will be made available in an accessible mode of communication.

When exercising appeal rights, the individual or their representative may present evidence or information to support their position. The individual may be represented by an attorney, advocate or any other person selected by the individual if that is their choice.

Informal resolution: Individuals are encouraged to discuss any problems directly with their counselor or counselor's supervisor to see if the problem can be resolved. Often CAP facilitates such informal discussions. Or, an administrative review may be conducted by a RS Program Administrator who has not been involved in the case. Use of these informal methods is not required. If the individual chooses not to pursue informal methods, or if the issues were not resolved informally, the next step is a formal hearing which must be conducted within 45 days of the individual's original request for review.

Mediation: Applicants and eligible individuals may resolve disputes through mediation. Mediation services must be presented as an option whenever an individual requests a fair hearing.

- Mediation is voluntary.
- Mediation may not be used to deny or delay the rights of an individual to a fair hearing or to any other rights afforded that individual under Title I of the Rehabilitation Act.
- Mediation must be conducted by qualified and impartial mediators.
- Services, including assessment services and services authorized through an IPE, may not be suspended, reduced or terminated pending the mediation process. Exceptions to this requirement would include situations where the individual requests the change in services, or situations where the individual and/or their representative have obtained the services through misrepresentation, fraud or criminal conduct.
- RS will pay for all costs related to mediation.

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- If an agreement is reached, the mediator will put the agreement in writing.
- All information learned during mediation is confidential and cannot be used in subsequent appeal actions.

Formal hearings (fair hearings): These hearings are conducted by Fair Hearing Officers from the Office of Administrative Hearings. These hearings must occur within 45 days of an individual's request for review, unless resolution is achieved, or the parties agree to a specific extension of time. While such a hearing is pending, services being provided under an IPE may not be suspended, reduced or terminated unless requested by the client or unless there is evidence that the services have been obtained through misrepresentation or fraud.

During a fair hearing, the client or their representative and the agency have the opportunity to present evidence or witnesses and to question other witnesses and evidence. The client may be represented by an attorney or advocate if that is their choice. The hearings officer makes decisions based on the State Plan, the Rehabilitation Act, VR regulations and state policies. Decisions are provided to the individual and RS Director within 30 days of the hearing.

In most situations, if the client is not represented by an attorney during fair hearings or other proceedings, RS will not be represented by an attorney. Exceptions will be made at the discretion of the RS Director. Staff may seek consultation or technical assistance from the DCF Legal Department or local office Attorneys prior to the hearings or proceedings if appropriate.

Review of formal hearings (fair hearings) decisions: Kansas has established the following procedures for the review of decisions of the fair hearings officer.

- The client or the agency may request a review of the fair hearing decision. The authority for this review is vested in the Secretary of the Kansas Department for Children and Families (DCF), the director of the Designated State Agency. Per Kansas Statute 77-527, the Secretary delegates this authority to the State Appeals Committee. Such authority may not be delegated to RS, the Designated State Unit. Parties may submit additional evidence to the State Appeals Committee through legal briefs or presentation of oral arguments. Appeals committee decisions are presented to the Secretary for review, approval and signature.
- The client or the agency must file a petition for a review of the fair hearing decision within 15 days of the date of the decision, if the decision is delivered in person; or within 18 days of the date of the decision, if the decision is mailed.
- After the request for an impartial review, reasonable time extensions may be granted for good cause.
- The State Appeals Committee reviews the decision of the hearings officer to ensure consistency with the State Plan, the Rehabilitation Act, VR regulations, and state policies consistent with federal requirements. Any decision of the fair hearings officer that supports the position of the VR applicant or eligible individual can only be overturned or modified by the State Appeals Committee if there is clear and convincing evidence that the decision of the fair hearings officer was erroneous because it was contrary to the State Plan, the Rehabilitation Act, federal regulations, or state policies that are consistent with federal requirements.
- The decision of the State Appeals Committee/Secretary of DCF must be made within 30 days of receipt of legal briefs and oral arguments. A full written report of the decision and the rationale for the decision is provided to the applicant, eligible individual or their representative, and to RS.

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District Court: The client may bring a civil action for review of decisions by hearings officers or the State Appeals Committee/Secretary of DCF. The civil action may be brought in any State court of competent jurisdiction or in a district court of the United States of competent jurisdiction without regard to the amount in controversy.

In such actions, the court:

- Shall receive the records related to the hearing and the records related to the state review;
- Shall hear additional evidence at the request of a party to the action; and
- Basing the decision of the court on the preponderance of the evidence, shall grant such relief as the court determines to be appropriate.

Effective Date: July 1, 2000

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SECTION Administrative Issues
PART Confidentiality – Protection, Use and Release of Personal Information

SECTION NO. 1-7
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Section 1 Administrative Issues

Part 7 Confidentiality – Protection, Use and Release of Personal Information

Rehabilitation Services (RS) will safeguard the confidentiality of all personal information, including photographs and lists of names. All applicants and eligible individuals and, as appropriate, those individuals' representatives, service providers, cooperating agencies, and interested persons are informed through appropriate modes of communication of the confidentiality of personal information and the conditions for accessing and releasing this information.

All applicants or their representatives are informed about the RS need to collect personal information and the policies governing its use, including:

- Identification of the authority under which information is collected.
- Explanation of the principal purposes for which RS intends to use or release the information.
- Explanation of whether providing requested information to RS is mandatory or voluntary and the effects of not providing requested information.
- Identification of those situations in which RS requires or does not require informed written consent of the individual before information may be released.
- Identification of other entities to which information is routinely released.

An explanation of policies and procedures affecting personal information will be provided to each individual in that individual's native language or through the appropriate mode of communication.

The requirements listed above are met using the Your Guide to VR Services.

Release to other programs in the Department for Children and Families (DCF)

RS staff may release client information without a signed release from the client to other programs within DCF *on a need-to-know basis*. A signed release is not necessary within DCF since all programs are part of the same state agency.

RS staff may release information without a signed release from the client to DCF contractors and service providers *on a need-to-know basis*. Contracts include assurances that the contractors, who are acting on behalf of RS and DCF, will use the information appropriately and maintain confidentiality standards.

If RS has obtained personal information about a client from another agency, provider or organization, such information may be released within DCF *on a need-to-know basis*. Restrictions on further release do not apply within DCF since all programs are part of the same state agency.

In analyzing "need-to-know", counselors shall consider whether entire reports or summary documents should be released, and whether the information is necessary for the purposes of the requesting program.

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Release to programs outside of DCF

When programs outside of DCF which are not contractors of DCF request personal information, informed written consent of the client is required. Upon receiving the informed written consent of the individual or, if appropriate, the individual's representative, RS may release personal information to another agency or organization for its program purposes only to the extent that the information may be released to the involved individual or the individual's representative and only to the extent that the other agency or organization demonstrates that the information requested is necessary for its program.

Release to the Client Assistance Program

Informed written consent is required.

Requirements for release forms

See Forms for copies of release of information approved by RS. RS staff may also accept release of information forms from other organizations. Whether using RS forms or forms provided by other organizations, the following informed written consent requirements must be met:

- The client's name and identifying information (such as the date of birth or Social Security Number) must be clearly stated.
- The information being requested or released must be specifically identified.
- The person or organization to receive the released information must be specifically identified.
- The purpose for the request or release must be specifically identified.
- The form must be signed, witnessed, and dated.
- Specifications of the date, event, or condition upon which the release expires must be clearly stated.

Release to applicants and eligible individuals

If requested in writing by an applicant or eligible individual, RS shall release all requested information in that individual's record of services to the individual or the individual's representative in a timely manner. Release may occur by making the record of services available to the individual to view, or by providing copies of information in the record of services, according to the individual's informed choice. There are two exceptions:

1. Release of information that may be harmful to the individual

Medical, psychological, or other information that RS determines may be harmful to the individual may not be released directly to the individual. However, this information must be provided to the individual through a third party chosen by the individual. The third party may include, among others, an advocate, a family member, or a qualified medical or mental health professional, unless a representative has been appointed by a court to represent the individual, in which case the information must be released to the court-appointed representative.

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- In such circumstances, counselors will inform the client and/or the client's representative that specific records contain information which requires professional explanation and interpretation, and in the counselor's judgment, review by or release directly to the client would not be in the client's best interests.
- Counselors should discuss the option of having the client authorize release of the information to a physician or psychologist to facilitate interpretation of the information. If the client agrees with this approach, the counselor may assist the client in arranging such a meeting with the health care professional and in paying for it. If the client does not agree with this option, the counselor shall proceed in a timely manner to release the information to the client's representative.

Note regarding release of such information to other programs: Medical or psychological information that RS determines may be harmful to the individual may be released to another program if the client has provided an informed written consent and if the other program assures RS that the information will be used only for the purpose for which it is being provided and will not be further released to the individual.

2. Further release of information that has been obtained from another agency or organization
 - If RS has purchased a medical/psychological assessment, exam, or service on behalf of the client, then RS is considered to be the "owner" of the related records. In such circumstances, RS may further release the records to other appropriate individuals or organizations on a need-to-know basis without other restrictions or conditions.
 - If RS has obtained copies of personal information, such as medical/psychological assessments, exams, or services, then such information may be released only by, or under the conditions established by, the other agency or organization.

Fees for copies provided by RS

RS may establish reasonable fees to cover extraordinary costs of duplicating records or making extensive searches. Questions on current fees should be directed to the Administration Office.

Amending the record of services

An applicant or eligible individual who believes that information in the individual's record of services is inaccurate or misleading may request that RS amend the information. If the information is not amended, the request for an amendment must be documented in the record of services.

Release to authorities

Informed written consent (a signed release of information form) is not required in the following circumstances:

- RS shall release personal information if required by Federal law or regulations. Questions about this standard should be addressed to the Department for Children and Families (DCF) Attorney in the local office at the time a request for release is received.

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- RS shall release personal information in response to investigations in connection with law enforcement, fraud, or abuse, unless expressly prohibited by Federal or State laws or regulations, and in response to an order issued by a judge, magistrate, or other authorized judicial officer.
- RS also may release personal information in order to protect the individual or others if the individual poses a threat to his or her safety or to the safety of others.

State program use

All personal information in the possession of RS must be used only for the purposes directly connected with the administration of the vocational rehabilitation program. Information containing identifiable personal information may not be shared with advisory or other bodies that do not have official responsibility for administration of the program.

Release for audit, evaluation, and research

Personal information may be released to an organization, agency, or individual engaged in audit, evaluation, or research only for purposes directly connected with the administration of the vocational rehabilitation program, or for purposes that would significantly improve the quality of life for applicants and eligible individuals and only if the organization, agency, or individual assures that:

- The information will be used only for the purposes for which it is being provided.
- The information will be released only to persons officially connected with the audit, evaluation, or research.
- The information will not be released to the involved individual.
- The information will be managed in a manner to safeguard confidentiality.
- The final product will not reveal any personal identifying information without the informed written consent of the involved individual or the individual's representative.

Information in this Part is based on [§361.38](#) and DCF guidance.

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SECTION Administrative Issues
PART Informed Choice

SECTION NO. 1-8
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Section 1 Administrative Issues

Part 8 Informed Choice

Rehabilitation Services (RS) Policy

Informed choice is a decision-making process in which the individual analyzes relevant information and selects, with the assistance of the counselor, vocational goals, intermediate objectives, services, and service providers. The concept of informed choice flows through every aspect of the rehabilitation process.

RS will provide each applicant, including persons who are participating in a Trial Work Experience, Pre-Employment Transition Services, and each eligible Vocational Rehabilitation (VR) client with opportunities to make informed choices throughout the rehabilitation process. Each applicant and eligible client will work as active partners with counselors to select vocational goals, select Individualized Plan for Employment (IPE) intermediate objectives, identify services needed, select providers, and choose the methods to secure needed services. Each applicant and eligible student will work as active partners with Pre-ETS Transition Specialist to identify the services the student needs based on information analyzed, participation responsibilities and expectations to include on the Pre-ETS agreement.

Decisions throughout the rehabilitation process must be consistent with the client's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. Staff and clients and/or students incorporate the concept of partnership in every step of the rehabilitation process.

Both staff and clients bring strengths to this process.

- For example, staff bring skills in rehabilitation, knowledge about work, careers, technology, RS practices and federal regulations. Facilitating informed choice often requires innovative approaches within the rehabilitation process.
- The client brings to this partnership a lifetime of experiences, goals, and self-awareness about the impact of disabilities, abilities, strengths, and interests.
- Families and others often also contribute to this partnership.

Each client and/or student or their representative will receive information about informed choice as well as their responsibilities and opportunities to participate in decision-making. This information is provided by counselors and through Your Guide to VR Services. Information is provided through appropriate modes of communication based on the client's needs. Assistance is available for persons with cognitive or other disabilities as needed.

During eligibility, each applicant is asked to identify their current medical provider for available information. If additional diagnostic information is needed, each applicant may select which provider is used; in some areas there may be a limited number of providers available, or a limited number of providers who will accept RS fees.

RS will assist the client and/or student in accessing the information he or she needs to make an informed choice about services and providers of services. Choice in every aspect of service delivery is not open-ended; rather it is related to what is required, not simply desired, to reach the vocational goal and achieve employment. This information will include data related to cost, accessibility, and the

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duration of services. Qualification of provider personnel, scope of available services and the degree to which services are provided in integrated settings are also important components of informed choice.

Sources of such information will include lists of service providers; client satisfaction reports; referrals to consumers or groups qualified to discuss options with the individuals; and relevant information related to qualification of providers, such as accreditation or certification credentials. Resource directories developed by local transition councils may also be reviewed, if available.

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SECTION Administrative Issues
PART Consultants

SECTION NO. 1-9
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Part 9 Consultants

Consultants are a valuable source of information, expertise and professional medical opinions. They are available to assist counselors in clarifying medical information or in analyzing recommendations. As a general policy, consultant approval is not required before proceeding with service delivery.

Decision-making at the local level is encouraged. Counselors may use their discretion in determining when to seek advice or information from one of the consultants. (EXCEPTION: The State Psychological Consultant must approve psychotherapy plans of 25 sessions or more.)

When requesting information or advice from the consultant, include the recommended course of treatment, physician reports or relevant materials that will help the consultant to analyze the situation.

