**CHAPTER 1. ADMINISTRATIVE OPERATIONS**

**SUBCHAPTER 3. ADMINISTRATIVE COMPONENTS OF THE DEPARTMENT**

**612:1-3-10. Final signature authority [AMENDED]**

The Department of Rehabilitation Services recognizes the importance of efficient processing of resource and operations approval requests. At the same time, the Department must assure sufficient oversight of resource allocation in order to fulfill its obligations as a steward of public funds. The Department has therefore established a signature authority listing to delineate final approval levels for resource and operations approval requests. With regard to signature authority on contracts, all expenditures must be consistent with DRS's budget categories as approved by the Commission. Delegation of final signature authority is limited to the next lower administrative level unless approved in writing by the Director. The administrator is to notify the appropriate administrative programs of delegations. Administrators have authority to approve actions within their areas of responsibility at all administrative levels below their own. The requests listed in (1) through (~~8~~ 9) of this Subsection must continue to be reviewed and approved by the appropriate staff before presentation to the individual with final signature authority. There are additional resource and operations approvals unique to each administrative area that are stated in the policies established for that administrative area.

(1) **Director's signature.** The Director has final signature authority for items listed in (A) through (E) of this Paragraph.

(A) Sole source contracts. (approvals may be delegated to the COS, COO or CFO)

(B) Initial contracts for $250,000 or more.

(C) Notices of personnel action (may be delegated).

(D) Leave without pay requests for 90 days or more.

(E) Other actions as required by executive order, statute, etc.

(2) **Chief of Staff, Chief Operations Officer, and Chief Fiscal Officer.** The Chief of Staff, Chief Operations Officer and Chief Fiscal Officer have ~~has~~ final signature authority for items listed in (A) through (~~D~~F) of this Paragraph.

(A) Initial contracts ~~between $100,000 and~~ up to $250,000 ~~on a case by case basis and upon written authority of the Director~~.

(B) Initial contracts or interagency agreements which obligate the entire Department or more than one division.

(C) New brochures, forms, publications (electronic or printed), and videos produced for more than one division.

(D) ~~Policy Transmittals by the Administrator for Process Improvement~~ Office supply orders.

(E) Administrative memos.

(F) Requests for in-state travel.

(3) **Division Administrator.** Division Administrators have final signature authority for items listed in (A) through (K) of this Paragraph.

(A) Initial contracts ~~for less than $100,000~~ up to $200,000.

(B) New or revised interagency agreements involving the division.

(C) ~~Administrative~~ Computer purchases ~~costing $10,000 or more (may be delegated). Computer purchases~~ must be co-signed by the CDS Administrator ~~for Information Services~~ acting in the IT capacity.

(D) Requests for employee in-state travel (may be delegated).

(E) Requests for out-of-state employee travel.

(F) Final decisions for employee grievance resolution, other than discrimination complaints, and for adverse action after review by Human Resources.

(G) Leave without pay requests for less than 90 days.

(H) Brochures, forms, publications (electronic or printed), and videos produced for the division.

(I) Requests for internships or practicums for respective division.

(J) Memos for general distribution to the division.

(K) Grant proposals.

(4) **~~Chief Operations Officer~~ Central Departmental Services Administrator**. ~~Chief Operations Officer~~ CDS Administrator has final signature authority for items listed in (A) through (~~E~~C) ~~of~~ in this Paragraph.

(A) ~~Office supply orders~~ Administrative purchase requisitions under area of responsibility up to $50,000.

(B) ~~Reorder of existing printed materials~~ All Lease agreements.

(C) ~~Administrative purchase requisitions under area of responsibility up to $100,000. Computer purchases must be co-signed by the Administrator for Information Services~~ All IT contracts and agreements up to $200,000.

~~(D) Administrative memos under area of responsibility.~~

~~(E) Requests for employee in-state travel.~~

(5) **Field Coordinators ~~and Program Managers~~ in DVR and DSBVI.** The Field Coordinators ~~or Program Managers~~ in Vocational Rehabilitation Services and Services for the Blind and Visually Impaired have final signature authority for ~~administrative purchases up to $10,000. Computer purchases must be co-signed by the Administrator for Information Services. Program Managers have final signature authority for~~ items listed in (A) through (~~B~~C) of this ~~Paragraph~~ paragraph.

(A) ~~Office supply requisitions other than those available on the electronic ordering system~~ Administrative purchases up to $50,000. Computer purchases must be co-signed by the CDS Administrator acting in an IT capacity.

(B) ~~Reorder of existing printed materials Program Managers have final signature authority for items listed in (A) through (B) of this Paragraph~~ Office supply requisitions and orders.

(C) Reorder of existing printed materials.

(6) **Program Managers in DVR and SBVI**. Program Managers in Vocational Rehabilitation Services and Services for the Blind and Visually Impaired have final signature authority for items (A) through (C) in this paragraph.

(A) Administrative purchases up to $25,000 for Program Managers. Computer purchases must be co-signed by the CDS Administrator acting in an IT capacity.

(B) Office supply requisitions and orders.

(C) Reorder of existing printed materials.

(~~6~~7) **Superintendents at OSB and OSD.** Superintendents have final signature authority for items listed in (A) through (J) of this Paragraph for the respective school.

(A) Initial contracts ~~for less than $100,000~~ up to $200,000.

(B) Interagency agreements involving only the school.

(C) All administrative and educational purchases. Computer purchases must be co-signed by the CDS Administrator ~~for Information Services~~ acting in an IT capacity.

(D) Requests for all school employee travel.

(E) Final decisions for adverse action after review by Human Resources.

(F) Final decisions for grievance resolutions, other than discrimination complaints.

(G) Leave without pay requests for less than 90 days.

(H) Requests for internships or practicums.

(I) Brochures, forms, publications (electronic or printed), and videos produced for the school.

(J) Grant proposals.

(~~7~~ 8) **Supervisors at OSB and OSD.** Supervisors at OSB and OSD have final signature authority for items in (A) through (B) of this Paragraph for the respective school.

(A) Office supply orders.

(B) Reorder of existing printed materials.

(~~8~~ 9) **~~Program Managers~~ Deputy Administrators, Disability Determination Services.** ~~Program Managers~~ Deputy Administrators at the Disability Determination Services have final signature authority for the following items in (A) through (B) of this Paragraph.

(A) The ~~Program Manager~~ Deputy Administrator is responsible for budgets, contracts, and purchases approves administrative purchases under ~~$10,000~~ $25,000. Computer purchases must be co-signed by the CDS Administrator ~~for Information Services~~ acting in an IT capacity.

(B) Reorder of existing printed materials.

**CHAPTER 10. VOCATIONAL REHABILITATION AND SERVICES FOR THE BLIND AND VISUALLY IMPAIRED**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**612:10-1-2. Definitions [AMENDED]**

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

**"Act"** means the Rehabilitation Act [29 USC 701 et seq.].

**"ADL"** Activities of Daily Living often refer to the routine activities carried out for personal hygiene and health (including bathing, dressing, feeding) and for operation of a household.

**"Applicant"** means an individual who has completed and signed an agency application form or has otherwise requested vocational rehabilitation services; who has provided information necessary to initiate an assessment to determine eligibility and priority for services; and who is available to complete the assessment process.

**"Appropriate modes of communication"** means specialized aids and supports that enable an individual with a disability to comprehend and respond to information that is being communicated. Appropriate modes of communication include, but are not limited to, the use of interpreters, open and closed captioned videos, specialized telecommunications services and audio recordings, Brailed and large print materials, materials in electronic formats, augmentative communication devices, graphic presentations, and simple language materials.

**"Assessment for determining eligibility and vocational rehabilitation needs"** means, as appropriate in each case a review of existing data to determine if an individual is eligible for vocational rehabilitation services; and to assign priority for an order of selection described in 34 CFR 361.36 in the States that use an order of selection; and to the extent necessary, the provision of appropriate assessment activities to obtain necessary additional data to make the eligibility determination and assignment.

**"Assistive technology"** means technology designed to be utilized in an assistive technology device or service.

**"Assistive technology device"** means any item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.

**"Assistive technology service"** means any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device.

**"Best correction"** refers to the use of standard eyeglasses or contact lenses and does not include the use of bioptic telescopic systems or specialized lenses which cannot be worn by the individual on a sustained basis.