The State Consultants are responsible for establishing a network of local consultants, staff training, review of newly developed treatments, advice on cost-effective procedures and development of effective administrative procedures.

Contact the Administration Office for a listing of current consultants, addresses, and contact information.

Process to Request a State Consultant

The VR counselor will create a service authorization for 5 hours service code 190 identifying the type of State Consultant. The VR counselor will send the authorization, along with the consultant referral (whether for medical or psychological consultation), summary of the case, and any supporting documentation to the consultant through encrypted email. The summary of the case should include the questions that the VR counselor is needing addressed, current treatment, and any other information necessary for the consultant to have that could impact the recommendation from the consultant. The consultant will submit the recommendations, signed authorization, and invoice with the number of hours upon completion of the service. The consultant will reach out to the VR counselor for an additional authorization if the service is needing more than 5 hours to complete the review and recommendations. If there are any concerns about the recommendations, please contact the Consultant and CC the Field Deputy Director.

Upon request by a counselor, the consultant **may** be used to review the aspects of an individual's disability, functional capabilities and the rehabilitation needs of the individual at the determination of eligibility; during the development of the service plan, particularly when restoration services are indicated; and, prior to closure when the reasons for closure are due to the severity of disability, or a rapidly progressive, terminal, or on-going condition. In addition, the consultant can be used any time guidance is needed by the counselor to plan effectively with the consumer.

The consultant's role in the consultation process is to assist the counselor when needed to:

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1. Review and interpret information, reports and records;
2. Determine the adequacy of records and reports;
3. Clarify the functional capacities and limitations of the individual;
4. Advise on the need for specialty examinations or additional diagnostic services;
5. Advise on factors that may affect the service plan or employment goal;
6. Advise on the need or appropriateness of restoration services;
7. Advise on the prognosis of a disability(ies) when information obtained needs clarification; and/or
8. Advise on the feasibility of providing rehabilitation services to individuals with conditions which are progressive or subject to remission and exacerbation.

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Section 1 Administrative Issues

Part 10 Standards for Facilities and Service Providers

Synopsis of federal regulations

Accessibility of facilities: Any facility in which vocational rehabilitation (VR) services are provided must be accessible to individuals receiving services and must comply with the requirements of the Architectural Barriers Act of 1968, the Uniform Accessibility Standards and their implementing regulations in 41 CFR Part 101, Subpart 101-19.6, the Americans with Disabilities Act of 1990, and section 504 of the Act.

Personnel standards:

1. **Qualified personnel.** Providers of VR services shall use qualified personnel, in accordance with any applicable national or state-approved or -recognized certification, licensing, or registration requirements, or, in the absence of these requirements, other comparable requirements (including state personnel requirements), that apply to the profession or discipline in which that category of personnel is providing vocational rehabilitation services.
2. **Affirmative action.** Providers of VR services shall take affirmative action to employ and advance in employment qualified individuals with disabilities.
3. **Special communication needs personnel.** Providers of VR services shall:
 - Include among their personnel, or obtain the services of, individuals able to communicate in the native languages of applicants and eligible individuals who have limited English speaking ability; and
 - Ensure that appropriate modes of communication for all applicants and eligible individuals are used.

Fraud, waste, and abuse: Providers of VR services shall have adequate and appropriate policies and procedures to prevent fraud, waste, and abuse.

Reference: §361.51

Rehabilitation Services (RS) policy

Counselors will purchase services for clients only from those community rehabilitation programs approved for use by RS. Approval requires compliance with applicable federal and state statutes and regulations.

Service providers have the following responsibilities:

1. Provide the services described in the written agreement.
2. Keep current any state or local licenses, certifications, registrations or permits required for service providers.
3. Provide service only as authorized in advance by RS and only in the amounts authorized.

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4. Not discriminate against any person served because of race, age, color, sex, national origin, or disability, and to provide reasonable accommodations if necessary to permit the person to fully participate in the service.
5. Receive approval from the RS counselor and client before making any change in the goals, objectives or services being provided.
6. Tell the client about the Client Assistance Program (CAP) if there is a complaint or grievance about the services provided.

RS will use only those professional service providers who meet applicable state licensure or certification requirements.

1. A psychiatric diagnosis can be provided by a Licensed Physician, a Licensed Ph.D. Psychologist, a Licensed Clinical Social Worker and a Licensed Master's Level Psychologist working in a Mental Health Center. Beginning July 1, 2000, all Master's Level Mental Health providers can apply for a Clinical credential, allowing them to diagnose and treat mental disorders. A diagnosis made by any Mental Health professional with this clinical certification may be accepted. The list of accepted providers for psychotherapy is the same as the list of providers who can make psychiatric diagnoses with a few additions. Licensed Family Therapists can provide psychotherapy for RS consumers provided that the main obstacle to employment relates directly to a marriage or family conflict. Certified Drug and Alcohol Treatment Counselors can also provide substance addiction services. When accepting services from these providers, it is important to pay especially close attention that the scope of their treatment does not go beyond the expertise of the treatment provider.
2. Psychological evaluations should be accepted if provided by a Ph.D. or Master's Level Psychologist. Certified School Psychologists can provide psychological testing to document specific learning disabilities. Mental Health professionals other than Psychologists should not be accepted as qualified sources of psychological evaluations.
3. A general health appraisal must be performed or approved by a physician, registered physician assistant, certified school nurse, or advanced registered nurse practitioner who is certified by the Kansas State Board of Nursing to function in the expanded role of nurse clinician or nurse practitioner.
4. Individualized prescription and fitting of telecommunication, sensory and other technological aids and devices must be performed only by individuals licensed in accordance with state licensure laws or by appropriate certified professionals.

Effective Date: July 1, 2000

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Section 1 Administrative Issues

Part 11 VR Services Record of Services

Synopsis of Federal Regulation

Rehabilitation Services (RS) shall maintain for each applicant or eligible individual a record of services that includes, to the extent pertinent, the following documentation:

- If an applicant has been determined to be an eligible individual, documentation supporting that determination.
- If an applicant or individual receiving services under an Individualized Plan for Employment (IPE) has been determined to be ineligible, documentation supporting that determination.
- Documentation that describes the justification for closing an applicant's or eligible individual's record of services if that closure is based on reasons other than ineligibility, including closure prior to eligibility determination.
- Documentation supporting the determination that an individual has a significant disability or a most significant disability.
- If an individual with a significant disability requires an exploration of abilities, capabilities, and capacity to perform in realistic work situations through trial work experiences in order to determine whether the individual is an eligible individual, documentation supporting the need for and the plan for the trial work experience, documentation supporting the periodic assessments conducted during the trial work experiences, and the written plan developed during the trial work experience.
- The IPE and any amendments to the IPE.

Documentation describing the extent to which the applicant or eligible individual exercised informed choice regarding the provision of assessment services and the extent to which the eligible individual exercised informed choice in the development of the IPE with respect to the selection of the specific employment outcome, the specific VR services needed to achieve the employment outcome, the entity to provide the services, the employment setting, the settings in which the services will be provided, and the methods to procure the services.

- In the event that an individual obtains competitive employment, verification that the individual is compensated at or above the minimum wage and that the individual's wage and level of benefits are not less than that customarily paid by the employer for the same or similar work performed by non-disabled individuals.
- Documentation concerning any action and decision resulting from a request by an individual for review of a rehabilitation counselor determination.
- If an applicant or eligible individual requests to amend documentation in the record of services, but the documentation remains unchanged, there should be documentation noting the request.
- Documentation regarding referrals made by RS.
- In the event an individual's record of service is closed as a successful rehabilitation, documentation that demonstrates the services provided under the individual's IPE contributed to the achievement of the employment outcome. In addition, documentation must show that all the following requirements have been met:
- The individual has achieved the employment outcome that is described in the individual's IPE and is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

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- The individual has maintained the employment outcome for an appropriate period of time, but not less than 90 days, necessary to ensure the stability of the employment outcome, and the individual no longer needs VR services.
- At the end of the appropriate period, the individual and the qualified rehabilitation counselor employed by RS consider the employment outcome to be satisfactory and agree that the individual is performing well in the employment.
- The individual is informed through appropriate modes of communication of the availability of post-employment services.
- In the event that an individual's IPE provides for VR services in a non-integrated setting, a justification to support the need for the non-integrated setting.
- In the event an individual achieves an employment outcome in which the individual is compensated in accordance with the Fair Labor Standards Act or RS closes the record of services of an individual in an extended employment on the basis that the individual is unable to achieve an employment outcome or that an eligible individual through informed choice chooses to remain in extended employment, documentation of the results of the annual reviews required, of the individual's input into these reviews, and of the individual's (or representative's) acknowledgement that these reviews were conducted. (*Note: Such closures would not meet the requirements for a Status 26 closure.*)

Reference: § [361.47](#)

RS Policy

Documentation is intended to meet, but not exceed, the federal requirements for records of service. RS staff will exercise professional judgment and discretion in determining the nature, scope and extent of relevant information to be included in the record. Information should be limited to that which is necessary and sufficient to show the basis and justification for eligibility decisions, order of selection designations, service decisions and the expenditure of public funds. The IPE should be written with sufficient detail to avoid any misunderstanding about the goal, services, and responsibilities. Duplicate and extraneous materials do not need to be kept in the record.

Documentation of a decision should be sufficient to show that the decision is reasonable, based on adequate fact and information, correctly applies policy, and that the client participated in the decision. Generally, narratives should address:

- What occurred: (decision made, client reported progress, counseling and guidance occurred, information requested, etc.)
- An explanation of what occurred, if needed.
- A description of the client's involvement in what occurred.
- A brief notation of the next step.

Narratives are necessary only for information that cannot be found in other records.

Beyond the minimum documentation requirements, staff should focus time and effort on value-added activities, including counseling and guidance, which lead to quality employment outcomes.

If requested or otherwise necessary, a record of services will be transferred based upon the residence of the individual, the nature of the individual's disability, the availability of services, and the individual's choice. See Section 1 / Part 13.

Effective Date: October 1, 2001

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Data Collection and Use of KMIS

KMIS information is used for program evaluation, state budgeting, and federal reporting. Given the critical nature of these functions, it is essential that accurate and complete data is entered on

KMIS. This includes but is not limited to: accurate entry of application information including the date the application was received; accurate eligibility information and time extensions, when used; complete and accurate IPE development and time extensions, when used; services authorized and paid; status movement; use of comparable benefits; and reasons for case closure. In addition, as a result of the Workforce Innovation and Opportunity Act (WIOA) there are many additional data elements which must be recorded at specific points in the case process. These elements include but are not limited to barriers to employment; involvement with other workforce programs; credential attainment; measurable skill gains; dates of career services provided; and use of comparable benefits. While implementation of WIOA is ongoing, changes to KMIS data screens have been made, and will continue to be made, to facilitate such data entry. Error reports will be provided so that Counselors and Program Specialists can make corrections prior to submission of federal reports. Each VR staff is responsible to record the required data in a timely, complete, and accurate manner. Rehabilitation Managers and Program Administrators have the primary oversight responsibilities to ensure that this occurs. The reliability and validity of data reported will be subject to case reviews, performance evaluation monitoring, and audits.

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Section 1 Administrative Issues

Part 12 VR Services Documentation guide

This Documentation guide contains the following sections:

- General Requirements
- Case File Organization
- Referral
- Application
- Initial Interview
- Eligibility
- Order of Selection
- Comprehensive Assessment
- Individualized Plan for Employment
- Counseling and Guidance
- Progress Notes
- Frequency of Contact
- Employment Outcomes (Rehabilitated)
- Supported Employment Outcomes
- Other Outcomes
- Records Retention

IMPORTANT NOTE REGARDING THIS DOCUMENTATION GUIDE

The provision of certain services often requires specific information to be researched and analyzed. The provision of certain services, or services which exceed standard cost caps, may also require exceptions to be approved by the RS Program Administrator for your Region or by the Administration Office. Policy and procedure on such issues are maintained in the RS Manual, which should be used as a reference by counselors in determining specific documentation requirements for such circumstances.

General Requirements

When viewed as a whole, the case file (record of services) should reflect:

- The quality and substantiality of the services provided by VR.
- Evidence of counseling and guidance provided to promote the client's full involvement and participation in the rehabilitation process, to guide the client in exploration of options, to support and assist with problem solving, to refer to other appropriate services, and to coordinate services.
- Maintenance of appropriate and timely contact with the client, with no undue or unwarranted delays. (See Resources Part 9.)
- Timeliness of services provided with no undue or unwarranted delays. The case file should show evidence that RS Staff responded to individuals in a timely way at each stage of the VR process and that services were delivered as expeditiously as possible.
- Evidence that the Client exercised informed choice throughout every aspect of the VR case. Examples include:

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- Summaries of initial interviews which identify how the client expects to be helped through the provision of VR services and the client's ideas related to employment options.
- Narratives identifying options for vocational objectives, services, or service providers explored in a collaborative partnership between the counselor and the client. Narratives which reflect that the counselor provided information on these subjects and/or that the client conducted their own research on these subjects.
- Narratives that reflect information provided or research conducted on the labor market.
- Completion of the Customer/Client Guide to Development the IPE, when used.
- Completion of KMIS screens related to extension of the timeframe for determining eligibility or developing the IPE. (The KMIS printout must be filed in the service record.)
- Narratives reflecting counseling and guidance provided to help the client consider options and make choices.
- Narratives which provide the counselor's rationale for supporting or denying the client's choice.
- Narratives which document conversations in which the counselor explained state policies related to the parameters of services that can be provided.
- Closure narratives that reflect the client's satisfaction with the job achieved and agreement that additional services are not needed.
- See [Section 1/Part 8](#) of the RS Manual for more information on informed choice.
- That the overall case shows an emphasis on helping the client achieve a high-quality employment outcome.

Any information used to evaluate or support casework decisions needs to be in the service record. Information must be sufficient to show that decisions were reasonable, were based on adequate fact, were considerate of the individual's circumstances, and correctly applied policy. Unless specified otherwise, documentation may be in the form of narratives, various reports, correspondence, copies of e-mail communications, KMIS printouts, completion of forms, and other sources of information. You must get the client's permission to file TTY printouts.