**"Blind"** means persons who are blind within the meaning of the State Law relating to Vocational Rehabilitation. Legal blindness means a visual acuity of 20/200 or less in the better eye with best correction, or a visual field of 20 degrees or less.

**"Client"** means an individual found eligible and receiving services under the Act.

**"Community rehabilitation program"** (CRP) means a program that directly provides or facilitates the provision of vocational rehabilitation services to individuals with disabilities, and provides singly or in combination, services for an individual with a disability to enable the individual to maximize opportunities for employment, including career advancement.

**"Comparable services and benefits"** means services that are provided or paid for in whole or in part by other Federal, state or local public agencies, health insurance or employee benefits, and are available to the individual at the time needed to ensure the progress of the individual toward achieving the employment outcome in the individual's individualized plan for employment in accordance with 34 CFR 361.53, and commensurate to the services that the individual would otherwise receive from the designated State vocational rehabilitation agency. For the purposes of this definition, comparable services and benefits do not include awards and scholarships based on merit.

**"Compensatory training"** means training required before the client can enter a formal training program or employment, such as pre-vocational or personal adjustment training.

**"Competitive integrated employment"** means full or part-time work that is compensated at or above minimum wage, offers an individual with a disability benefits and opportunities for advancement comparable to those offered to employees in similar positions, and is performed in a setting where the individual with a disability interacts with persons without disabilities to the same extent that employees who are not individuals with disabilities and who are in comparable positions interact with these persons. Specific criteria defining competitive integrated employment are detailed in 34 CFR 361.5(c)(9).**"**

**"Consumer Independence Support Services" (CISS)** are defined as providing independent living assessment, intensive counseling, community integration, and housing modifications to further assist individuals with severe disabilities in achieving independence.

**"Continuity of Services"** means once an individual is selected for services in accordance with administrative rules, regardless of the priority category from which the individual was selected, the individual will receive the necessary purchased services, including post-employment services.

**"Counselor"** means the qualified vocational rehabilitation professional, who is an employee of the designated state unit, and who has primary responsibility for the management of an individual's rehabilitation services record of service, including determination of eligibility, service planning and management, counseling and guidance, and determination of successful or unsuccessful rehabilitation. Counselor is equivalent to such terms as VR/SBVI Specialist and VR/SBVI Coordinator.

**"Credential attainment"** means the percentage of those clients enrolled in an education or training program (excluding those in OJT and customized training) who attained 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. Under the WIOA, workforce agencies are required to report this percentage during participation in or within one year after closure of the case. This is based on the sub-regulatory guidance related to the implementation and operation of the performance accountability system under section 116 of WIOA and the implementing regulations in 34 CFR parts 361 subpart E.

**"Customized employment"** means competitive integrated employment, for an individual with a significant disability, that is based on an individualized determination of the unique strengths, needs and interests of the individual; designed to meet the specific abilities of the individual and the business needs of the employer; and carried out using flexible strategies such as those detailed in 34 CFR 361.5(c) (11).

**"Department"** unless otherwise indicated in the text, means the Department of Rehabilitation Services as constituted in 74 O.S., Section 166.1 et seq.

**"Designated State Unit or State Unit"** means either the State vocational rehabilitation bureau, division, or other organizational unit that is primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities and that is responsible for the administration of the vocational rehabilitation program of the State agency, as required under 361.13(b); or the State agency that is primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities. (Authority: Sections 7(8)(B) and 101(a)(2)(B) of the Rehabilitation Act of 1973, as amended; 29 U.S.C. 705(20)(A) and722(a)(1))

**"DRS"** means the Department of Rehabilitation Services.

**"DVR"** means the Division of Vocational Rehabilitation.

**"DSBVI"** means the Division of Services for the Blind and Visually Impaired.

**"Electronic Case Management System"** means a "system of records" which is a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

**"Eligible individual"** means an applicant for vocational rehabilitation services who meets the eligibility requirements of 34 CFR 361.42(a).

**"Employment and Retention"** (E&R) means short-term ~~job coach~~ on-site and/or off-site support for individuals with ~~severe~~ significant disabilities who require assistance preparing for, obtaining, and maintaining employment. If Employment and Retention Services are used with an individual with a most significant disability, the DRS Counselor must justify in a case narrative how Employment and Retention is the most appropriate placement service rather than Supported Employment.

**"Employment Consultant (EC)"** refers to a specialist who uses structured intervention techniques to help the individual learn job tasks to the employer's specifications and learn the interpersonal skills necessary to be accepted as an employee at the job site. In addition to job site training, job coaching includes related assessment, job development, advocacy, travel training, and other services needed to maintain the employment.

**"Employment outcome"** means, with respect to an eligible individual, entering, advancing in, or retaining full-time or part-time competitive integrated employment as defined in 34 CFR §361.5(c) (9) (including customized employment, self-employment, telecommuting, or business ownership), or supported employment as defined in 34 CFR §361.5(c) (53), that is consistent with an individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. (Note: As specified in federal rule, a designated State unit may continue services to individuals with uncompensated employment goals on their approved individualized plans for employment prior to the effective date of the final federal regulations until June 30, 2017, unless a longer period of time is required based on the needs of the individual with the disability, as documented in the individual's service record.)

**"Extended employment"** means work in a non-integrated or sheltered setting for a public or private nonprofit agency or organization that provides compensation in accordance with the Fair Labor Standards Act.

**"Extended period of time"** means, with respect to duration of vocational rehabilitation, services that are expected to extend at least 6 months from eligibility.

**"Extended services"** means ongoing support services provided to individuals with the most significant disabilities, including youth with the most significant disabilities, after the time-limited vocational rehabilitation services have been completed and job stabilization has been achieved. They consist of specific services, including natural supports, needed to maintain the supported employment placement. Extended services are paid from funding sources other than DRS and are specifically identified in the IPE, except that DRS may provide and pay for extended services for youth with the most significant disabilities for a period not to exceed 4 years or extend beyond the date when the youth reaches age 25.

**"Extreme medical risk"** means a risk of substantially increasing functional impairment or risk of death if medical services including mental health services, are not provided expeditiously.

**"Family member"** meansfor purposes of receiving vocational rehabilitation services in accordance with 34 CFR 361.48(b)(9), means an individual who either is a relative or guardian of an applicant or eligible individual; or lives in the same household as an applicant or eligible individual; who has a substantial interest in the well-being of that individual; and whose receipt of vocational rehabilitation services is necessary to enable the applicant or eligible individual to achieve an employment outcome.

**"Functional capacities"** means a client's assets, strengths, and resources which maintain or increase the individual's ability to work. Functional capacities include mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills.

**"Functional limitations"** means physical or mental conditions, emergent from a disability, which impair, interfere with, or impede one or more of an individual's functional capacities.

**"Higher education"** means universities, colleges, community/junior colleges, vocational schools, technical institutes, or hospital schools of nursing.

**"Highly challenged"** describes ~~a~~ an ~~client~~ individual receiving supported employment services who, due to the nature of the disability, requires a greater level of support from the job coach to ~~achieve~~ ~~and~~ maintain employment. The individual must meet at least two (2) or more of the following criteria to be considered highly challenged:

(A) Requires a personal care attendant at the job site.

(B) Has exhibited an ongoing, documented pattern of explosive behavior, physical aggression, self-abuse, or destruction of property which would jeopardize their opportunity for achieving a successful employment outcome.

(C) During the last two (2) years has experienced three (3) or more events (e.g., hospitalization, recurring health, or mental health issues), or a total of twelve (12) weeks incarceration or other institutionalization, which interrupted work or ability to live independently.

(D) Documentation (e.g. client statement, DRS Counselor confirmation, etc.) of rejection of the individual by other Contractors (e.g., employment, educational etc.) as being too difficult to serve.

(E) Is a member of the Hissom class.

(F) Meets eligibility criteria for the Program of Assertive Community Treatment (PACT) program.

(G) Alcohol and/or substance abuse is a secondary disability which has resulted in loss of employment within the last two (2) years.

(H) The individual's primary or secondary disability is Borderline Personality, Autism, Deaf-Blindness, Intellectual Disability, or Traumatic Brain Injury.

(I) Has had three (3) or more required changes of anti-psychotic medications in the past year.

(J) Requires specialized assistive technology such as sensory aids, telecommunication devices, adaptive equipment, and/or augmentative communication devices to succeed in Employment.

(K) Other-Contractor must provide documentation to assigned ESS TA to support an additional employment limiting factor not listed above that would likely increase service costs and difficulty to serve.

**"IEP"** means Individualized Education Program as required by the Individuals with Disabilities Education Act.

**"Individual with a disability"** means an individual who has a physical or mental impairment; whose impairment constitutes or results in a substantial impediment to employment; and who can benefit in terms of an employment outcome from the provision of vocational rehabilitation services.

**"Individual with a severe disability"** means with respect to eligibility for the state's Optional Program for Hiring Applicants with Disabilities, an individual who has a physical or mental impairment which seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome.

**"Individual with a significant disability"** means an individual with a disability:

(A) who has a severe physical or mental impairment that seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome;

(B) whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(C) who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental illness, intellectual disability, multiple sclerosis, muscular dystrophy, musculoskeletal disorder, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia, other spinal cord conditions, sickle cell anemia, specific learning disability, end-stage renal disease or other disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs to cause comparable substantial functional limitation.

**"Individual with the most significant disability"** means an individual with a significant disability who meets the designated State unit's criteria for an individual with a most significant disability. These criteria must be consistent with the requirements in 34 CFR 361.36(d)(1) and (2):

(A) who has a severe physical or mental impairment that seriously limits three or more functional capacities in terms of an employment outcome;

(B) whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(C) who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental illness, intellectual disability, multiple sclerosis, muscular dystrophy, musculoskeletal disorder, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia, other spinal cord conditions, sickle cell anemia, specific learning disability, end-stage renal disease or other disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs to cause comparable substantial functional limitation.

**"Individual's representative"** means any representative chosen by an applicant or eligible individual, as appropriate, including a parent, guardian, other family member, or advocate, unless a representative has been appointed by a court to represent the individual, in which case the court-appointed representative is the individual's representative.

**"Integrated setting"** means:

(A) With respect to the provision of services, a setting typically found in the community in which applicants or eligible individuals interact with non-disabled individuals other than non-disabled individuals who are providing services to those applicants or eligible individuals.

(B) With respect to an employment outcome, means a setting typically found in the community where the employee with a disability interacts, for the purpose of performing the duties of the position, with other employees within the particular work unit and the entire work site, and, as appropriate to the work performed, other persons (e.g., customers and vendors) who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that employees who are not individuals with disabilities and who are in comparable positions interact with these persons.

**"Intercurrent (acute) conditions"** means an illness or injury occurring during the actual course of an individual's rehabilitation which, if not cared for, will complicate or delay achievement of the client's employment outcome as identified in the client's IPE.

**"IPE"** means the Individualized Plan for Employment.

**"Job Club"** is a structured learning experience for a client to build skills in self-assessment, resume development, job search and research strategies, and interview techniques to assist the person to enter a career of their choice.

**"Job Coach~~/Employment Training Specialist~~"** means a qualified individual providing support services to eligible individuals in ~~supported~~ employment ~~and employment and retention~~ programs. Services directly support the eligible individual's work activity including ~~marketing and job development,~~ applied behavioral analysis, ~~job and work site assessment,~~ training and worker assessment, ~~job matching procedures,~~ and teaching job skills.

**"Long-term treatment"** means medical or psychological treatment that is expected to last more than three months.

**"Maintenance"** means monetary support provided to an individual for expenses, such as food, shelter, and clothing, that are in excess of the normal expenses of the individual and that are necessitated by the individual's participation in an assessment for determining eligibility and vocational rehabilitation needs or the individual's receipt of vocational rehabilitation services under an individualized plan for employment.

**"Measurable Skill Gains" or "(MSG)"** means a measure of the documented progress (academic, technical, occupational, or other) that a client makes in a training or education program toward obtaining a recognized postsecondary credential. This progress is reported throughout the life of the case. Examples of a valid skill gain would be the documented completion of a high school semester or a minimum of 12 college hours successfully completed over a one year period.

**"Milestones"** means a payment system that reimburses a vendor based on incentives and outcomes. The vendor is paid when the client completes pre-defined checkpoints on the way to a desired employment goal.

**"Multiple services"** means the counseling and guidance provided as a routine part of case management plus two or more VR services. Comparable benefits and/or services can count toward meeting the definition of multiple services. Services routinely provided as a package do not count as multiple services for the purpose of determining the presence of a significant disability, even if two or more services are included in the package.

**"Natural supports"** means any assistance, relationships or interactions that allow a person to maintain employment in ways that correspond to the typical work routines and social interactions of other employees. Natural supports may be developed through relationships with people or put into place by the adaptation of the work environment itself, depending on the support needs of the person and the environment.

**"Occupational license"** means any license, permit, or other written authority required by a state, city or other governmental unit to be obtained in order to enter an occupation.

**"OMES-DCAM"** means Office of Management & Enterprise Services-Division of Capital Assets Management, which sets thresholds for State Purchasing guidelines.

**"Ongoing support services"** ~~means services specified in the IPE according to individual need, which support and maintain an individual with the most significant disabilities in supported employment. Sponsored ongoing support services are provided from the time of placement until the individual is stabilized on the job. Ongoing support services are provided by one or more extended services providers, or by natural supports, following transition throughout the individual's term of employment.~~, as used in the definition of supported employment, means services that:

(A) Are needed to support and maintain an individual with a most significant disability, including a youth with a most significant disability, in supported employment;

(B) Are identified based on a determination by the DRS of the individual’s need as specified in an individualized plan for employment;

(C) Are furnished by the DRS from the time of job placement until transition to extended services, unless post-employment services are provided following transition, and thereafter by one or more extended services providers throughout the individual's term of employment in a particular job placement;

(D) Include an assessment of employment stability and provision of specific services or the coordination of services at or away from the worksite that are needed to maintain stability based on:

(i) A minimum of twice-monthly monitoring at the worksite of each individual in supported employment; or

(ii) If under specific circumstances, especially at the request of the individual, the individualized plan for employment provides for off-site monitoring, twice monthly meetings with the individual;

(E) Consist of:

(i) Any particularized assessment supplementary to the comprehensive assessment of rehabilitation needs described at 34 C.F.R. § 361.5(c)(5)(ii);

(ii) The provision of skilled job trainers who accompany the individual for intensive job skill training at the worksite;

(iii) Job development and training;

(iv) Social skills training;

(v) Regular observation or supervision of the individual;

(vi) Follow-up services including regular contact with the employers, the individuals, the parents, family members, guardians, advocates or authorized representatives of the individuals, and other suitable professional and informed advisors, in order to reinforce and stabilize the job placement;

(vii) Facilitation of natural supports at the worksite;

(viii) Any other service identified in the scope of vocational rehabilitation services for individuals, described in § 361.48(b); or

(ix) Any service similar to the foregoing services.

**"Other Qualified Rehabilitation Personnel"** means qualified rehabilitation personnel who, in addition to rehabilitation counselors, are necessary to facilitate the accomplishment of the employment outcomes and objectives of an individual (Section 100(a)(3)(E) of the Act.) Other qualified rehabilitation personnel include, but are not limited to, rehabilitation teachers of the blind who are certified at the national level.

**"Package of services"** means several services which are usually provided together for the same purpose. The services in a package are usually, but not always, from the same category of services (see definition of multiple services, this section). Examples include, but are not limited to: surgery, anesthesia, and hospitalization; or personal computer, software, and peripheral equipment.

**"Personal assistance services"** means a range of services including, among other things, training in managing, supervising, and directing personal assistance services, provided by one or more persons, that are designed to assist an individual with a disability to perform daily living activities on or off the job that the individual would typically perform without assistance if the individual did not have a disability. The services are also designed to increase the individual's control in life and ability to perform everyday activities on or off the job; necessary to the achievement of an employment outcome; and provided only while the individual is receiving other vocational rehabilitation services.

**"Physical and mental restoration services"** means corrective surgery or therapeutic treatment that is likely, within a reasonable period of time, to correct or modify substantially a stable or slowly progressive physical or mental impairment that constitutes a substantial impediment to employment.

**"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 disability organic brain syndrome, emotional or mental illness, and specific learning disabilities.