When necessary to organize and clarify multiple or vague sources of information, the counselor should use the narrative to provide an analysis of the information and a rationale which supports the decisions made. The counselor must provide an explanation of apparent discrepancies. (For example, medical information indicates that the client has difficulty walking across the room without getting out-of-breath. The VO is day care provider. This is an apparent discrepancy in that it is difficult to understand how a person with such a limitation would be able to work as a day care provider.

Another example of discrepancies occurs when there are conflicting medical records or when medical and school records are not consistent.)

Narratives are necessary for information that cannot be found or not clearly shown in other records. Narratives are essential to recording the counselor's rationale for actions taken. Generally narratives should address: what occurred; the client's involvement; decisions made; client progress; counseling and guidance; information requested; each client contact; attempted client contacts: other party contacts, such as guardians, agencies, providers, employers; and suggested next steps.

Narrative entries should be dated with the current case status and include the counselor's initials. If other staff add to the narrative, they should sign their full names.

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Care should be taken to ensure that other client names aren't inadvertently placed in a service record. For example, if multiple client names appear on an e-mail message to be filed in the service record, black out all names/information that do not relate to the specific client.

Any letters or documents that are mailed need to have a date mailed noted on the document that was mailed. The case file narrative also needs to record the letter or document being sent and the date.

Progress notes from vendors (contractors/service providers) need to clearly identify the vendor as the source.

Case File Organization

The information filed in the service record should be organized as follows:

Left section:

- Signed and date stamped application
- Signed and dated IPE and IPE amendments
- Assurance letter for extended ongoing services in supported employment
- PELL information
- Medical and psychological information
- Vocational history and evaluation
- DDS referral and information
- Vocational assessment
- Rehabilitation teacher reports
- Social Security verification
- School IEP

Right section:

- Annual review
- KMIS screen print forms
- Client history (KMIS printout)
- Closure letter
- KMIS printout of closure screens (after implementation of revised screens)
- Case narrative, including determination of eligibility
- KMIS printout of eligibility/OS screens (after implementation of revised screens)
- Functional limitations worksheet
- Initial interview
- Questionnaires (optional)
- Placement information
- Progress reports/service provider reports
- Correspondence, such as referral letters and authorization cover letters
- Release of information forms
- Authorization and payment records
- Materials received reports
- Bid documentation

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Counselors have the flexibility to divide each section described above into two parts for ease of handling of lengthy case files.

Information in the case file should be in chronological order, with the most recent information on top.

Reports of contact should be maintained with the related information. For example, a definitive medical report would be placed with medical information. A specific question answered by a psychologist would be placed with the other psychological information.

Every effort should be taken to keep the file folder free of duplicate and unnecessary information. For example, if there are multiple accounts of the same medical information, only one copy is needed.

Records received that are not pertinent to the VR case can be destroyed. The counselor should note in the narrative what records are being destroyed and why.

Referral

- For third party referrals, the record of services needs to provide evidence that the counselor responded as soon as possible but not more than 30 days after receiving the referral; evidence that the response included information about VR services and how to apply; copy of response letter in case file; narrative regarding responses if by phone or in person.
- For direct inquiries, the record must provide evidence that the VR staff provided immediate information about how to apply for VR services; evidence that an appointment was scheduled in a timely manner.

See Section 2 / Part 1.

Application

Documentation requirements include:

- Application is signed and dated by the individual (or if appropriate, by the individual's representative), or the individual has otherwise requested services and provided necessary information.
- Application is date stamped when received in the VR office.
- Application is entered on KMIS.
- Evidence that the individual has received Your Guide to VR Services, as shown by the signed application form.

See Section 2 / Part 1.

Initial Interview

In addition to the Rehabilitation Services application form, the following information, to the extent it will impact the VR process or employment, must be collected as part of the application process and recorded in the record of services.

- Applicant's description of the disability and how it impacts the ability to work and to complete daily activities.

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- Employment history, such as work performed at home; paid work (employers, dates, wages, duties, job title, reason no longer working there); job duties the applicant can no longer perform; type of work the applicant wants to do; accommodations that may be required.
- Residential, domestic and family information (such as number in family, dependents, typical routine, support available through family, friends and social groups.)
- Medical history, such as names of hospitals, doctors, psychologists, social workers.
- Current medications.
- Transportation available? Driver's license? Ability to use public transportation, if available.
- Corrections history, including names of probation or parole officers.
- Childcare arrangements.
- Media of choice.
- Does the client have a Ticket-to-Work? Is it available for assignment? Or, if the client has assigned it to another Employment Network (EN), identify the EN.
- How can VR help? What is the applicant's reason for applying?

Documentation must identify the name of the person who conducted the initial interview, if that person was someone other than the VR counselor.

See [Section 2 / Part 1](#).

Eligibility

The determination of an applicant's eligibility for VR services must be based only on the following requirements:

- A determination by qualified personnel that the applicant has a physical or mental impairment.
- A determination by qualified personnel that the applicant's physical or mental impairment constitutes or results in a substantial impediment to employment for that specific individual applicant.
- A determination by the RS VR counselor 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.

It is presumed that the applicant can benefit in terms of an employment outcome from the provision of VR services unless there is clear and convincing evidence to the contrary.

Any applicant who has been determined eligible for SSI or SSDI is presumed eligible for VR services and is considered to be an individual with a significant disability. (This means that these individuals are in *at least* Category 2 in the Kansas Order of Selection.)

Related to eligibility, the case file must address the following factors:

- Description of the applicant's primary and secondary impairments. [A physical or mental impairment means: any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculo- skeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine; or any mental or psychological disorder, such as intellectual developmental disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.]

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- Descriptions of impairments are usually found in medical or psychological records and may be enhanced by information in vocational assessments and/or the counselor's narrative description.
- If the individual has a disability that can be verified by counselor observation or by information provided by the individual or family, they meet this first part of the eligibility criteria. In such cases, Part 1 of eligibility should not be delayed while medical or psychological information is gathered. Such information, however, may be necessary to develop an appropriate plan of services.
- If the individual is not receiving SSI/SSDI and does not have an impairment that can be verified by counselor observation or information from the individual or family, then request medical information. The case must show that such requests were made in a timely manner. Delays must be explained in the narrative.
- Documentation must show that existing information was used to the extent available, timely and adequate for eligibility determination. Information used must show the *current* functioning of the individual.
- A description written by the counselor that explains how the applicant's impairment constitutes or results in a substantial impediment to employment for that specific individual. The description should specify the impediment, how it results from the impairment, how it hinders employment, and why it is substantial for the individual. [Substantial impediment to employment means that a physical or mental impairment (in light of attendant medical, psychological, vocational, education and other related factors) hinders an individual from preparing for, entering into, engaging in, advancing in, or retaining employment consistent with the individual's abilities and capabilities.]
- Documentation from the counselor that explains why 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. (The counselor must presume that a person who has a disability which has been determined to constitute an impediment to employment can benefit from VR services in terms of an employment outcome unless there is clear and convincing evidence to the contrary.)
- Evidence that an applicant who has already been determined eligible for SSI or SSDI, or who has a Ticket-to-Work, is presumed to be eligible for VR. Notation of how this status was verified is required. Verification of this status may include a Ticket, an SSA award letter, a current check stub, the KMIS interface, or other verifiable evidence. Eligibility should be completed as soon as receipt of benefits is verified. To request verification of TTW assignability, please email DCF.TTW@ks.gov.
- Evidence that the eligibility determination was made as soon as possible, but no later than 60 days from the date of application (date stamped date). If the determination was not made within 60 days, there must be documentation of the reason for the delay, and evidence that the applicant agreed to a specific time extension. The KMIS time extension screens must be completed and the KMIS printout filed in the service record. Evidence of the individual's agreement may include a completed and signed form, or a counselor's narrative of a conversation. The extension must be completed, including the applicant's agreement, prior to expiration of the original 60 days.

Order of Selection

Documentation requirements include:

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- Completion of the functional limitation's worksheet (if used), including the counselor's rationale for identifying each limitation selected. List services that will address the limitations in terms of employment.
- Appropriate documentation supporting that the individual has a significant or most significant disability.
- Evidence that the individual was informed of their category designation. This may be conveyed in person or by phone, followed up with the appropriate brief narrative entry. This information may also be conveyed in writing, with a copy placed in the service record.
- Evidence that individuals receiving SSI/SSDI, or individuals with a Ticket, are automatically in at least Category 2.
- Documentation of referrals made on behalf of individuals who are placed on a waiting list. This may be conveyed in person or by phone, followed up with the appropriate brief narrative entry. This information may also be conveyed in writing, with a copy placed in the service record.

See [Section 2 / Part 4](#).

Comprehensive Assessment

- Documentation of any additional impairments and associated substantial impediments to employment that were not described during determination of eligibility and Order of Selection category.
- Information from a strengths-perspective which describes the assets (skills and abilities, interest in working, etc.), and resources the individual brings to the employment arena.

Individualized Plan for Employment

- The IPE and amendments have been signed and dated by the individual (or if appropriate, by the individual's representative) and the counselor. A copy of the original IPE and any amendments have been given to the individual.
- Evidence that the plan was developed as soon as possible, but no later than 90 days from the date of eligibility (Status 10). If the IPE was not signed within 90 days, there must be documentation of the reason for the delay, and evidence that the applicant agreed to a specific time extension. The KMIS time extension screens must be completed and the KMIS printout filed in the service record. Evidence of the individual's agreement may include a completed and signed form, or a counselor's narrative of a conversation. The extension must be completed, including the applicant's agreement, prior to expiration of the original 90 days.
- Narratives which clearly document how the client was involved in developing the IPE. Notes that describe the client's interests and employment goals. Evidence that the individual had informed choice in selecting the vocational objective. Information regarding availability of employment related to the VO. Evidence that the individual had sufficient information regarding alternatives to make informed choices about services and providers.
- The service record must support that the vocational objective is consistent with the assessment of the individual and their primary employment factors.
- A narrative discussion of how the services on the IPE address the individual's needs and relate to the individual's vocational objective. (This should result in evidence that all services listed on the IPE are necessary to achieve the employment goal.)
- Identification of the criteria that will be used to evaluate progress.

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- Evidence that comparable benefits were considered and used as appropriate.
- IPE amendments are completed whenever a service was added or deleted. IPE amendments are also required whenever the vocational objective is changed. However, no amendment would be required if the individual accepts a job during the placement phase that is different than the job listed on the IPE. Such a change should be documented specifically in the closure letter. The letter must be labeled "IPE Amendment."
- Were annual reviews of the IPE conducted? Is there evidence that the individual took part in such reviews?
- Documentation that the individual's progress is regularly updated/reviewed, and that sufficient contact is maintained with the client according to the individual circumstances of the case.
- Documentation of the Ticket-to-Work assignment process and outcome.
- For students receiving special education services, notation that the IPE is consistent with the transition portion of the student's Individualized Education Plan (IEP).

For supported employment cases, the record of services must include:

- Description of the time limited services, not to exceed 18 months, to be provided by VR.
- Description of the ongoing services needed by the individual and identification of the provider of ongoing support. In the event that identification of the source of ongoing services is not possible at the time the IPE is written, a statement explaining the basis for concluding that there is a reasonable expectation that such ongoing services will become available.
- A provision for periodic monitoring to ensure satisfactory progress toward meeting the work goals by the time of transition to extended ongoing services.
- The client's goal for the number of hours to work.
- The criteria for job stabilization. Job stabilization shall be individually determined for each client. This criterion should describe the methodology that will be used to determine when VR funding should cease, and ongoing support should take over.
- Projection of the number of hours of job coaching needed for the client to reach stabilization and case closure.

See Section 3 / Part 10.

Counseling and Guidance

Documentation of counseling and guidance must address specific, counseling services provided directly by the VR counselor. These services must be vocational in nature and specifically designed to assist the individual in participating in the rehabilitation process or in reaching an employment outcome.

Documentation must issues such as the following were addressed:

- Vocational exploration.
- Career decision-making.
- Establishment of a career path, including short- and long-term goals.
- Self-advocacy in the workplace.
- Development of problem-solving skills.
- Use of community resources related to employment.

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Documentation should address outcomes achieved as a result of such counseling and guidance.

See [Section 3 / Part 4](#).

Progress Notes

Documentation must include identification of client's progress, and interventions or action plans used to address issues or concerns, if any. Progress notes may be found in counselor narratives or in reports from service providers.

Frequency of Contact

Frequency of contact should be determined by individual circumstances and at critical points in the rehabilitation process. As a rule, contact monthly is appropriate. More frequent contact should typically happen during assessment for eligibility, IPE development, initiation of services, and when employment begins. Less frequent contact might reasonably occur after the client has stabilized in longer term services, such as when an individual has established good performance in a training program.

If services are interrupted or there is a loss of contact, the reasons must be entered in case narrative. The narrative should also reflect what is being done to resume the rehabilitation process.

Employment Outcomes (Rehabilitated)

Documentation must address the following questions and issues:

- Did the services provided contribute significantly to achieving the employment outcome? (What substantial services were provided? Did the services provided by the agency make it possible for the person to be employed or achieve the specific job they have?)
- Was the employment outcome consistent with the individual's primary employment factors (strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice)?
- Did the individual maintain the employment outcome for an appropriate period of time, but not less than 90 days, necessary to ensure the stability of the employment outcome? (The date when employment began must be clearly identified.)
- Is there evidence that the individual no longer needs VR services?
- Was the employment in the most integrated setting possible, consistent with the individual's informed choice?
- Did the individual and the counselor agree that the employment outcome was satisfactory, and the individual was performing well on the job?
- Discussion of the need for post-employment services.
- Evidence of the individual's wage, that the wages/benefits were comparable, that the work was in an integrated setting, and the work was the choice of the client.
- Closure letter is titled IPE Amendment, and specifically states the services provided, individual's dates of employment, wage, benefits, place of employment, views regarding closing the case, appeal rights including Client Assistance Program (CAP) services.

See [Section 5 / Part 1](#).