**"Post-employment services"** Post-employment services are defined in 34 C.F.R. § 361.5(c)(41) ~~means~~ as one or more of the VR services identified in 34 CFR 361.48(b) that are provided subsequent to the achievement of an employment outcome and that are necessary for an individual to maintain, regain, or advance in employment, consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. As described in the note following the regulatory definition of "post-employment services" at 34 C.F.R. § 361.5(c)(41), post-employment services are:

(A) Provided under an amended individualized plan for employment (IPE); thus, a re-determination of eligibility is not required;

(B) Limited in scope and duration; and

(C) Available to meet rehabilitation needs that do not require a complex and comprehensive provision of services.

Thus, after the employment outcome has been achieved but before the individual is reported as having exited the VR program is the period of time that the individual is most likely to need discrete short-term services (i.e., post-employment services) to ensure that the employment outcome can be maintained.

**"Pre-employment transition services"** means the required activities and authorized activities specified in 34 CFR 361.48(a)(2) and (3).

**"Prior approval"** refers to the receipt of approval from the granting authority prior to issuing the authorization for the purchase of goods and services.

**"Record of Service"** means any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, the individual's education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual.

**"Rehabilitation Act"** means the Rehabilitation Act [29 USC 701 et seq.].

**"Rehabilitation engineering"** means the systematic application of engineering sciences to design, develop, adapt, test, evaluate, apply, and distribute technological solutions to problems confronted by individuals with disabilities in functional areas, such as mobility, communications, hearing, vision, and cognition, and in activities associated with employment, independent living, education, and integration into the community.

**"Rehabilitation technology"** means the systematic application of technologies, engineering methodologies, or scientific principles to meet the needs of, and address the barriers confronted by, individuals with disabilities in areas that include education, rehabilitation, employment, transportation, independent living, and recreation. The term includes rehabilitation engineering, assistive technology devices, and assistive technology services.

**"SBVI"** means the Division of Services for the Blind and Visually Impaired, depending upon the context.

**"Section 504 Plan"** is a plan designed as a protection for students with disabilities who may not be considered eligible for special education under IDEA in compliance with Section 504 of the Rehabilitation Act of 1973 as amended.

**"Situational Assessment"** is used to determine the best match between an individual, a type of job, and a work environment. Situational assessment (also known as job sampling, on-the-job assessment, or environmental assessment), is assessment using actual employment and community settings.

**"Small business enterprises"** means a small business operated by blind or other individuals with severe disabilities under the management and supervision of the state DRS. Such businesses include only those selling, manufacturing, processing, servicing, agricultural, and other activities which are suitable and practical for the effective utilization of the skills and aptitudes of individuals who are blind or individuals who have severe disabilities. Small business enterprise provides substantial gainful employment or self-employment commensurate with the time devoted by the operators to the business, the cost of establishing the business and other factors of an economic nature.

**"Sole local agency"** means a unit or combination of units of general local government or one or more Indian tribes that has the sole responsibility under an agreement with, and the supervision of, the State agency to conduct a local or tribal vocational rehabilitation program, in accordance with the vocational rehabilitation services portion of the Unified or Combined State Plan.

**"Stabilization"** means the time period when EC support is reduced to the long-term maintenance level where the individual retains employment, and personal satisfaction with the job, as well as employer satisfaction with the individual’s job performance.

**"Student with a disability"** means, in general, an individual with a disability in a secondary, postsecondary, or other recognized education program who meets the requirements set forth in 34 CFR 361.5(c)(51).

**"Substantial impediment to employment"** means that a physical or mental impairment (in the light of attendant medical, psychological, vocational, educational, communication, 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.

**"Supplemental Wage Record"** means wage information used to determine both employment status and wages within a reporting period. This information is required when wage information cannot be obtained through other means such as the Oklahoma Employment Security Commission. The requirement to make the effort to obtain this supplemental wage information is necessary to carry out the accountability requirements under Section 116 of the Workforce Innovation and Opportunity Act.

**"Support Service Providers"** (SSP) means a Support Service Provider, commonly referred to as an SSP, is a specially trained individual who provides access to the community for people who are deaf-blind. The SSP is responsible for human guide assistance and facilitation of communication for the deaf-blind person.

**"Supported employment"** (SE)

(A) means competitive integrated employment, including customized employment, or employment in an integrated work settings in which an individual with a most significant disability, including a youth with a most significant disability, is working on a short-term basis toward competitive integrated employment that is individualized, and customized, consistent with the unique strengths, abilities, interests, and informed choice of the individual, including with ongoing support services for individuals with the most significant disabilities who meet the requirements set forth in 34 CFR 361.5(c)(53).

(i) For whom competitive integrated employment has not historically occurred, or for whom competitive integrated employment has been interrupted or intermittent as a result of a significant disability; and

(ii) Who, because of the nature and severity of their disabilities, need intensive supported employment services and extended services after the transition from support provided by the designated state unit, in order to perform this work.

(B) For purposes of this part, an individual with a most significant disability, whose supported employment in an integrated setting does not satisfy the criteria of competitive integrated employment, as defined in paragraph (c)(9) of this section is considered to be working on a short-term basis toward competitive integrated employment so long as the individual can reasonably anticipate achieving competitive integrated employment –

(i) Within six months of achieving a supported employment outcome; or

(ii) In limited circumstances, within a period not to exceed 12 months from the achievement of the supported employment outcome, if a longer period is necessary based on the needs of the individual, and the individual has demonstrated progress toward competitive earnings based on information contained in the service record.

**"Supported employment services"** means ongoing support services, including customized employment, and other appropriate services needed to support and maintain an individual with a most significant disability, including a youth with a most significant disability, in supported employment that are:

(A) Organized and made available, singly or in combination, in such a way as to assist an eligible individual to achieve competitive integrated employment;

(B) Based on a determination of the needs of an eligible individual, as specified in an individualized plan for employment;

(C) Provided by the designated State unit for a period of time not to exceed 24 months, unless under special circumstances the eligible individual and the rehabilitation counselor jointly agree to extend the time to achieve the employment outcome identified in the individualized plan for employment; and

**"Team Meeting"** is a meeting between the individual, guardian, EC, DRS Counselor, and all other team members chosen by the individual and/or guardian. The individual, or with the support of a designee identified by the individual, will lead the meeting.

**"Transition services"** means, for a student or a youth with a disability, a coordinated set of activities designed within an outcome-oriented process that promotes movement from school to post-school activities, including postsecondary education, vocational training, competitive integrated employment, supported employment, continuing and adult education, adult services, independent living, or community participation. Transition services (1) are based upon the individual student's or youth's needs, preferences and interests; (2) include instruction, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation; (3) promote or facilitate the achievement of the employment outcome identified in the student's or youth's individualized plan for employment; and (4) include outreach to and engagement of the parents, or, as appropriate, the representative of such a student or youth with a disability.

**"Transportation"** means travel and related expenses that are necessary to enable an applicant or eligible individual to participate in a vocational rehabilitation services, including expenses for training in the use of public transportation vehicles and systems.

**"Vocational rehabilitation services"**,if provided to an individual, means those services listed in 34 CFR 361.48; and if provided for the benefit of groups of individuals, means those services listed in 34 CFR 361.49.

**"VR"** means the Division of Vocational Rehabilitation, or the more general term vocational rehabilitation services, depending upon the context.

**"Youth with a disability"** means an individual with a disability who is not younger than 14 years of age; or older than 24 years of age. Youth with disabilities means more than one youth with a disability.

**SUBCHAPTER 3. CLIENT PARTICIPATION IN COST OF SERVICES**

**612:10-3-3. Participation of individuals in cost of services based on financial need [AMENDED]**

(a) DRS has chosen to consider the financial need of eligible individuals or individuals who are receiving services through the trial work experiences under 34 CFR 361.42 (e) for purposes of determining the extent of their participation in the costs of vocational rehabilitation services, other than those services identified in paragraph (c) in this section according to the criteria set forth in 34 CFR 361.54 (b) (1-2).

(b) DVR and DSBVI requires the client to participate in the cost of some vocational rehabilitation services if the client and/or client's family income exceeds the established basic living requirement for the applicable family size.Any client whose available family income exceeds the applicable basic living requirements is required to apply the monthly surplus to the cost of services during each 30 day period services are provided.

(c) A basic living requirement has been established for different size family groups. A family member is an individual who is a relative or guardian of an applicant or eligible individual. Basis living requirements are based on 200% of the Federal poverty level adjusted annually for family size. The standard is intended to cover only the necessities of food, shelter, utilities, clothing, transportation, and incidentals to give the counselor some criteria by which to measure the financial need of a client. To qualify as independent from the family group, the client must meet ~~on~~ one of the following criteria:

(1) Beneficiary of Titles II (federal old age, survivors, and disability insurance benefits) or XVI (SSI);

(2) At least 24 years of age and single;

(3) A ward of the court and in custody of DHS;

(4) Married and maintaining a separate household;

(5) Meets the criteria for temporary housing as described (7) of this section or;

(6) The counselor has adequate documentation to verify the client has the financial resources to demonstrate self-sufficiency and that no family contributions are available.

(7) An eligible individual whose disability has resulted in the need to live with family or friend, and as appropriate the individual's spouse and dependent children, will be considered as a separate household regardless of living arrangements.

(A) Verification of family membership should be based upon whatever available information most accurately documents family membership according to the definition given in this administrative rule.

(B) Examples of acceptable verification include the latest Federal income tax return, payroll information, insurance policies, client report, and/or counselor observation.

(d) The client can be provided services not based on financial needs, the following services do not require a determination of financial need status:

(1) services provided to assess eligibility and priority for services (services which would require the individual's participation in cost under an IPE will also require the individual's participation in cost during an evaluation of the individual's ability to benefit from VR services);

(2) counseling and guidance including information and support services to assist an individual in exercising informed choice;

(3) referral and other services to secure needed services from other agencies, including other components of the statewide workforce development system;

(4) on-the-job training, work experience, internships and apprenticeships;

(5) personal or vocational adjustment training;

(6) personal assistance services;

(7) job-related services including job search and placement assistance, job retention services, follow-up services and follow-along services; under 34 CFR 361.48 (b) (12);

(8) compensatory training;

(9) Supported ~~employment~~ Employment (SE), ~~employment~~ Employment and ~~retention~~ Retention (ER); Job Placement (JP), JOBS, Support Services for Employment (SSE), Supplemental Employment Services (SES), and Customized Employment (CE); or

(10) any auxiliary aid or service (e.g., interpreter services, reader services) that an individual with a disability require under Section 504 of the Act or the American with Disabilities Act (42 U.S.C. 12101, et seq.) or regulations implementing those laws, in order for the individual to participate in the VR program.

(e) Any client who does not have a surplus is not required to participate in the cost of services. Financial need does not exempt the client from required use of comparable benefits. If a payment is required of the client, it will be made to the vendor.

(f) The counselor will re-evaluate the client's financial situation at least annually and any time there is a change in the financial situation of the client or household. The amount of client participation in cost is based upon the most recent determination of client's financial needs at the time the IPE or amendment. If applicable, the extent of the individual's participation in paying for the cost of services is identified on the IPE service (e.g. Household monthly income surplus will be exhausted prior to agency financial contribution).

(g) The client's financial needs must be verified when an IPE includes service which require client participation in costs of services.

(h) Determination of income and liabilities will be verified and documented by the counselor in the record of service when services in the IPE and amendments require client participation in cost. If the individual refuses to provide the requested information, DRS resources will not be used to purchase services which require client participation in cost of the services.

(1) Income.

(A) Income generated from salaried wages will be calculated by gross earnings minus federal taxes, state taxes and social security deductions.

(B) Income generated from business or profession will be calculated by adjusted gross minus additional federal and state taxes divided by 12 to determine a monthly amount.

(C) Income received from unearned sources, such as pensions, public assistance, interest, dividends, royalties, trust fund, or money payments of any kind will be counted. Educational grants, stipends, or loans will not be included in the calculation. If a yearly income is available, it will be divided by 12 to calculate a monthly amount.

(2) Liabilities. When the client is making payments on any areas of liability listed below, payments will be itemized. If payments are not being made on a debt, an expense cannot be shown for this item.

(A) Medical. Out-of-pocket medical payments not covered by insurance, including medication and supplies, can be used as a medical expense. Monthly premiums for health insurance can be included.

(B) Disability related expenses. Disability related expenses beyond the basic living requirements may be considered, if not funded by DRS.

(C) Other. Court order commitments, including child support, can be counted as a liability.

(D) Education expenses. Costs for any family member incurred only for tuition, books, and fees, toward post-secondary educational expenses, not included in the IPE or paid by grants, scholarships, fee waivers, etc., can be counted as a liability. Only the amount of the payments can be counted as a liability.

(i) Case recording requirements. A statement regarding the re-evaluation of financial needs must be included in the record of service. The financial review may be included in the IPE review if they occur at the same time.

**SUBCHAPTER 7. VOCATIONAL REHABILITATION AND SERVICES FOR THE BLIND AND VISUALLY IMPAIRED**

**PART 1. SCOPE OF VOCATIONAL REHABILITATION AND SERVICES FOR THE BLIND AND VISUALLY IMPAIRED**

**612:10-7-1. Overview of Vocational Rehabilitation and Services for the Blind and Visually Impaired [AMENDED]**

(a) Vocational rehabilitation services are provided by the Division of Vocational Rehabilitation and the Division of Services for the Blind and Visually Impaired to help eligible individuals achieve employment outcomes that are consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of each eligible individual. VR services for individuals are meant to result in competitive employment in an integrated setting. Vocational rehabilitation services include services for individuals and services to groups of individuals.

(b) Vocational rehabilitation services for an individual are prescribed in an Individualized Plan for Employment (IPE) that is based on an assessment of the individual's rehabilitation needs, guidance provided by a qualified vocational rehabilitation professional and the individual's informed choice with regard to employment goal, services and service providers. Services may include but are not limited to:

(1) an assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;

(2) counseling and guidance, including information and support services to assist an individual in exercising informed choice;

(3) referral and other services to secure needed services from other agencies through cooperative agreements if such services are not available from DVR or DSBVI;

(4) job-related services, including job search and placement assistance, customized employment services, services leading to self-employment, job retention services, ongoing services, supplemental employment services, support services for employment, and extended services;

(5) vocational and other training services, including the provision of personal and vocational adjustment services, books, tools, and other training materials;

(6) to the extent that financial support is not readily available from a source (such as health insurance or comparable services and benefits) other than DVR or DSBVI, diagnosis and treatment of physical and mental impairments;

(7) maintenance for additional costs incurred while participating in an assessment for determining eligibility and vocational rehabilitation needs or while receiving services under an Individualized Plan for Employment;

(8) transportation, including training in the use of public transportation vehicles and systems, that is provided in connection with the provision of any other service described in this section and needed by the individual to participate in rehabilitation services or to achieve an employment outcome;

(9) on-the-job or other related personal assistance services provided while an individual is receiving other services described in this section;

(10) interpreter services provided by qualified personnel for individuals who are deaf or hard of hearing, and reader services for individuals who are determined to be blind;

(11) rehabilitation teaching services, and orientation and mobility services, for individuals who are blind;

(12) occupational licenses, tools, equipment, and initial stocks and supplies;

(13) technical assistance and other consultation services to conduct market analyses, develop business plans, and otherwise provide resources, to the extent such resources are authorized to be provided through the statewide workforce investment system, to eligible individuals who are pursuing self-employment or telecommuting or establishing a small business operation as an employment outcome;

(14) rehabilitation technology, including rehabilitation engineering, assistive technology devices and assistive technology services; **1**

(15) transition services for students with disabilities, that facilitate the achievement of the employment outcome identified in the Individualized Plan for Employment, and pre-employment transition services as described in 34 CFR 361.48(a) and 29 USC 733;

(16) supported employment services for individuals with the most significant disabilities that need ongoing support services from an employment consultant and/or job coach to ~~obtain and~~ maintain employment;

(17) employment and retention services for individuals with significant disabilities who require short term ~~job coach~~ from an employment consultant and/or job coach support to obtain and maintain a successful employment outcome;

(18) transitional employment services for individuals with the most significant disabilities due to mental illness who have little or no successful work history and need work adjustment/trial work experience;

(19) work experiences, internships, and apprenticeships;

(20) services to the family of an individual with a disability necessary to assist the individual to achieve an employment outcome; and

(21) specific post-employment services necessary to assist an individual with a disability to maintain, retain, regain, or advance in employment.

(c) Vocational rehabilitation services for groups of individuals with disabilities are described in 34 CFR 361.49 and include:

(1) In the case of any type of small business operated by individuals with significant disabilities the operation of which can be improved by management services and supervision provided by DVR or DSBVI, the provision of such services and supervision, along or together with the acquisition by DVR or DSBVI of vending facilities or other equipment and initial stocks and supplies.