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Supported Employment Outcomes

In addition to the employment closure requirements described previously, such closures should be based upon the following factors:

- The client was provided appropriate and substantial services in accordance with the IPE.
- The client is in paid employment.
- The client has made substantial progress toward working the number of hours per week specified in the IPE.
- The client's workplace offers opportunities for integration with non-disabled persons (not paid service providers) who may be supervisors, co-workers or customers.
- The community service system has assumed the responsibility for funding and providing the extended ongoing support services necessary to maintain employment.
- The client's performance meets the criteria for job stabilization defined in the IPE. Stabilization must be based on the following factors:
 - The client has reached a maximum level of work performance.
 - The agreed upon hourly work goal has been reached.
 - Job coaching and related support services have decreased to a level necessary to maintain the individual in employment through ongoing support.
 - If the individual is stabilized in employment at a level of hourly work that is less than the goal established on the IPE, the client and counselor agree that the situation may be considered substantial and suitable employment.
 - Placement is maintained for at least 90 days after making the transition to extended ongoing services. The ongoing supports being provided are adequate to meet the client's needs with respect to maintaining employment.

See [Section 5 / Part 1](#).

Other Outcomes

- The counselor has provided a rationale for closing the record of services.
- Rationale for ineligibility decisions. If ineligibility was based on severity of disability, was there clear and convincing evidence (based on more than assessments or testing) that the individual is incapable of benefiting from VR services in terms of an employment outcome.
- The client was given a written notice of case closure, which included reference to appeal rights and CAP services.
- The client has been referred to other appropriate services which then are documented in the case narrative.

See Section 5 / Part 2 and Section 5 / Part 3.

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Records Retention

Service records will be retained for five years after the closure of the case. Service records containing HIPAA information will be retained for six years.

At the end of each month and each calendar year, the Administration Office will send the Field Office Records Retention Officers a list of cases closed during that period. These lists should be retained for future reference in determining which files can be destroyed.

At the end of each calendar year, the Field Office Records Retention Officers should prepare a list of records they intend to destroy. This list will be sent to the RS Administration Office Records Retention Officer for approval prior to destroying any records.

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Section 1 Administrative Issues

Part 13 Miscellaneous Administrative Issues

This section contains the following topics:

- Kansas Residency
- Non-Discrimination
- Out-of-State Services
- Provision of Services by More than One Agency in Differing States
- Prior Authorization
- Reporting Child Abuse and Neglect
- Transfer of Cases
- Use of Toll-Free Numbers (in lieu of accepting collect calls)
- Acceptance of Verbal/Electronic Signatures

Kansas residency

Consistent with federal regulations, RS may not impose any duration of residence requirements as part of determining eligibility for VR services or that exclude from services any individual who is present in the state. In addition, per a federal directive, RS may not require eligible individuals receiving out-of-state services through an IPE and/or Pre-ETS agreement to maintain or verify Kansas residency status.

Non-Discrimination

All services shall be provided without regard to sex, race, age, creed, color, national origin, sexual orientation, or type of disability.

Out-of-State Services

Prior to including any out-of-state services in an IPE, the counselor must complete an analysis which:

- Identifies the specific rehabilitation need to be addressed by the services.
- Compares the ability of in-state and out-of-state services to meet the identified rehabilitation needs.

See Forms Part 33 for Out of State Comparative Analysis Worksheet.

Before an out-of-state service to be funded by RS is included in the IPE, the Comparative Analysis Worksheet must be completed by the Counselor and forwarded for approval according to the Region's procedures. Each RS Program Administrator will establish a procedure for routing such exception requests through the RS Managers, RS Program Administrator, or both. The worksheet indicating final action taken should be filed in the record of services.

If the analysis shows that comparable services are available in-state, the client may choose out-of-state services with the additional cost to be paid by the client. RS Regional Program Administrator approval is not required in this circumstance.

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Provision of Services by More than One Agency in Differing States

In accordance with RSA Technical Assistance Circular, [RSA-TAC-12-04](#), RSA maintains that it is permissible for more than one VR agency to provide services to an individual simultaneously, provided that the services are not duplicated.

When a participant has an open case in another state, a release of information will be obtained from the participant or their representative to facilitate collaboration between the two agencies. This ensures ongoing coordination of services and clear communication among the participant, KRS, and the other agency to prevent duplication.

Each agency is responsible for developing an Individualized Plan for Employment (IPE) with the participant. The IPE should include all services provided to the individual, including those funded by the other agency (listed as a comparable benefit). If both agencies determine that specific services (e.g., college, supported employment, etc.) are essential to achieving the individual's vocational goal, cost-sharing is permissible in accordance with each agency's policies. However, the total amount authorized by both agencies combined must not exceed the actual cost of the service, after accounting for any comparable benefits and the individual's required financial contribution.

For jointly served cases, where client consent for information sharing is obtained, KRS and the partnering agency will coordinate and exchange necessary information to address informal administrative reviews, mediations, fair hearings, and formal administrative reviews as needed. Each agency must report all relevant data through RSA-911 and document performance measures in accordance with their policies and procedures.

If the participant achieves competitive integrated employment, both agencies may classify the case as Closed-Rehabilitated, even within the same federal fiscal year, provided that each agency independently verifies that all criteria for a successful case closure have been met.

For students with disabilities who are potentially eligible, both agencies will identify Pre-Employment Transition Services (Pre-ETS) needs and collaborate to coordinate services while avoiding duplication. This requires ongoing communication between agencies and the participant to ensure a seamless provision of services.

Prior Authorization

Prior approval/authorization is required before RS will pay for any goods or services. After the IPE is in place (Status 12) and/or Pre-ETS agreement and in very limited circumstances, such as medical emergencies when it was not feasible for the client to get prior approval and no other source of funding is available, an exception may be approved. Each RS Program Administrator will establish a procedure for routing such exception requests through the RS Managers, RS Program Administrator, or both.

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Reporting Abuse and Neglect

If you suspect a child is being abused or neglected, please telephone the **Kansas Protection Report Center at 1-800-922-5330**. Every call is taken seriously, and every effort will be made to protect your identity. Telephone lines are staffed 24 hours a day. In the event of an emergency contact your local law enforcement or call 911. For more information go to [Child Protective Services](#).

To report suspected abuse, neglect or exploitation of an adult in the community, please telephone the **Kansas Protection Report Center at 1-800-922-5330**. Every call is taken seriously. Telephone lines are staffed 24 hours a day. In the event of an emergency contact your local law enforcement or call 911. For more information go to [Adult Protective Services](#) page.

If you are a **mandatory reporter** and would like to report child or adult abuse or neglect electronically, please use the new [Kansas Intake/Investitive Protection System](#). When using the electronic report please make note of the first question at the top of the form indicating child or adult type of report.

Transfer of Cases

A record of services may be transferred to another office or RS staff with the approval of the RS Regional Program Administrators/Managers for the offices involved. Among the factors to be considered are:

- Residence of the client.
- The nature of the client's disability.
- The availability of services.
- The client's choice.

Prior to requesting a transfer, the transferring RS staff must document recent contact with the client/student, the client's/student's views on the transfer, the client's/student's intention to continue VR services and/or Pre-ETS, and the client's/student's new address, phone and contact information. The transferring counselor should also document counseling and guidance, required services provided to the client related to the possibility that not all current IPE services may be available in the new community and the Pre-ETS staff should document the required services provided to the student. If there are vacant caseloads in a region, the program administrators and managers will work together to get the cases transferred to other caseloads as soon as possible. The expectation is to have the cases transferred within 30 days from the vacant caseload to another caseload. Once all the cases are transferred off that caseload; the program administrator/manager will notify KMIS Helpdesk and ask them to end date that caseload number. Once a caseload has been end dated in KMIS, there will be no cases pulled for review from that caseload.

It is essential that RS staff keep the participant engaged to facilitate prompt transfer. It is best practice, if possible, for the current RS Staff to coordinate a conference call with the participant and new RS Staff to facilitate introductions, explain the case status and encourage ongoing involvement. A specific date and time should be coordinated for the participant and new RS Staff to meet.

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Use of Toll-free Numbers (in lieu of accepting collect calls)

With the availability of the Kansas Department for Children and Families (DCF) toll-free number, 1-888-369-4777 and the toll-free relay center number for persons with speech and hearing impairments, 1-800-766-3777, Rehabilitation Services (RS) will not accept collect calls from clients or applicants.

Effective Date: April 10, 2006

Acceptance of Verbal/Electronic Signatures

Given the transition to virtual services and to ensure timely provision of services, physical signatures may not always be readily obtainable from clients/students. Therefore, we accept verbal and email signatures.

Email and verbal signatures from clients/students need to have detailed case narratives accompany such signatures. When approval is given through an email statement, it must explicitly reference the document in question. Additionally, it is required that verification emails be included with the document. If the original request for approval is forwarded as part of the response, it is considered part of the record and does not need to be reiterated.

Signatures obtained via fax, photo, electronic keypad, etc., are regarded as physical signatures and are not subject to the same requirements as verbal or virtual/email signatures.

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PART Miscellaneous Data Validation

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Section 1 Administrative Issues

Part 14 Data Validation

General Policy Overview

The requirements in [34 CFR §361.47](#) and [34 CFR §361.56](#), taken together, require RS to maintain supporting documentation in an individual's case record, particularly regarding eligibility determinations, development of the IPE, services provided, and case closure. It is important to note that the use of an electronic case management system (i.e., KMIS) does not remove the requirement for RS to maintain either hard copies or scanned copies of required supporting documentation in the consumer's service record. An electronic case management system is merely a data-entry process that is susceptible to data-entry errors. Requiring staff to note the source of the employment data does not solely provide the documentation necessary to ensure data validity and reliability.

Following "Guidance for Validating Jointly Required Performance Data Submitted under WIOA" ([RSA-TAC-19-01](#)) and VR-specific guidance (e.g., RSA's Monitoring and Technical Assistance Guide, Audit Compliance Supplements), RS must develop data validation procedures to ensure the information collected and reported is valid and reliable.

Purpose of Data Validation

The purposes of data validation procedures, under [WIOA §116\(d\)\(5\)](#), for jointly required performance data are as follows:

- To verify that the performance data reported by RS are valid, accurate, reliable, and comparable across programs;
- To identify anomalies in the data and resolve issues that may cause inaccurate reporting;
- To outline source documentation required for common data elements; and
- To improve program performance accountability through the results of data validation efforts.

Data Validation Procedures

Data validation means ensuring the information reported in the case record, including KMIS and the hard file, and federal reporting, is true, accurate, and applicable, supported by source documentation. Data validation procedures are embedded throughout the policy and procedure manual, within fiscal and administrative implementation procedures, and are a critical component of RS's quality assurance activities and fiscal oversight.

Training of staff on data validation, including the importance of data accuracy and internal controls, occurs annually through formal staff trainings, as well as during any specific policy update or added process due to areas of risk or concern.

RS data validation administrative procedures include, but are not limited to, the following:

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- Annual and targeted case reviews
- KMIS caseload reports
- Analysis of quarterly RSA-911 error reports
- Ongoing staff training
- Data Analytics (i.e., RSA data dashboards)
- New Counselor oversight (e.g., training, observation, and oversight)
- Federal and State corrective action plan amendments and tracking
- Personnel action (e.g., training, professional development/evaluation)

Correction Procedures

RS staff will ensure that data submitted in KMIS is timely, accurate, and valid. Nonetheless, there are instances where corrections to data are necessary and justifiable. Most errors can be fixed directly in KMIS; however, there are specific errors requiring RS to coordinate directly with RSA following the Case Service Report (RSA-911) Correction Procedures. When errors occur or are found, RS Staff will promptly correct them. This may require assistance from KMISHELP Desk staff, depending on the data element/error.

When correcting errors in the case record RSA-911 data, such as an incorrect “reason for exit” or incorrect date of birth, the following information must be case-noted:

- The original data
- The corrected data
- The reason for the correction

When RS identifies reporting errors and anomalies in the RSA-911 data, they will reassess the effectiveness of its internal controls to inform whether they should be enhanced to strengthen data collection and reporting and, ultimately, avoid future errors in reporting.

RS evaluates the accuracy of data on a quarterly basis (errors and anomalies) which may need correction prior to report submission. Errors are data elements that are clearly incorrect, such as situations where multiple RSA IDs are assigned to the same individual, while anomalies are data elements that cannot automatically be identified as errors but fall outside a normal operational range.

Quarterly checks are conducted by Administration staff typically by the 5th day after the end of a quarter. Any cases flagged for errors or anomalies are submitted to the Region for distribution to field staff for correction. Regions are given a specific deadline to correct errors or verify anomalies. This deadline is prior to the end of the month after the reporting quarter ends and allows the administrative staff to verify that all fixed elements have been corrected successfully prior to submission of the RSA-911. If errors continue to exist, the administrative staff will notify the Region that errors still need to be corrected.

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WIOA Supporting Documentation

RS must validate common data elements required for data collection under [WIOA §116](#). Source documentation types include cross-matching through third-party sources, self-attestation by the participant, case notes by RS staff, and electronic records.

RS source documentation requirements can be found in Data Validation Supporting Documentation as well as the specific chapters in this policy manual.

VR Supporting Documentation

In addition to the data validation required for WIOA, RS must validate VR-specific data elements required by the Rehabilitation Act of 1973, as amended, and its implementing regulations, through source documentation. Source documentation includes case notes by RS staff, RS forms and letters, third-party documentation, and electronic records.

VR source documentation requirements can be found in Data Validation Supporting Documentation document, as well as the specific chapters in this policy manual.

Internal Controls

These data validation procedures are internal control processes for RS, to ensure validation and accuracy of data reported by RS. RS will implement a wide range of internal controls to ensure the integrity of fiscal, program, compliance, and service documentation requirements. Internal controls are designed to ensure quality, prevent deficiencies in these critical areas, promote accountability, improve operational efficiency, and implement corrective actions if necessary. Training of staff is an essential component of the RS internal control practices. RS will also consult with technical assistance centers and/or RSA to ensure that the agency implements best practices consistent with Rehabilitation Act requirements. Additionally, RS incorporates internal controls to ensure RS's compliance with this policy.

- RS administration case reviews and targeted reviews.
- Quality assurance policy outlining additional internal control measures, including audits of KMIS input validity, supporting documentation and adherence to policy.
- KMIS controls included in KMIS manual.
- Regular use of RSA-911 error checks (i.e., RSA MIS error checks), RSA dashboards, and KMIS reports.
- Training related to policy/regulatory (including updates and changes), best practices, and outcomes.
- Review of expenditures.
- Participation in the state's single audit process.
- Monitoring compliance with timeliness standards.
- Performance evaluation procedures.