(2) Equipment for clients who are going into self-employment requires prior approval from RSA.

(3) Transition services to youth and students with disabilities who may not have applied or been determined eligible for vocational rehabilitation services, that involve collaboration of a vocational rehabilitation counselor with education agencies, programs serving individuals with developmental disabilities, businesses, workforce programs, independent living centers, housing and transportation authorities and related entities. Such services are to benefit a group of youth or students with disabilities and may not be individualized services related to an individual plan for employment. Services may include group tours of training programs and businesses, career fairs, interview practice, resume writing, and other group activities that support future employability.

(4) High school students who have a disability and are not clients of the DRS, but are going to a conference or camp to provide them with the necessary tools and education for employment requires prior approval from RSA.

(5) The use of telecommunications systems (including telephone, television, video description services, tactile-vibratory devices, satellite, radio, and other similar systems) that have the potential for substantially improving delivery methods of activities described in this section and developing appropriate programming to meet the particular needs of individuals with disabilities;

(6) Special services to provide access to information for individuals who are blind, visually impaired, deaf, hard of hearing or deaf-blind including:

(A) the use of telecommunications, Braille, sound recordings, or other appropriate media;

(B) captioned television, films, or video cassettes for individuals who are deaf or hard of hearing;

(C) tactile materials for individuals who are deaf-blind; and

(D) other special services that provide information through tactile, vibratory, auditory, and visual media.

(7) Technical assistance to businesses that are seeking to employ individuals with disabilities.

(8) Consultative and technical assistance services to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including employment.

(9) The establishment, development or improvement of assistive technology demonstration, loan, reutilization or financing programs in coordination with activities authorized under the Assistive Technology Act of 1998.

(10) The establishment, development or improvement of a community rehabilitation program that is used to provide vocational rehabilitation services that promote integration into the community and prepare individuals with disabilities for competitive integrated employment.

**PART 3. CASE PROCESSING REQUIREMENTS**

**612:10-7-20. Case recording [AMENDED]**

A case record will be established and maintained on each individual who applies for and/or receives vocational rehabilitation services. Narrative recordings of activities are mandatory at application, at eligibility, the development of the plan, program/financial reviews, and case closure. An action in any case is not considered effective until all required approvals have been obtained in accordance with Department policy. Documentation must be factual and conform to ethical and professional standards.

If records or documentation need to be altered, it is done so according to DRS policy and in a manner that preserves the original information. Alterations are accompanied by the date of change, the identity of who made the change, and the rationale for the change.

**612:10-7-25.1. Ability to serve all eligible individuals; order of selection for services [AMENDED]**

(a) **General provisions.** DRS either must be able to provide the full range of services listed in section 103 (a) of the Act and 34 CFR 361.48, as appropriate, to all eligible individuals or, in the event that vocational rehabilitation services cannot be provided to all eligible individuals in the State who apply for the services, include in the vocational rehabilitation services portion of the Unified or Combined State Plan the order to be followed in selecting eligible individuals to be provided vocational rehabilitation services.

(1) The ability of the designated State unit to provide the full range of vocational rehabilitation services to all eligible individuals must be supported by a determination that satisfies the requirements of paragraph (b) or (c) of this section and a determination that, on the basis of the designated State unit's projected fiscal and personnel resources and its assessment of the rehabilitation needs of individuals with significant disabilities within the State, it can follow the guidance according to 34 CFR 361.36 (a).

(2) Prior to the start of each fiscal quarter, or when circumstances require, the DRS Director will determine in which priority groups new Individualized Plans for Employment will be written and initiated. The Director may restrict the writing and initiation of new Individualized Plans for Employment within a priority group to cases having eligibility dates falling on or before a specified date providing that all individual's in higher priority groups are being served. Considerations in making this determination will include, but not be limited to, the projected outcomes, service goals, expenditures, and resources available for each priority group. Projected costs and resources for each priority group will be based upon costs of current Individualized Plans for Employment, anticipated referrals, availability of financial resources, and adequacy of staffing levels. The Director will implement actions under the order of selection through written notice to DVR and DSBVI staff.

(b) **Basis for assurance that services can be provided to all eligible individuals.** For the State agency that determined, for the current fiscal year and the preceding fiscal year, that it is able to provide the full range of services, as appropriate, to all eligible individuals, the State unit, during the current fiscal and preceding fiscal year, must have in fact followed the criteria in 34 CFR 361.36 (b) (1-2).

(c) **Determining need for establishing and implementing an order of selection.** The State agency must determine, prior to the beginning of each fiscal year, whether to establish and implement an order of selection.

(d) **Need for order of selection.** The Department, in consultation with the Oklahoma Rehabilitation Council, has determined, due to budgetary constraints or other reasoned limitations, that it cannot serve all individuals who are determined eligible for DVR and DSBVI services. The Department consults with the Oklahoma Rehabilitation Council (ORC) regarding the:

(1) need to establish an order of selection, including any re-evaluation of the need;

(2) priority categories of the particular order of selection;

(3) criteria for determining individuals with the most significant disabilities; and

(4) administration of the order of selection.

(e) **Establishing an order of selection.** Basis for order of selection. An order of selection must be based on a refinement of the three criteria in the definition of individual with a significant disability in section 7 (21) (A) of the Act and 34 CFR 361.5 (c) (30).

(1) Factors that cannot be used in determining order of selection of eligible individuals. An order of selection may not be based on any other factors, including requirements identified in 34 CFR 361.36 (d) (2) (i-vii).

(2) It is the administrative rules of DRS to provide vocational rehabilitation services to eligible individuals under an order of selection. Under the order of selection, the Department has established three priority groups on the basis of serving first those with the most significant disabilities. Every individual determined to be eligible for DVR and DSBVI services is placed in the appropriate priority group based upon the documentation used to determine eligibility and/or vocational rehabilitation needs. Selection and placement in a priority group is based solely upon the significance of the eligible individual's disability, and is not based upon the type of disability, geographical area in which the individual lives, projected type of vocational outcome, age, sex, race, color, creed, religion, or national origin of the individual. The priority groups are:

(A) **Priority Group 1.** Eligible individuals with a most significant disability are individuals with the most significant barriers to employment. A most significant barrier is one that includes a severe mental or physical impairment resulting in serious limitations in three or more functional capacities and which can be expected to require multiple vocational rehabilitation services over an extended period of time.

(B) **Priority Group 2.** Eligible individuals with a significant disability are individuals with significant barriers to employment. A significant barrier is one that includes a severe physical or mental impairment resulting in serious limitations in at least one, but not more than two, functional capacities and which can be expected to require multiple vocational rehabilitation services over an extended period of time.

(C) **Priority Group 3.** Eligible individuals with disabilities not meeting the definition of individual with a most significant or ~~most~~ significant barrier to employment.

(f) **Administrative requirements.** In administering the order of selection, the State agency must implement the order of selection on a statewide basis according to 34 CFR 361.36 (e) (1-3) (i-ii).

(1) Notification of Priority Group Placement:Upon placement into a priority category, the client shall receive written notification of his or her priority classification and information regarding the policies and procedures governing availability of vocational rehabilitation services, including notification of placement on a wait list, when applicable and a referral to other programs that are part of the one-stop service delivery system under the WIOA that can address the individual's training or employment related needs. 34 CFR 361.43 (d) (1-2) the written notification shall include information about Due Process rights and the Client Assistance Program. The electronic case management system will contain a copy of the written notification.

(A) When a client is reclassified into a different priority category, he or she shall be notified, in writing, of the new priority category and provided written information as to how the change will affect the availability of vocational rehabilitation services. The written notification shall include information about Due Process rights and the Client Assistance Program.

(B) An applicant who has been determined eligible for vocational rehabilitation will be placed in Eligibility Status, for completion of a comprehensive assessment to determine employment goal and rehabilitation needs and for development of the Individualized Plan for Employment (IPE). An individual who is placed in an order of selection priority group that is not currently being served will be placed on a waiting list and held there pending further directives from the Director concerning opening or closing of priority groups.

(C) If an applicant is determined to be ineligible, the counselor will notify the applicant and provide information on further options in accordance with DRS administrative rules on ineligibility decisions and 34 CFR 361.57 (b) (2) (ii or iv).

**PART 5. CASE STATUS AND CLASSIFICATION SYSTEM**

**612:10-7-50.1 Assessment for determining rehabilitation needs [AMENDED]**

(a) DRS will conduct an assessment for determining rehabilitation needs, if appropriate, for each eligible individual or, if the agency is operating under an order of selection, for each eligible individual to whom the agency is able to provide vocational rehabilitation services. The purpose of this comprehensive assessment is to assist the client in selecting an employment goal and to determine the nature and scope of vocational rehabilitation services to be included in the Individualized Plan for Employment (IPE).

(b) **Comprehensive assessment.** Existing information obtained from the assessment to determine eligibility and priority group assignment, including information supplied by the individual or the individual's authorized representative, is to be used for the comprehensive assessment to the maximum extent possible. Additional assessments may be obtained to the extent additional information is necessary to determine the vocational rehabilitation needs of the individual and to develop the IPE. Rehabilitation technology will be used in the comprehensive assessment when necessary to assess and/or develop the capacities of the individual to perform in a work environment.

(c) **Case recording requirements.** The results of the comprehensive assessment and the counselor's analysis of them will be recorded in a case narrative. The narrative will contain reasonable justification of the employment goal and services that will be provided in the IPE, considering the unique strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice of the individual.

(d) **Comprehensive assessment for supported employment.**

(1) In supported employment cases, the record must document the counselor's determination that the client is an individual:

(A) for whom competitive employment has not traditionally occurred; or

(B) for whom competitive employment has been interrupted or intermittent as a result of a ~~severe~~ significant disability; and

(C) who, because of the nature and severity of the disability, needs intensive supported employment services, and extended services after the transition from intensive supported employment services, ~~in order~~ to perform such work.

(2) The counselor refers the client to ~~a~~ an ~~supported~~ employment services provider to gather the information necessary to complete the comprehensive assessment~~,~~. ~~and authorizes the "Assessment and Career Planning" milestone. The provider will conduct situational assessments in community settings based on client choice and negotiations with the counselor, and in accordance with their contract requirements.~~ The counselor will authorize career exploration and/or assessment from the Supplemental Employment Services (SES) contract to conduct activities and/or situational assessments. The ~~Results~~ results of the exploration activities and/or assessments will assist the client and counselor in establishing a vocational goal.

**612:10-7-55. Job Ready [AMENDED]**

(a) **The** **Use of Job Ready Status:** Job Ready Status is used to identify individuals who are qualified, willing and able to begin an active job search. Job Ready Status can also be used for individuals pursing a variety of work experiences, including internships, apprenticeships, or temporary jobs to supplement income while attending school or receiving other vocational rehabilitation services. Job Ready status can be used at any time during the life of the case, once an Individual Plan for Employment (IPE) is in place.

(1) Job Ready Status should only be used after consultation with the Participant to insure the person is aware they are considered an active job seeker and may be contacted about employment or work experiences in which they have expressed an interest. Also, Job Ready Status should not be used for those who have been referred to an Employment Services Provider for assistance with services such as Employment & Retention, Customized Employment Supported Employment, Job Placement, Supplemental Employment Services, JOBS, etc.

(2) Those individuals who are in job ready status but are no longer participating in a job or work experience search should be removed from Job Ready Status. Individuals who have located a job or work experience and are not currently pursuing another position should also be removed.

(b) **Case Recording Requirements:** The information on the Job Ready page in AWARE case management system should be completed in conjunction with the Participant to insure it is accurate and timely. The information should be reviewed periodically to make sure it is up-to-date.

**612:10-7-56. Employment [AMENDED]**

(a) **Use of Employment status.** A case is placed in this status when the client begins employment. The client must be followed in employment for a minimum of 90 days prior to being closed to ensure the adequacy of the employment in relation to the needs and limitations of the client.

(b) **Supported employment.** Cases are placed into employment status after the requirements have been met for completion of the "Stabilization" Milestone, and the client is ready to begin the final milestone, "Successful ~~Rehabilitation~~ Employment". During this milestone, the provider must continue ongoing supports for a minimum of 90 days before the case can be closed.

(c) **Employment and Retention.** Cases are placed into employment status when the individual has completed the ~~fifth day of work ("Job Placement" Milestone), or after completion of~~ "R4 Four Weeks Job Support-Retention" Milestone which includes short term job coach training ~~or~~ and support ~~is needed~~. The client must be followed in employment for a minimum of 90 days prior to being closed.

(d) **Case recording requirements.** After the client has entered employment, it is the client's responsibility to provide the counselor with the job title of employment and salary information. When an individual is placed in employed status, case recording will document:

(1) Beginning date of employment;

(2) Name and address of the employer;

(3) Job title which describes the position held by the individual;

(4) Client's hourly wages and hours worked per week to determine weekly earnings;

(5) Suitability of the employment; and

(6) How the job was obtained. If the information is obtained from a source other than the client, the source of the information will be identified.

(e) **Contact.** When a client is placed in employed status, contact is maintained through the end of the required 90 days and documented until it is determined the employment is satisfactory and the case can be closed. This determination that the employment outcome is satisfactory will be made with the full participation of the client.

(f) **Case recording.**

(1) Documentation of all contacts with the client during the 90 days, to address any employment related issues, including satisfaction with the employment.

(2) Documentation in a case note of the start date of employment, type of employment (i.e. cook, housekeeper, lawyer) employer name address, hourly/weekly wages and benefits.

(3) When applicable, and information is not obtainable from the client, the counselor will document the employment, type of employment (i.e. cook, housekeeper, lawyer) employer name and address, hourly/weekly wages and benefits including by what means the employment was discovered and the date of the discovery of employment.

(4) Attempts to obtain verification of employment earnings will be documented in a case note including the reason as to why this verification was not forthcoming.

**612:10-7-58. Closed Rehabilitated [AMENDED]**

(a) **Use of Closed Rehabilitated status**. A case is closed as rehabilitated because the client has achieved an employment outcome as a result of vocational rehabilitation services. Cases closed as rehabilitated must as a minimum meet the requirements in (1) through (5) of this Subsection:

(1) the provision of services under the individual's IPE has contributed to the achievement of the employment outcome;

(2) the employment outcome is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice;

(3) the employment outcome is in an integrated setting, consistent with the individual's informed choice;

(4) the individual has maintained the employment outcome for a period of at least 90 days; and

(5) at the end of the appropriate period under Paragraph (4) of this Section, the individual and the VR Counselor consider the employment outcome to be satisfactory and agree that the individual is performing well on the job.

(b) **Out of state.** Clients who move out of state after services have been completed are closed in rehabilitated status if the requirements in Subsection (a) of this Section can be met. If those requirements cannot be met the case will be closed, not rehabilitated.

(c) **Successful closure prior to completion of IPE**. If employment is secured before completion of the IPE, a counselor must document the conditions of substantial services and suitable employment were met. If planned services are interrupted prior to achieving the originally planned vocational goal, and services provided have directly contributed to the employment outcome for the individual or to job retention, an IPE amendment is not needed to revise the vocational goal prior to closure. A plan amendment is required when there is a substantial deviation from the original employment goal.

(d) **Cases closed from supported employment.** An individual with the most significant disabilities who is receiving supported employment services is considered to be successfully rehabilitated if the individual maintains a supported employment placement for a minimum of 90 days beyond stabilization. In addition to the criteria for "suitably employed", the counselor must document that the individual has met or has made substantial progress toward meeting the weekly work goal defined in the IPE, the client is satisfied with the job, the employer is satisfied with the client's job performance, extended services are in place, all supported employment requirements have been met, and the case is ready for closure. The closure documentation will address any significant differences in the ultimate work week achieved as compared with the predicted goal.

(e) **Cases closed from employment and retention.** An individual with ~~severe~~ significant disabilities who is receiving employment and retention services is considered to be successfully rehabilitated when the client maintains employment for a minimum of 90 days ~~after placement, or for a minimum of 4 weeks plus 90 days if the individual required~~ beyond the "4 Weeks ~~Job Support~~ Job Support-Retention" Milestone.

(f) **Case recording requirements**. The client, or the client's authorized representative as appropriate, will be a full participant in the decision to close the case. The last discussion of the closure decision with the client, or the client's authorized representative, will be held at the end of the required 90 days of the closure, and will be documented in a case narrative. The client will be notified in their preferred format of the case closure.