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RS also complies with the accounting and purchasing requirements implemented by the Department for Children and Families (the DSA) and the Kansas Department of Administration. The DSA fiscal unit collaborates with RS to ensure the tracking of VR funds, including the Pre-ETS set-aside funds.

Internal control practices/findings are discussed and evaluated regularly at management team meetings.

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Part 15 Credential Attainment & Measurable Skill Gains

The Workforce Innovation and Opportunity Act (WIOA) Common Performance Measures, outlined in Section 116, for Credential Attainment (CA) and Measurable Skill Gains (MSG) rates are reported to the Rehabilitation Services Administration (RSA) quarterly, as they are achieved. VR Counselors will record CAs and MSGs that occur in conjunction with a training goal agreed to in the Individual Plan for Employment (IPE). Third party documentation of CA and MSGs must be included in the client record in conjunction with updating the appropriate documentation in KMIS.

DEFINITION:

1. **Participant:** In accordance with 34 C.F.R § 361.150(a)(1), a “Participant” is a reportable individual who has an approved and signed Individualized Plan for Employment (IPE) and has begun to receive services.
2. **Program Year:** The Program Year (PY) is the reporting period for WIOA performance. It begins on July 1 and ends on June 30. For example, PY 19 is July 1, 2019 to June 30, 2020.
3. **Measurable Skills Gains (MSG):** MSG are milestones that participants achieve on the path toward attainment of an educational credential or employment training goal as indicated in an Individualized Plan for Employment (IPE).
4. **MSG Rate:** The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized credential or employment and who are achieving documented academic, technical, occupational, or other forms of progress towards such a credential or employment.
5. **Credential Attainment (CA):** Credential Attainment is a WIOA Common Performance Measure (CPM) that documents the successful completion of an industry recognized diploma, degree, certificate, certification or licensure during participation in **or** within one year after exit from the program.
6. **CA Rate:** The percentage of those participants enrolled in an education or training program (excluding those in On-the-Job Training (OJT) and customized training) who attained a recognized post-secondary credential or a secondary school diploma, or its recognized equivalent, during participation in, or within one year after exit from, the program. *Note: OJT and customized training cannot be counted toward CA rate but can be an MSG.*
 - a. A participant who has attained a secondary school diploma or its recognized equivalent is included in the percentage of participants who have attained a secondary school diploma or its recognized equivalent only if the participant also is employed or is enrolled in an education or training program leading to a recognized postsecondary credential within one year after exit from the program.

REPORTING CA:

The Credential Attainment Rate measures attainment of two types of credentials: either a recognized **postsecondary credential**, or a **secondary school diploma or its recognized equivalent**. A credential should be recorded as soon as it is achieved, and the counselor has the documentation of the CA. Appropriate documentation should be inputted into KMIS and hard copy filed in case file.

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KRS accepts third party verification of Credential Attainment from entities including:

1. State Educational Agency, including Public Career and Technical Education Facilities
2. Higher Education Institutions and programs eligible to participate in the Federal student financial aid programs. This includes community colleges and universities both public and private and programs that are FAFSA eligible.
3. Higher education institutions that are formally sanctioned or chartered by the governing bodies of Native American Tribes.
4. A professional industry, employer organization or product manufacturer/developer using a valid reliable assessment of an individual's knowledge, skill and abilities. Examples include Microsoft It Professional (MCITP), National Institute for Metalworking Skill, Inc., Machining Level I credential.
5. The Office of Apprenticeship (State and Federal)
6. A public regulatory agency which awards a credential or license that is necessary to obtain employment in a particular profession or occupation. For example, licenses awarded by the Kansas State Board of Technical Professions (<https://www.ksbtp.ks.gov/>) or the Kansas State Board of Nursing (<https://ksbn.kansas.gov/>).
7. Programs approved by the Department of Veterans Affairs to offer education benefits
8. Job Corps, which issues certificates for completing career training programs that are based on industry skills standards and certification requirements

When documenting credentials:

- Credentials attained should correspond to the training goals identified on the IPE even if funded by a comparable benefit.
- Input Enrollment date.
- The date of Credential Attainment should correspond to the date the credential was awarded or the last date of attendance (if credential award date is not available).
- Record of Credential Attainment should be documented on the Tracking Education Completion Page in KMIS (Figure 1.1) as the credentials are achieved.
- Credentials can be attained during program participation or within one year following exit from the program. If a Counselor receives verification of a credential attained post-exit, notify KMIS Data through supervisory channels.
- Credential Attainment includes the following:

Types of Accepted Credentials	Example
Secondary School diploma or recognized equivalent	<ul style="list-style-type: none"> • High School Diploma • GED • High School Equivalency Test
Associate Degree	<ul style="list-style-type: none"> • AS in Marketing
Bachelor's Degree	<ul style="list-style-type: none"> • BS in Social Work
Graduate Degree	<ul style="list-style-type: none"> • MS Rehabilitation Counseling

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<p>Occupational Licensure</p> <p>License refers to a credential awarded by a licensing agency based on predetermined criteria. Occupational Licensure is awarded by a public regulatory agency that awards a credential or license necessary to obtain employment in a particular profession or occupation. The criteria for licensure may include some combination of degree attainment, certifications, certificates, assessment, apprenticeship programs, or work experience. Licenses are time-limited and must be renewed periodically.</p>	<ul style="list-style-type: none"> • Registered Nurse • Barbering License
<p>Occupational certificate, including Registered Apprenticeship and Career and Technical Education educational certificates</p> <p>Occupational certificates are awarded by an education institution based on completion of all requirements for a program of study, including coursework and test or other performance evaluations.</p>	<ul style="list-style-type: none"> • Welding Certificate • Plumbing Registered Apprenticeship
<p>Occupational certification</p> <p>Occupational certification is a credential awarded by a certification body based on an individual demonstrating through an examination process that he or she has acquired the designated knowledge, skill, and abilities to perform a specific job. The examination can be either written, oral, or performance based.</p>	<ul style="list-style-type: none"> • Automotive Service Excellence Certification • Job Corps – Career Technical Training Certification
<p>Other recognized certificates of industry/occupational skills completion sufficient to qualify for entry-level or advancement in employment</p>	<ul style="list-style-type: none"> • Other

WHO IS EXCLUDED FROM CA CALCULATIONS?

- Participants who exited a program and who were enrolled in the following are excluded from the credential attainment rate:
 - OJT
 - Customized training

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- Participant who is enrolled in a special education program, under an Individualized Education Program (IEP), leading toward a Certificate of Completion.
- Participants not enrolled in education or training leading to a recognized credential.

Examples that Do NOT Meet the WIOA Definition of Credential

Special Education Certificate of Completion

Work/Career Readiness Certifications (workforce development boards)

Completion of Orientation and Mobility Training

OSHA 10, CPR, First Aid – Other common job-related safety and health hazard training certifications

VRS sponsored On-the-Job Training (OJT) or Customized Training

Transportation skills attainment

Soft skills training

General computer and security certificates

Comprehensive transition programs (CTP) that may not lead to a recognized post-secondary credential

Note: Certificates awarded by workforce development boards (WDBs), and work readiness certificates are not included in this definition because neither type of certificate is recognized industry- wide nor documents the measurable technical or industry/occupational skills necessary to gain employment or advance within an occupation. Certificates must recognize technical or industry/occupational skills for the specific industry/occupation rather than general skills related to safety, hygiene, etc., even if such general skills certificates are broadly required to qualify for entry- level employment or advancement in employment.

REPORTING MSG:

Measurable Skill Gains (MSG) are interim progress participants achieve on the path toward attainment of an educational credential or employment training goal. An MSG should be recorded as soon as it is achieved, and counselor has documentation. Appropriate documentation should be inputted into KMIS and a hard copy filed in case file.

Documenting MSG:

- An MSG shall only be recorded if training, including OJT, is listed as a goal in the IPE even if comparable benefit.

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- Input enrollment date. The MSG Enrollment date entered should correspond to the actual enrollment date of the education or training program (or IPE date if already enrolled at time of initial IPE).
- MSG is not exit based.
- Once documented, the Tracking Education Completion Page in KMIS (Figure 1.1) should be updated and the MSG recorded as an Educational Goal Outcome or Skill Gain, as appropriate. The MSG Date entered (Figure 1.3) should correspond to the date the MSG was completed, and file in hard copy file.
- The MSG description should be recorded (Figure 1.3) as one of the five major categories, described below:

Five Types of Measurable Skill Gains

To receive a MSG, one of the following needs to occur:

1. Educational Functioning Level (EFL) Gain (refer to [Adult Basic Education](#) for assistance in this MSG) is the documented achievement of at least one educational functioning level of a participant who is receiving instruction below the postsecondary education level. An EFL can be documented in three ways:
 - a. Documenting an EFL gain through a pre and post-test showing the participants measured progress (such as an increased Reading Level measured through a TABE, ABLE, or BEST);
 - b. Documenting an EFL gain while enrolled in adult high school programs that lead to a secondary school diploma or its recognized equivalent may measure and report educational gain through the awarding of credits or Carnegie units; or
 - c. Documenting an EFL gain for participants who exit a program below the postsecondary level and enroll in postsecondary education or training during the program year. This applies to participants enrolled in a basic education program. *Note: Concurrent enrollment in post-secondary training and adult education does not meet the definition of increase in educational functioning level.*
2. Secondary High School Diploma or Recognized Equivalent:
 - a. Documented achievement of High School diplomas and General Education Diplomas (GED) awarded by secondary schools as well as Adult Education Programs. *Note: Special Education certificates are not considered a Credential, therefore MSG are not applicable and should not be recorded.*
3. Secondary and Postsecondary Transcript or Report Card
 - a. Secondary Education
 - i. Successful completion of a semester in a secondary school program: This includes only students who are seeking a high school diploma or General Education Diploma (GED). VRS should review the participant's transcript/report card to ensure that the student has successfully passed all courses. Passing refers to the minimum grade required to receive credit hours for completion of a course. The minimum grade required to pass a course with the Kansas Department of Education is a "D." If the report card indicates the participant dropped out of school, was removed from the institution, or any other conditions that indicate removal on academic or conduct grounds, then the individual does not receive an MSG.
 - b. Postsecondary Education
 - i. Full-time students must complete at least 12 hours/credits for one semester at a 2.0 GPA or higher.

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- ii. Part-time students must complete at least 12 hours/credits over the course of two completed semesters at a 2.0 GPA or higher. (i.e., 6 credits received during the Fall 2017 semester and 6 credits received during the Spring 2018 semester) For a part-time student, the achievement of an MSG occurs in the program year that the 12th credit hour is obtained.
 - iii. Other recognized education program in which the participant is enrolled including, but not limited to, semesters quarters, and clock hours for the calculation of credit hours when they achieve the equivalent of this MSG.
4. Employer based training milestone achieved by satisfactory performance:
- a. Examples include an apprenticeship program or OJT. Note: Pre-Employment Transition Services Work Based Learning Experiences are excluded from this measure.
 - b. Documentation includes progress reports by the employer/trainer validating the skills attained by the participant. Must use KRS forms where applicable.
 - i. Progress reports may include training reports on milestones completed as the individual masters the required job skills, or steps to complete an OJT or apprenticeship program. Increases in pay resulting from newly acquired skills or increased performance also can be used to document progress.
5. Skills Progression by completion of occupational exam or trade-related benchmarks:
- a. Documentation includes exam results indicating a passing score on a certification or licensure exam. Successful passage of an exam that is required for a particular occupation, or progress in attaining technical or occupational skills as demonstrated through a trade-related benchmark such as knowledge-based exams.

Types of Accepted MSG	Example
1. Educational Functioning Level (EFL)	<ul style="list-style-type: none"> • Increased Reading level from 8th grade to 9th grade documented by TABE Pre and Post Test
2. Secondary High School Diploma or its Recognized Equivalent;	<ul style="list-style-type: none"> • High School Diploma • High School Equivalency Test • GED
3. Secondary and Postsecondary Transcript or Report Card	<ul style="list-style-type: none"> • Secondary Report Card (passing semester) • Postsecondary Transcript (12 credits)
4. Training Milestone Achieved by Satisfactory Performance	<ul style="list-style-type: none"> • OJT Successful Completion • Registered Apprenticeship Progress Report
5. Skills Progression	<ul style="list-style-type: none"> • NCLEX Exam Results • HVAC Exam Results

WHO IS EXCLUDED FROM MSG CALCULATIONS?

- Participants not enrolled in education or training leading to a recognized credential or employment.
- Participant who is enrolled in a special education program, under an Individualized Education Program (IEP), leading toward a Certificate of Completion. Do not enroll them for either MSG or Credential Attainment.
- Potentially Eligible (PE): Students with disabilities receiving Pre-Employment Transition Services (Pre-ETS).

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Examples that Do NOT Meet the Definition of a WIOA MSG

Yearly progression in Special Education while working toward a Certificate of Completion

Transportation Skill Attainment (e.g., Mastering use of public transportation)

Mastery of Orientation and Mobility Skills

General skills gained as part of the Individualized Plan for Employment (IPE) for activities that do not relate to training and education

Vocational Evaluation Assessments and Aptitude Tests

Documentation of attainment of Microsoft Office skills in JAWS

Soft skills training

Vocational Rehabilitation Counselors are responsible for ensuring the following items are completed:

- Input all required information on tracking education completion page (Figure 1.1), education/training page and measurable skill gains page in KMIS (Figure 1.3)
- Document an educational or training goal in the IPE to list all necessary training and education services that leads to a recognized secondary or postsecondary credential or employment before inputting Credential Attainment and MSG data into KMIS (Figure 1.3).
- Education information is complete, accurate, and up to date in KMIS on Tracking Education Completion Page (Figure 1.1). Note: Highest educational accomplishment in the Tracking Education Completion page (Figure 1.2) at Plan must be entered prior to the first IPE to reflect the participant's highest level of education completed at the time of IPE.
- For a new Educational Goal, the "Begin Date" is the date that the participant enrolls in education or employment training after the IPE is created. *Note: If the individual was already enrolled in an education or training program leading toward a postsecondary credential or employment PRIOR to the development of the IPE, the "Begin Date" of that Educational Goal should be the same as the IPE date.*
- When an MSG is achieved, VRS shall:
 - Obtain the documentation to confirm successful completion.
 - Record in KMIS (Figure 1.3) and file in hard copy case file Note: Report MSG attainment date accurately by inputting the actual "Skill Gain Date" in the MSG record. Data should be entered as soon as an MSG is attained, and documentation has been received. Once documents are received, update the Measurable Skills Gain record in the applicable Educational Goal by entering the "Skill Gain Date". Note: MSG should be counted using the date on which they occur, not the date on which they are recorded, or documentation is received.
 - Document MSG in case notes to provide specific details about the participant progress and the reason for the update to the MSG.
 - Ensure Tracking Education Completion page (Figure 1.1) and MSG (Figure 1.3) are completed before providing support for the next service.

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IMPORTANT REMINDER: Although it is highly recommended that MSGs are recorded as soon as it is attained and documentation has been received or within 3 days, VRS staff should make it a common practice to ensure that, on a monthly basis, all MSGs are recorded.

Note: VRS shall be aware of the educational and training status of all participants at the time of initial enrollment, during participation and at closure.

- Credential Attainment:
 - When the participant enrolls in an education or training program that leads to a credential, document enrollment and in the IPE even if paid for by a comparable benefit;
 - When the participant achieves a credential, obtain supporting documentation
 - Complete all MSG information as stated above
 - Update the applicable Educational Goal with the “Actual End Date”, “Outcome”, “Degree/Certificate Earned”, and “Degree/Certificate Title”.
 - Documentation shall be recorded in KMIS and hard copy case file.
- Closure:
 - Complete the Forms Closure Checklist Part 41 to ensure all information is in KMIS and documentation in the case file prior to closing the case.
 - Tracking Education Completion page (Figure 1.1) information in KMIS is complete and accurate for each participant who is closed in competitive integrated employment or closed unsuccessfully.

Quality Assurance

- On a quarterly basis, monitor the number of data entries for CA and MSG into KMIS. This will be sent out to the regions for the statewide number of CA’s and MSG to provide a reminder to complete the data entries.
- Maintain an FAQ of questions, with answers, related to MSG and CA.
- Quality Assurance will be monitored through case reviews of random sample of pulled files to include questions to determine the data entry is correct for CA and MSG compliance. Review results will be documented in QA report and information provided to VRS, Rehabilitation Managers, and Program Administrators.

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Figure 1.1

EDUCATION COMPLETION DATES

```

*****
RSIPES05          KANSAS REHABILITATION SERVICES          RSIPEM10
USERID           INDIVIDUAL PLAN FOR EMPLOYMENT          October 21, 2024
058Z             TRACKING EDUCATION COMPLETION           00:00:01 AM

CLIENT: XXXXXXXXXX      XXXXXXXXXXXXXXXXXX          CSLD: xxxx SSN: xxx-xx-xxxx

LEVEL OF EDUCATION - ENTER DATES AS: MM/DD/YYYY
HIGH SCHOOL DIPLOMA:          DATE:  __ /  __ /  __
HIGH SCHOOL EQUIVALENCY (GED):  DATE:  __ /  __ /  __
SPECIAL ED CERTIFICATE OF COMPLETION:  DATE:  __ /  __ /  __
VOCATIONAL/TECHNICAL LICENSE (NON-DEGREE):  DATE:  __ /  __ /  __
VOCATIONAL/TECHNICAL CERTIFICATE (NON-DEGREE):  DATE:  __ /  __ /  __
ASSOCIATE'S DEGREE:          DATE:  __ /  __ /  __
BACHELOR'S DEGREE:          DATE:  __ /  __ /  __
MASTER'S DEGREE:           DATE:  __ /  __ /  __
GRADUATE (PH.D., ED.D., J.D., M.D. ETC):  DATE:  __ /  __ /  __
COMPLETED OR DISENROLLED FROM AN EDUCATION OR TRAINING PROGRAM
  LEADING TO RECOGNIZED CREDENTIAL OR EMPLOYMENT:  DATE:  __ /  __ /  __
OTHER RECOGNIZED CREDENTIAL:  DATE:  __ /  __ /  __

PRESS ENTER TO CONTINUE
F1 =          F2 = NEXT          F3 =          F4 =          F5 =
F6 =          F7 =          F8 =          F9 = SUB MENU  F10= MAIN MENU
*****
    
```

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Figure 1.2 EDUCATION

```

*****
RSIPES04          KANSAS REHABILITATION SERVICES          RSIPEM08
USERID           INDIVIDUAL PLAN FOR EMPLOYMENT          October 21, 2024
058Z            EDUCATION/TRAINING (SCREEN 1 OF 2)          00:00:01 AM

CLIENT: xxxxxxxxxxxx xxxxxxxxxxxx          AMEND: xx  CSLD: xxxx
DATE COMPLETED ON: xx/xx/xxxx  COMPLETED BY: xxxxxxxxxxxxxxxxxxxx
DATE ORIGINAL IPE COMPLETED: xx / xx / xxxx

* PLEASE NOTE:  EDUCATION DATES MUST BE ON OR AFTER THE DATE THE ORIGINAL
                 IPE WAS COMPLETED AND MUST BE A GOAL ON CLIENT IPE.
                 ENROLLED IN SECONDARY EDUCATION MUST BE AT OR ABOVE 9TH
                 GRADE LEVEL.

IS EDUCATION A GOAL ON THE IPE? (REQUIRED FOR ENROLLMENT DATES) (Y/N)  _

ENROLLED IN SECONDARY EDUCATION:
INDIVIDUAL IS ENROLLED IN SECONDARY EDUCATION?          (Y/N)  _
ENROLLMENT DATE: _____(MM/DD/YYYY)_____/___/___
INDIVIDUAL IS ENROLLED IN A RECOGNIZED SECONDARY EQUIVALENCY? (Y/N)  _
ENROLLMENT DATE: _____(MM/DD/YYYY)_____/___/___
                                     PRESS ENTER TO CONTINUE

F1 =          F2 = NEXT          F3 =          F4 =          F5 =
F6 =          F7 =          F8 =          F9 = SUB MENU  F10= MAIN MENU
*****
    
```

```

*****
RSIPES04          KANSAS REHABILITATION SERVICES          RSIPEM09
USERID           INDIVIDUAL PLAN FOR EMPLOYMENT          October 21, 2024
058Z            EDUCATION/TRAINING (SCREEN 2 OF 2)          00:00:01 AM

CLIENT: xxxxxxxxxxxx xxxxxxxxxxxx          AMEND: xx  CSLD: xxxx
DATE ORIGINAL IPE COMPLETED: xx / xx / xxxx

* PLEASE NOTE:  EDUCATION DATES MUST BE ON OR AFTER THE DATE THE ORIGINAL
                 IPE WAS COMPLETED AND MUST BE A GOAL ON CLIENT IPE.

ENROLLED IN A POSTSECONDARY EDUCATION PROGRAM THAT LEADS TO A
CREDENTIAL OR DEGREE FROM AN ACCREDITED INSTITUTION OR PROGRAM? (Y/N)  _
ENROLLMENT DATE: _____(MM/DD/YYYY)_____/___/___

ENROLLED IN A CAREER OR TECHNICAL TRAINING PROGRAM THAT LEADS TO A
RECOGNIZED POSTSECONDARY CREDENTIAL? (Y/N)  _
ENROLLMENT DATE: _____(MM/DD/YYYY)_____/___/___
                                     PRESS ENTER TO CONTINUE

F1 = PREV SCR  F2 = NEXT          F3 =          F4 =          F5 =
F6 =          F7 =          F8 =          F9 = SUB MENU  F10= MAIN MENU
*****
    
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Figure 1.3 MEASURABLE SKILL GAIN

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*****
RSIPES05          KANSAS REHABILITATION SERVICES          RSIPEM10
USERID           INDIVIDUAL PLAN FOR EMPLOYMENT          October 21, 2024
058Z             TRACKING EDUCATION COMPLETION           00:00:01 AM

CLIENT: XXXXXXXXXX      XXXXXXXXXXXXXX          CSLD: XXXX SSN: XXX-XX-XXXX

LEVEL OF EDUCATION - ENTER DATES AS: MM/DD/YYYY
HIGH SCHOOL DIPLOMA:          DATE:  _ /  _ /  _
HIGH SCHOOL EQUIVALENCY (GED):  DATE:  _ /  _ /  _
SPECIAL ED CERTIFICATE OF COMPLETION:  DATE:  _ /  _ /  _
VOCATIONAL/TECHNICAL LICENSE (NON-DEGREE):  DATE:  _ /  _ /  _
VOCATIONAL/TECHNICAL CERTIFICATE (NON-DEGREE):  DATE:  _ /  _ /  _
ASSOCIATE'S DEGREE:          DATE:  _ /  _ /  _
BACHELOR'S DEGREE:          DATE:  _ /  _ /  _
MASTER'S DEGREE:            DATE:  _ /  _ /  _
GRADUATE (PH.D., ED.D., J.D., M.D. ETC):  DATE:  _ /  _ /  _
COMPLETED OR DISENROLLED FROM AN EDUCATION OR TRAINING PROGRAM
LEADING TO RECOGNIZED CREDENTIAL OR EMPLOYMENT:  DATE:  _ /  _ /  _
OTHER RECOGNIZED CREDENTIAL:  DATE:  _ /  _ /  _

*****
F1 =          F2 = NEXT          F3 =          F4 =          F5 =
F6 =          F7 =          F8 =          F9 = SUB MENU          F10= MAIN MENU
*****
    
```

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Section 1 Administrative Issues

Part 16 WIOA Performance Accountability System (including Post-Exit Reporting)

General Policy Overview

Section 116 of WIOA (34 CFR 361 Subpart E) establishes performance accountability indicators and performance reporting requirements to assess the effectiveness of States and local areas in achieving positive outcomes for individuals served by the workforce development system's six core programs. These six core programs are the Adult, Dislocated Worker, and Youth programs, authorized under WIOA title I and administered by Department of Labor (DOL); the Adult Education and Family Literacy Act (AEFLA) program, authorized under WIOA title II and administered by Education Department (ED); the Employment Service program authorized under the Wagner-Peyser Act, as amended by WIOA title III and administered by DOL; and the Vocational Rehabilitation (VR) program authorized under title I of the Rehabilitation Act of 1973, as amended by WIOA title IV and administered by ED.

WIOA provides a historic opportunity to align performance-related definitions, streamline performance indicators, integrate reporting, and ensure comparable data collection and reporting across all six of these core programs, while also implementing program-specific requirements related to data collection and reporting. This policy follows the requirements of Section 116, (34 CFR 361 Subpart E) and sub-regulatory guidance in RSA TAC 17-01: Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III and Title IV Core Programs.

Additionally, RS will follow the supplement guidance in RSA TAC 20-02: Negotiations and Sanctions Guidance for the WIOA Core Programs, which describes the process for negotiated levels of performance and the two instances in which a state may be sanctioned: for performance failure or for failure to report.

Definitions

Reportable Individual (34 CFR §361.150(b))

- Individual has completed an application, or
- Requested services from the VR Program, or
- Is a potentially eligible student with a disability receiving pre-employment transition services prior to application for VR services.

Reportable individuals are not included in the calculation of performance; however, information is collected on these individuals in the case record (KMIS and hard file) and submitted in the RSA-911 quarterly report.

Participant (34 CFR §361.150(a)(1))

- Meets the definition of reportable individual, and
- Is determined eligible for vocational rehabilitation services, has an approved and signed IPE, and has begun receiving services under the IPE.

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Exit (34 CFR §361.150(c)(2))

- Has achieved a competitive integrated employment outcome and the case record is closed;
- Has not achieved an employment outcome; or
- Has been determined ineligible or no longer eligible after receiving services.

Exit date is based on the date the case record is closed. A participant will not be considered as meeting the definition of exit from the VR program if the participant's case record is closed because the participant has achieved a supported employment outcome in an integrated setting but not in competitive integrated employment.

Period of Participation

The period of time beginning when an individual becomes a participant and ending on the participant's date of exit from the program.

A new period of participation is counted each time a participant re-enters and exits the program, even if exits occur during the same program year.

Period of participations differ for the Measurable Skill Gains indicator as it is not exit-based. Therefore, the participant begins a new period of participation with each program year that they are enrolled in an education or training program that leads to a recognized postsecondary credential or employment.

Program Year (PY)

The program year is from July 1 through June 30 each year. All reporting requirements discussed in this section follow a PY.

Primary Indicators of Performance

Under section 116(b)(2)(A) of WIOA, there are six primary indicators of performance:

- 1. Employment Rate – 2nd Quarter After Exit:** The percentage of participants who are in unsubsidized employment during the second quarter after exit from the program.
- 2. Employment Rate – 4th Quarter After Exit:** The percentage of participants who are in unsubsidized employment during the fourth quarter after exit from the program.
- 3. Median Earnings – 2nd Quarter After Exit:** The median earnings of participants who are in unsubsidized employment during the second quarter after exit from the program.
- 4. Credential Attainment:** The percentage of those participants enrolled in an education or training program (excluding those in on-the-job training [OJT] and customized training) who attain a recognized postsecondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within one year after exit from the program.

A participant who has attained a secondary school diploma or its recognized equivalent is included in the percentage of participants who have attained a secondary school diploma or its recognized equivalent only if the participant also is employed or is enrolled in an education or training program leading to a recognized postsecondary credential within one year after exit from the program.

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- 5. Measurable Skill Gains:** The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains, defined as documented academic, technical, occupational, or other forms of progress, towards such a credential or employment.

Depending on the type of education or training program, documented progress is defined as one of the following:

- Documented achievement of at least one educational functioning level of a participant who is receiving instruction below the postsecondary education level;
- Documented attainment of a secondary school diploma or its recognized equivalent;
- Secondary or post-secondary transcript or report card for a sufficient number of credit hours that shows a participant is meeting the State unit's academic standards;
- Satisfactory or better progress report towards established milestones, such as completion of OJT or completion of one year of an apprenticeship program or similar milestones from an employer or training provider who is providing training; or
- Successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills as evidenced by trade-related benchmarks such as knowledge-based exams.

- 6. Effectiveness in Serving Employers:** WIOA sec. 116(b)(2)(A)(i)(VI) requires the Departments to establish a primary indicator of performance for effectiveness in serving employers.

The Credential Attainment (4) and Measurable Skill Gains (5) policy and procedures for RS are outlined in 1.15. The Employment Rate (1-3) and Effectiveness in Serving Employers (6) indicators policy and procedures are outlined in this section.

Exclusions from the Performance Calculations

A participant is excluded from the Performance Indicators for the following reasons:

- The participant exits the program because he or she has become incarcerated in a correctional institution or has become a resident of an institution or facility providing 24-hour support, such as a hospital or treatment center during the course of receiving services as a participant.
- The participant exits the program because of medical treatment, and that treatment is expected to last longer than 90 days and precludes entry into unsubsidized employment or continued participation in the program.
- The participant is deceased.
- The participant exits the program because the participant is a member of the National Guard or other reserve military unit of the armed forces and is called to active duty for at least 90 days.
- The participant, who was determined to be eligible for program services, is later determined not to have met the program's eligibility criteria. For example, an individual may be

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presumptively eligible in accordance with program regulations, and later, the individual is found to be too severely disabled to benefit from VR services. As another example, a participant may decide, after receiving some services under an IPE, to pursue sheltered employment in a noncompetitive or nonintegrated setting. Because an individual must pursue a competitive integrated employment outcome, and sheltered employment does not meet this definition, this individual would be determined to be no longer eligible for the VR Program.

Exclusion from the Performance Indicators means that RS is not responsible for the outcomes for participants who exit the program for these reasons. RS is not responsible for reporting post-exit data and they will not be included in the numerators or denominators related to the performance calculations.

Barriers to Employment

Participant characteristics, including barriers to employment, are included in the Statistical Adjustment Model (SAM) provided to the core programs (in accordance with §116(b)(3)(A)(v)(II) of WIOA). The results of the SAM are used during the negotiation process, including estimated level of performance and an adjusted level of performance.

As defined in WIOA Section 3(24), an “individual with a barrier to employment” means he or she is a member of one or more of the following populations:

- Displaced homemakers
- Low-income individuals
- Individuals with disabilities
- Older individuals
- Ex-Offenders
- Homeless individuals
- Foster care youth
- English language learner
- Individuals who are basic skills deficient
- Individuals facing cultural barriers
- Migrant and seasonal farmworker
- Will exhaust TANF within two years
- Single parent (including single pregnant women)
- Long-term unemployment

RS staff are expected to accurately document all of the barriers to employment a participant is experiencing at the time of the initial Individualized Plan for Employment (IPE) in KMIS.

Core Program – Co-enrollment

Co-enrollment refers to the number of participants who are co-enrolled in any of the programs in WIOA §116(b)(3)(A)(ii). These six core programs are the Adult, Dislocated Worker, and Youth

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programs, authorized under WIOA title I and administered by DOL; the Adult Education and Family Literacy Act (AEFLA) program, authorized under WIOA title II and administered by ED; the Employment Service program authorized under the Wagner-Peyser Act, as amended by WIOA title III and administered by DOL; and the Vocational Rehabilitation (VR) program authorized under title I of the Rehabilitation Act of 1973, as amended by WIOA title IV and administered by ED.

RS staff are expected to accurately document all of the core programs a VR participant is involved in at the time of IPE and during their period of participation.

RS Staff Responsibility

RS staff are responsible for ensuring the following items are completed:

- All consumers' contact information and preferred method for accessing print is complete, accurate, and current;
- Social security numbers are obtained whenever possible;
- IPEs include all credentials the individual requires to obtain their job goal, including a secondary school diploma;
- All MSG and Credentials Attained during program participation are complete, accurate, and current in KMIS for each individual enrolled in or who has completed a credential;
- Reason for exit is accurate for each individual; and
- Employment information in KMIS is complete and accurate for each individual who is closed in competitive integrated employment.

Unemployment Insurance (UI) Data Matching

Each quarter, the State of Kansas employers are required to report employment data for employees with a Social Security Number to the Kansas Unemployment Insurance Program. Verifying employment status and wages earned using UI wage records is the most efficient method but is not an option for all exited participants.

RS may not be able to match wage records for exited participants who meet the following criteria (non-exhaustive):

- No social security number
- Self-employed
- Federal and military employees
- Some agriculture workers
- Some religious organizations and non-profit employees

RS may be able to match wages for participants employed in other states using the State Wage Interchange System (SWIS), to validate employment of those who exit RS and are employed in another state.

For individuals listed above, where data matching through UI/SWIS is unavailable, RS will explore the use supplemental wage information. In accordance with [TAC-17-04](#).

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Negotiations and Sanctions

The US Departments of Labor and Education developed supplemental guidance outlining the process for negotiating levels of performance, as required by WIOA §116(b)(3)(A)(iv) and the two instances in which a state may be sanctioned in RSA TAC 20-02: Negotiations and Sanctions Guidance for the WIOA Core Programs.

- RS must include expected levels of performance for each performance indicator in the initial submission of the Combined State Plan and in the required two-year modification. Expected levels of performance are the levels of performance proposed by the State and must be available for public comment.
- Negotiated levels of performance are the levels of performance mutually agreed to by RS and the Rehabilitation Services Administration (RSA) under the U.S. Department of Education. The approved State Plan and the required two-year modification must reflect two years of negotiated levels of performance.
- The Statistical Adjustment Model (SAM) will provide the following two major functions in performance negotiations and assessment of State performance:
 - It is one of the factors used when coming to agreement on the negotiated levels of performance. It is used to account for the economic conditions and the characteristics of participants to be served by RS (estimated levels of performance).
 - It will be used at the close of a program year to adjust the negotiated levels of performance for the actual economic conditions experienced and actual characteristics of participants served (i.e., adjustment factor); these are the adjusted levels of performance.
- The term sanctions refer to the reduction of the Governor's discretionary funds by five percent of the maximum allotted amount in the program year. If there is a consecutive performance failure and a failure to report for the same program year states can be sanctioned up to 10 percent of the Governor's Reserve Allotment. The Governor's reserve funds are awarded under WIOA title I; however, the reduction of these funds can be due to the failure of any of the six core programs. The following two types of failure can lead to sanctions:
 - Failure to report; and
 - Failure to meet adjusted levels of performance.

Annual Performance Report

The Annual Performance Report (ETA-9169), required by WIOA §116(d)(2) and §361.160, is due by October 1 of each program year. The Annual Report includes participant information for RS participants for the respective PY using the four quarters of RSA-911 reports.

The Annual Report includes the following:

- Total number of participants served;
- Total number of participants who exited;
- Individuals with barriers to employment;
- Co-enrollment in one or more of the WIOA core programs;

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- Participant characteristics (including age, sex, race, and ethnicity);
- Total number of participants who received career services;
- Total number of participants who received training services;
- Amount of funds spent on career services;
- Amount of funds spent on training services;
- Average cost per participant for those participants who received career services and training service; and
- Information on the performance levels achieved for the primary indicators of performance.

Internal Controls

These data validation (1.14) procedures are internal control processes for RS, to ensure validation and accuracy of data reported by RS. RS will implement a wide range of internal controls to ensure the integrity of fiscal, program, compliance, and service documentation requirements. Internal controls are designed to ensure quality, prevent deficiencies in these critical areas, promote accountability, improve operational efficiency, and implement corrective actions if necessary.

Training of staff is an essential component of the RS internal control practices. RS will also consult with technical assistance centers and/or RSA to ensure that the agency implements best practices consistent with Rehabilitation Act requirements. Additionally, RS incorporates internal controls to ensure RS's compliance with this policy.

- RS administration case review and targeted reviews.
- Quality assurance policy outlining additional internal control measures, including audits of KMIS input validity, supporting documentation and adherence to policy.
- KMIS controls included in KMIS manual.
- Regular use of RSA-911 error checks (i.e., RSA MIS error checks), RSA dashboards, and KMIS reports.
- Training related to policy/regulatory (including updates and changes), best practices, and outcomes.
- Review of expenditures
- Participation in the state's single audit process.
- Monitoring compliance with timeliness standards.
- Performance evaluation procedures.

RS also complies with the accounting and purchasing requirements implemented by the Department for Children and Families (the DSA) and the Kansas Department of Administration. The DSA fiscal unit collaborates with RS to ensure the tracking of VR funds, including the Pre-ETS set-aside funds.

Internal control practices/findings are discussed and evaluated regularly at management team meetings.

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SECTION Administrative Issues
PART Section 511: CCIR- Career Counseling and Information &

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Section 1 Administrative Issues

Part 17 Section 511: CCIR- Career Counseling and Information & Referral

Kansas Rehabilitation Services must provide career counseling and information and referral services, as described in §397.40, to individuals with disabilities, regardless of age, or the individual's representative as appropriate, who are known to be employed by an entity at a subminimum wage level.

Process

Section 511 procedures for persons age 24 or younger seeking subminimum wage employment

1. Counselor meets with applicant and guardians/parents if appropriate. Counselor provides information about VR, including supported employment and services to help the individual achieve competitive integrated employment.
2. If the applicant or guardian still expresses a preference for sheltered employment at subminimum wage, the counselor documents this informed choice in the narrative. Inform the applicant and guardian that their request for a waiver of participating in VR as a precondition for subminimum wage will be referred to the KRS administration office.
3. Send the following information to dcf.section511@ks.gov
 - a. Applicant's name, address, phone number.
 - b. Guardian's name, address, phone number. Include a copy of the guardianship papers.
 - c. Copy of the narrative documenting informed choice/preference for subminimum wage.
 - d. The most recent IEP from school.
 - e. Notation of whether the individual received Pre-ETS.
 - f. Release of information signed by applicant and guardian if appropriate for coordination of services.
 - g. If the applicant or guardian have indicated a chosen sheltered workshop, include the name and address of specified workshop.
4. KRS Admin will contact the applicant and guardian and conduct the CCIR session within 30 days of referral or from date youth was found ineligible or closed from a plan if youth is known to be seeking subminimum wage employment.
5. KRS Admin will issue a cover sheet and packet with required documentation for participation in subminimum wage employment to the applicant and guardian, within 45 days of completion or 90 days if additional time is necessary due to extenuating circumstance, including:
 - a. Verification of participation in IDEA Transition services or Pre-ETS
 - b. A letter indicating that the individual is not eligible for VR services because they made an informed decision not to pursue competitive integrated employment.
 - c. CCIR completion certificate
 - d. Resource page
6. KRS Admin will email a copy of the packet to the counselor for the service record. Counselor will close the case on KMIS. The closure reason would be ineligible: The individual applied for VR services pursuant to section 511 of the Rehabilitation Act and was determined ineligible because he or she did not wish to pursue competitive integrated employment.
7. Refusal to pursue competitive integrated employment after an IPE.

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SECTION	Administrative Issues	SECTION NO.	1-17
PART	Section 511: CCIR- Career Counseling and Information &	PUBLISHED	11/24

- a. If a youth with a disability refuse to pursue competitive integrated employment, the youth can be determined ineligible for VR services any time after application, the case can be closed, and the youth can enter subminimum wage employment after completing the other requirements.
8. Refusal to participate in required activities for Subminimum wage employment
 - a. If a youth with a disability refuse to participate in any of the activities required for Subminimum wage employment KRS Admin will provide documentation within 10 days of refusal.
9. Case closure on KMIS
 - a. Example 1: A youth with a disability applies for VR services, but before they are determined eligible, they decide they do not want to pursue competitive integrated employment and instead wants to pursue subminimum wage employment. The counselor finds the person ineligible and closes them under status 08 with the reason for exit being that the individual applied for VR services pursuant to section 511 of the Rehabilitation Act and was determined ineligible because they do not wish to pursue competitive integrated employment.
 - b. Example 2: A youth with a disability applies for VR services and is found eligible. They develop an IPE with their VR counselor, and VR provides services. However, the individual later makes the informed choice to no longer pursue competitive integrated employment, as a result, the VR counselor determines them ineligible and closes the case under status 28 with the reason for exit being that the individual was determined eligible for VR program; however, the individual was no longer eligible because they no longer wished to seek competitive integrated employment or the individual's disability prevented the individual's ability to seek competitive integrated employment.
 - c. Example 3: A youth with a disability applies for VR services and is found eligible. They develop an IPE with their VR counselor but before services are provided the individual decides to no longer pursue competitive integrated employment, as a result, the VR counselor determines them ineligible and closes the case under status 30 with the reason for exit being that the individual was determined eligible for VR program; however, the individual was no longer eligible because they no longer wished to seek competitive integrated employment or the individual's disability prevented the individual's ability to seek competitive integrated employment.

Requirements for State or Local Educational Agencies:

For individuals with disabilities age 24 or younger:

- Consult with the KRS to develop a new process or utilize an existing process to document the receipt of transition services under IDEA as applicable.
- Transmit documentation that the individual received transition services as soon as possible upon the completion of the required activity or service, but no later than 30 days after the completion of the required activity or services, or 60 calendar days if additional time is needed due to extenuating circumstances.
- Provide documentation of an individual's refusal to participate in transition services to the KRS within five calendar days of the refusal.
- Retain a copy of all documentation provided to the KRS.

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PART	Section 511: CCIR- Career Counseling and Information &	PUBLISHED	11/24

- The agency may not enter into a contract or other arrangement with an entity for the purpose of operating a program for an individual age 24 or younger under which work is compensated at less than the minimum wage.

Section 511 procedures for persons age 25 or older seeking subminimum wage employment

1. All employees with disabilities working at subminimal wage must be provided with career counseling by KRS and with information about training opportunities by the employer, every six months for the first year of employment and annually thereafter, in order to continue to be paid a subminimum wage.
2. KRS will notify the employer each year to set up a time for their employees to participate in a CCIR training session.
3. After the session is completed, all participants will receive a certificate of completion along with information as to resources available to them if they would decide to pursue other employment. Employers are responsible for keeping a copy of their employees' certificate along with providing the certificate to each participant.

Background & Training Information

Section 511 prohibits employers from continuing to pay Subminimal Wage (SMW) to an employee who was employed at SMW prior to July 22, 2016, unless the employee receives CCIR services annually for the duration of SMW employment. See 29 U.S.C. 794g(c)(2). The annual period for these employees will always begin on July 22 of each year. The services can be received at any time during the one-year period (i.e., July 22 of the first year through July 21 of the following year) and do not have to occur at the same time from year to year. The deadline for services does not change based on the actual date the CCIR services are provided. "New hire" employees: An employee being paid SMWs who was hired on or after July 22, 2016, must receive CCIR services once every six months for the first year of SMW employment, and annually thereafter. KRS and the employer may work together to make sure the requirements of section 511 are met. For enforcement purposes, Wage and Hour Division will consider the "first year of SMW employment" per employee to be the 12 months (365 days) after the date SMW work begins as long as the employee remains employed with their employer for the full year. The deadline for an employee to receive services is based on the anniversary of the date of their employment at SMWs with the employer. As with a grandfathered employee, the services can be received at any time during the six-month or one-year period and do not have to be provided at the same time from year to year. The actual date the CCIR services are provided in a given year does not change the deadline by which the employee must receive the services.

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PART Time Allocation Policy

SECTION NO. 1-18
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Section 1 Administrative Issues

Part 18 Time Allocation Policy

Rehabilitation Services manage multiple funding sources, time allocation is a critical practice to ensure financial accountability, compliance, and efficient resource utilization. It helps align staff activities with funding requirements and facilitates effective financial management.

Compliance with Funding Sources: Different funding sources often come with specific guidelines and regulations regarding how the funds can be used. Time allocation helps ensure that the organization complies with these requirements by tracking and documenting the activities associated with each funding stream.

Resource Optimization: By allocating staff time to specific tasks related to different funding sources, organizations can optimize the use of available resources. This helps prevent funds from being inadvertently misallocated and allows for better resource planning.

Budgeting Accuracy: Accurate time allocation data enables organizations to create more precise budgets. It helps in forecasting expenses related to each funding source, making it easier to allocate funds accordingly and avoid budget shortfalls or overages.

Reporting and Accountability: Many funding sources require regular reporting on how funds are used. Time allocation provides the necessary documentation to demonstrate that funds are used for their intended purposes, promoting transparency and accountability.

Avoiding Cost Overruns: Some funding sources may have caps or limits on certain types of expenses. Accurate time allocation helps organizations stay within these limits and avoid unexpected cost overruns.

Audit Preparedness: In the event of an audit or review by funding agencies, having detailed time allocation records can provide evidence of compliance with funding requirements, reducing the risk of penalties or funding claw backs.

Resource Reallocation: Time allocation data can inform decisions about resource reallocation. If one funding stream requires more staff time due to increased demand or complexity, the organization can adjust staffing or resource allocation accordingly.

Strategic Planning: **Time allocation data can inform long-term strategic planning. By understanding how** staff time is distributed across various activities and funding streams, organizations can make informed decisions about their priorities and future directions.

Definitions

The naming convention for most VR Time and Labor Task Groups is to begin with 629V, which is the agency number followed by V, for Vocational Rehabilitation. Following this naming convention will group these TGs together on the timesheet screen in Employee Self-Serve. The Pre-ETS related task groups begin with 629VPE, Blind Services begin with 629VB, Supported Employment begin with 629VSE, and Independent Living begin with 629VIL. The TGs that don't follow the 629V naming convention are identified below.

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VR specific task groups that begin with 629V:

Task Group	30 Character Description	Short Description	Alloc Base
629VBasic	VR Basic Support Grant	VRBasic	Direct to T1 Voc Rehab 841260450.01
629VADMIN	VR Administration	VRAdmin	Direct to T1 Voc Rehab 841260450.01
629VPEREQ	VR Pre-ETS Required Activities	VRPEReq	Direct to T1 Voc Rehab Pre-ETS 841260450.0x
629VPECOOR	VR Pre-ETS Coordination Activ	VRPECoord	Direct to T1 Voc Rehab Pre-ETS 841260450.0x
629VPEAUTH	VR Pre-ETS Authorized Activ	VRPEAuth	Direct to T1 Voc Rehab Pre-ETS 841260450.0x
629VBlind	VR Blind Services Admin	VRBlind	Direct to T1 Voc Rehab 841260450.01
629VBVend	VR Blind Vending Stands Admin	VRBVend	Direct to T1 Voc Rehab 841260450.01
629VSE	VR Supported Employment	VRSpEmp	Direct to T1 Voc Rehab 841260450.01
629VSEYTH	VR Supported Employment Youth	VRSEYouth	Direct to T1 Voc Rehab 841260450.01
629VILOIB	VR OIB IL VII Chapter 2	VROIB7-2	Direct to T1 Voc Rehab 841260450.01
629VIL7B	VR IL VII-B	VRIL-7B	Direct to IL VII-B 933695311.01
629VPHWF	VR Public Health Workforce	VRPHWF	Direct to T1 Voc Rehab 841260450.01
629VKCDHH	VR KS Comm Deaf & Hard Hear	VRKCDHH	Direct to State
629VYEA	VR Youth Empowerment Academy	VRYouthAca	Direct to State
629VSTATE	VR State Only	VRState	Direct to State

629VBasic VR Basic Support Grant

For all VR Basic Support Grant activities unless there is a more specific code. The primary activities to be recorded under this task group are case management and related travel for non-Pre-ETS cases.

629VADMIN VR Administration

All VR Basic Grant administration activities are to be coded here, including Pre-ETS related administration activities. VR administration is defined at 34 CFR 361.5(2) as expenditures incurred in the performance of administrative functions under the vocational rehabilitation program carried out under this part, including expenses related to program planning, development, monitoring, and evaluation, including, but not limited to, expenses for -

- (i) Quality assurance;
- (ii) Budgeting, accounting, financial management, information systems, and related data processing;
- (iii) Providing information about the program to the public;
- (iv) Technical assistance and support services to other State agencies, private nonprofit organizations, and businesses and industries, except for technical assistance and support services described in [§ 361.49\(a\)\(4\)](#);
- (v) The State Rehabilitation Council and other advisory committees;
- (vi) Professional organization membership dues for designated State unit employees;
- (vii) The removal of architectural barriers in State vocational rehabilitation agency offices and State-operated rehabilitation facilities;
- (viii) Operating and maintaining designated State unit facilities, equipment, and grounds, as well as the infrastructure of the one-stop system;
- (ix) Supplies;
- (x) Administration of the comprehensive system of personnel development described in [§ 361.18](#), including personnel administration, administration of affirmative action plans, and training and staff development;
- (xi) Administrative salaries, including clerical and other support staff salaries, in support of these administrative functions;

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- (xii) Travel costs related to carrying out the program, other than travel costs related to the provision of services;
- (xiii) Costs incurred in conducting reviews of determinations made by personnel of the designated State unit, including costs associated with mediation and impartial due process hearings under [§ 361.57](#); and
- (xiv) Legal expenses required in the administration of the program.

629VPEREQ VR Pre-ETS Required Activities

Pre-ETS required pre-employment transition services are defined at 34 CFR 361.48(a)(2) as:

- (i) Job exploration counseling;
- (ii) Work-based learning experiences, which may include in-school or after school opportunities, or experience outside the traditional school setting (including internships), that is provided in an integrated environment in the community to the maximum extent possible;
- (iii) Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education;
- (iv) Workplace readiness training to develop social skills and independent living; and
- (v) Instruction in self-advocacy (including instruction in person-centered planning), which may include peer mentoring (including peer mentoring from individuals with disabilities working in competitive integrated employment).

629VPECOORVR Pre-ETS Coordination Activities

Pre-employment transition coordination activities are defined at 34 CFR 361.48(a)(4):

- (i) Attending individualized education program meetings for students with disabilities, when invited;
- (ii) Working with the local workforce development boards, one-stop centers, and employers to develop work opportunities for students with disabilities, including internships, summer employment and other employment opportunities available throughout the school year, and apprenticeships;
- (iii) Working with schools, including those carrying out activities under section 614(d) of the IDEA, to coordinate and ensure the provision of pre-employment transition services under this section;
- (iv) When invited, attending person-centered planning meetings for individuals receiving services under title XIX of the Social Security Act ([42 U.S.C. 1396 et seq.](#));

629VPEAuth VR Pre-ETS Authorized Activities

Pre-employment transition activities defined at 34 CFR 361.48(a)(3) to improve the transition of students with disabilities from school to postsecondary education or an employment outcome by—

- (i) Implementing effective strategies to increase the likelihood of independent living and inclusion in communities and competitive integrated workplaces;
- (ii) Developing and improving strategies for individuals with intellectual disabilities and individuals with significant disabilities to live independently; participate in postsecondary education experiences; and obtain, advance in, and retain competitive integrated employment;
- (iii) Providing instruction to vocational rehabilitation counselors, school transition personnel, and other persons supporting students with disabilities;
- (iv) Disseminating information about innovative, effective, and efficient approaches to achieve the goals of this section;

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- (v) Coordinating activities with transition services provided by local educational agencies under the Individuals with Disabilities Education Act ([20 U.S.C. 1400 et seq.](#));
- (vi) Applying evidence-based findings to improve policy, procedure, practice, and the preparation of personnel, in order to better achieve the goals of this section;
- (vii) Developing model transition demonstration projects;
- (viii) Establishing or supporting multistate or regional partnerships involving States, local educational agencies, designated State units, developmental disability agencies, private businesses, or other participants to achieve the goals of this section; and
- (ix) Disseminating information and strategies to improve the transition to postsecondary activities of individuals who are members of traditionally unserved and underserved populations.

629VBLIND VR Blind Services Administration

All Blind Services activities except Blind Vending Stands.

629VBVEND VR Blind Vending Stands Administration

All Blind Vending Stands activities

629VSE VR Supported Employment

All Supported Employment activities except Supported Employment – Youth

629VSEYTH VR Supported Employment Youth

All Supported Employment Youth activities

629VILOIB VR OIB IL VII Chapter 2

All activities related to the separate Older Individuals Who are Blind Independent Living grant

629VIL7B VR IL VII-B

All activities related to the separate VR IL VII-B grant

629VPHWF VR Public Health Workforce

All activities related to the separate VR Public Health Workforce grant

629VKCDHH VR Kansas Commission for the Deaf and Hard of Hearing

All activities related to KCDHH

629VYEA VR Youth Empowerment Academy

All activities related to Youth Empowerment Academy

629VState VR State Only

Activities not allowed under any VR grant and for which there is not a separate task group.

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VR specific task groups that do not follow the 629V naming convention:

MIS System Operations and Maintenance. This is the same task group used by DCF IT staff.

6299KMIS	KS Mgt Info Sys (KMIS - VR)	KS Mgt Inf	Direct to T1 Voc Rehab 841260450.01
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KMIS Modernization Project. This is the same task group used by DCF IT staff.

629PKMISMO	KMIS Modernization Project	KMISModern	Direct to T1 Voc Rehab 841260450.01
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Non-VR specific task groups – these are used by all DCF T&L staff:

629ZCHARIT	Charities	Charities	Direct to State
629LEAVE	Paid Leave	LEAVE	Redistributed

629ZCHARIT Charities

The Charities TG is for charitable activities such as Project Topeka, Christmas family, United Way, etc.

629LEAVE LEAVE

This task group is to be used for all forms of paid LEAVE, including vacation, sick, funeral, jury, military leave, admin leave, holiday, inclement weather, etc.

Pre-Employment Transition Services

The federal regulations require all staff time spent in the delivery and coordination of pre-employment transition services for students with disabilities (SWD) as well as time spent on authorized activities to be reported. The following information is provided for the purpose of guiding staff in recording and reporting time spent in relation to pre-employment transition services.

Pre-employment transition services fall into three categories: required, coordination, and authorized. Time spent coordinating and providing required, coordination services, and authorized activities for SWD, aged 14-21, are allowable pre-employment transition services costs and are charged to the 15% budget reserve for pre-employment transition services. Time is reported as 1) required, 2) coordination, or 3) authorized.

Time spent arranging for and providing required and coordination activities are combined for the purpose of reporting to RSA. Time spent arranging for and providing authorized activities are reported separately from required and coordination activities.

When a student who is eligible for pre-employment transition services is also engaged in VR Services, staff must track time engaged in the delivery and coordination of pre-employment transition services separately from the delivery of VR Services (e.g., determining eligibility for VR services is not a pre-employment transition service).

Specific activities related to each of the required, coordination, and authorized categories are listed below. These lists are not exhaustive; contact a Program Administrator of Pre-Employment Transition Services if you need assistance classifying a service/activity.

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Required Activities

Direct provision of required services to a student in a group or on an individual basis:

- Job exploration counseling
- Instruction in self-advocacy
- Counseling on post-secondary training options
- Workplace readiness
- Work-based learning
- Time spent arranging for required service delivery individually or as part of a team
- Traveling in relation to the provision of required services
- Documentation/task notes of service delivery for one or more of the five required Pre-ETS
- Time spent arranging for the provision of one or more of the five required Pre-ETS with vendors/CRPs
- Time spent planning or arranging for the direct provision of one or more of the five required Pre-ETS with students with disabilities and their parents/families and/or school personnel as applicable

Coordination Activities

Coordination activities as defined by federal regulations (34 CFR 361.48(a)(4)):

- Attending individualized education program (IEP) meetings for students with disabilities, when invited
- Working with local workforce development boards, one-stop centers, and employers to develop work opportunities for SWD, including internships, summer employment, other employment opportunities throughout the school year, and apprenticeships
- Working with schools, including those carrying out activities under section 614(d) of the IDEA, to coordinate and ensure the provision of pre-employment transition services
- Attending person-centered planning meetings for individuals receiving services under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), when invited

Authorized Activities

Authorized activities are provided only after a state has determined that funds remain after the provision of required and coordination activities. Kansas VR is currently forecasting to move towards using authorized activities. Authorized activities include:

- Implementing effective strategies to increase the likelihood of independent living and inclusion in communities and competitive integrated workplaces
- Developing and improving strategies for individuals with intellectual disabilities and significant disabilities to live independently, participate in postsecondary education experiences, and obtain, advance in, and retain competitive integrated employment
- Providing instruction to vocational rehabilitation counselors, school transition personnel, and other persons supporting students with disabilities
- Disseminating information about innovative, effective, and efficient approaches to achieve the goals of this section
- Coordinating activities with transition services provided by local educational agencies under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.)