(g) **Documentation at Successful Closure.** Prior to closure, a copy of the current pay stub identifying the individual's competitive hourly wage and hours to determine weekly earnings. If the current pay stub is not available, then the following is acceptable:

(1) An individual's written report of employment information and required wage information documented on an authorized DRS form (DRS-C-065) with their dated signature; or

(2) A detailed case note identifying the individual's employment information including the current competitive hourly wage and work hours in a typical week that is based on the counselor's conversation with the actual employer. Prior to calling an employer, the individual shall be informed that information provided and gathered is limited to what is necessary to document and verify employment. This provides the individual the opportunity to discuss preferences and options for obtaining required documentation. A signed Release of Information should be in the case file.

(3) If verification as stated above is not forthcoming and all efforts to obtain acceptable verification are documented, then the following is acceptable: a detailed case note identifying the individual's employment information including the current competitive hourly wage and work hours in a typical week, the date the final employment verification was received with justification for the individual not providing formal documentation.

(4) Individuals who are self-employed are required to provide wage documentation of competitive integrated self-employment.

**PART 9. ACTIONS REQUIRING REVIEW AND APPROVAL**

**612:10-7-87. Actions requiring supervisor's approval [AMENDED]**

(a) Actions requiring supervisory approval include:

(1) All actions of a newly employed counselor/teacher.

(2) All IPE's or amendments when the total of the planned DVR and DSBVI expenditures for the entire case exceed $25,000.

(3) All case closures in which an IPE was developed and the case was placed into service status or beyond.

(4) Transfer of cases from one counselor/teacher caseload to another outside the sending supervisor's unit (signed by the supervisor of the sending counselor or teacher).

(5) All IPE's which include purchase of physical or mental restoration services, prescription drugs or prescribed medical supplies lasting more than three months.

(6) Small Business plans with a cost to the agency in excess of $~~10,000.00~~ $5,000.00.

(7) Vehicle or home modifications over the OMES-DCAM authority order limit and housing modifications involving structural modifications.

(8) Vehicle repairs that exceed $1,000.00 for the life of a case.

(9) Dental services with a projected cost over $5,000.00.

(b) Documentation in a case note of when verbal approval may be given.

**PART 14. COMMUNITY PROVIDER EMPLOYMENT SERVICES [NEW]**

**612:10-7-134. Competitive integrated employment [NEW]**

Competitive integrated employment for individuals receiving employment services is defined as employment performed on a full-time or part-time basis in an integrated setting, consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual. The individual is compensated at or above minimum wage, but not less than the customary or usual wage paid by the employer for the same or similar work performed by individuals without disabilities. **(See 34 CFR 361.5(c)(9).)** Wages must be paid by the employer instead of the contractor, unless the contractor is the employer of record, and the wage meets the ONET median hourly wage, ([www.onetonline.org](https://www.onetonline.org/)) for the type of job and location of the job.

**612:10-7-135. Supplemental Employment Services (SES) [NEW]**

(a) **Overview of Supplemental Employment Services (SES).** Supplemental Employment Services (SES) are intended for individuals with disabilities, who need on-site and off-site support and training to prepare for and obtain competitive integrated employment. These services can be used individually or with other employment contracts to meet the individual’s needs.

(b) **Provision of Supplemental Employment Services (SES).** Supplemental Employment Services (SES) are not subject to financial status determination. SES services are purchased from a qualified contractor with the Oklahoma Department of Rehabilitation Services and are provided by certified employment consultants or job coaches. Payment rates are established by the Commission for Rehabilitation Services.

(c) **Eligibility for Supplemental Employment Services (SES).**

(1) An individual shall be eligible for supplemental employment services if:

(A) The individual is determined to be eligible for vocational rehabilitation services;

(B) The individual needs support from a qualified contractor to prepare for and/or obtain successful employment.

**612:10-7-136. Job Placement Services [NEW]**

(a) **Overview of Job Placement Services.** Job Placement (JP) Services are provided to individuals having one or more disabilities, not meeting the definition of an individual with a significant or most significant barrier to employment, who need assistance from an employment consultant to identify and implement accommodations to assist the individual with maintaining successful employment. Job Placement Services consists of the Successful Employment Milestone.

(b) **Provision of Job Placement Services.** Job Placement (JP) services are not subject to financial status determination. JP services are purchased from a qualified contractor with the Oklahoma Department of Rehabilitation Services and are provided by certified employment consultants or job coaches. Payment rates are established by the Commission for Rehabilitation Services and are based on amilestone delivery system.

(c) **Eligibility for Job Placement Services**

(1) An individual shall be eligible for job placement (JP) services if:

(A) The individual is determined to be eligible for vocational rehabilitation services;

(B) The individual is determined to have one or more disabilities, not meeting the definition of an individual with a significant or most significant barrier to employment; and

(C) The individual needs assistance from an employment consultant to identify and implement accommodations to assist with maintaining successful employment.

**612:10-7-137. JOBS Services [NEW]**

(a) **Overview of JOBS Services.** JOBS services are intended to assist individuals with job placement to meet their financial needs, (i.e., housing, transportation, daily living expenses, etc.) while completing other services on their Individualized Plan for Employment (IPE), and before pursuing placement in their chosen IPE vocational goal. This contract is open to individuals in all priority groups who do not need on-site support, but may need accommodations.

(b) **Provision of JOBS Services.** JOBS services are not subject to financial status determination. JOBS services are purchased from a qualified contractor with the Oklahoma Department of Rehabilitation Services and are provided by certified employment consultants or job coaches. Payment rates are established by the Commission for Rehabilitation Services.

(c) **Eligibility for JOBS Services**

(1) An individual shall be eligible for JOBS services if:

(A) The individual is determined to be eligible for vocational rehabilitation services; and

(B) The individual requires assistance with obtaining employment to meet financial needs (i.e., housing, transportation, daily living expenses, etc.) while completing other services on their Individualized Plan for Employment (IPE), and before pursuing placement in their chosen IPE vocational goal.

**612:10-7-138. Support Services for Employment (SSE) [NEW]**

(a) **Overview of Support Services for Employment (SSE).** Support Services for Employment are intended for individuals who require additional support to manage disability-related issues or barriers that limit their ability to achieve ormaintain competitive, integrated employment.

(b) **Provision of Support Services for Employment (SSE).** Support Services for Employment (SSE) are not subject to financial status determination. SSE services are purchased from a qualified contractor with the Oklahoma Department of Rehabilitation Services and are provided by certified employment consultants or job coaches.

(1) An Employment Support Assessment (ESA) of the individual's level of independence and support needs is used by the individual and DRS Counselor to identify needed services and supports.

(2) Services identified in the ESA may include, but are not limited to training in the following areas:

(A) accessing public transportation;

(B) securing reliable transportation;

(C) assisting individuals in obtaining the information/items necessary to meet the requirements for an I-9;

(D) teaching skills for obtaining worksite and/or training facility modifications or accommodations;

(E) navigation in a new environment such as a college campus;

(F) advocacy/assertive skills to develop their independence in employment situations;

(G) choosing and caring for appropriate work clothing;

(H) banking skills;

(I) assisting the individual in obtaining a food handler’s card (if needed);

(J) training in the management of personal assistant services, and/or;

(K) Other.

(i) SSE services are intended to be used individually or with other employment contracts to meet the individual’s employment needs. These services are open to individuals in all priority groups.

(ii) This service cannot be used to provide the individual with transportation or assistance to or from appointments, the worksite, or the college campus. It is not to be used in place of public transportation or when the individual has circumstances that arise that prevent self-transportation.

(iii) Optional Team Meetings can be conducted anytime throughout the delivery of services as needed to address progress or concerns related to the successful completion of SSE services.

(c) **Eligibility for Support Services for Employment (SSE).**

An individual shall be eligible for support services for employment if:

(1) The individual is determined to be eligible for vocational rehabilitation services; and

(2) they require additional support to manage disability-related issues or barriers that limit their ability to achieve or maintain competitive, integrated employment.

**PART 15. TRAINING**

**612:10-7-164. Personal and work adjustment training [AMENDED]**

(a) Personal and/or work adjustment training is provided by facilities and schools having valid contracts with the Department.

(b) Personal or work adjustment training is the provision of skills or techniques for the purpose of enabling the individual to compensate for a disability such as the loss of a member of the body or the loss of sensory function. Personal or work adjustment training includes but is not limited to conditioning activities for developing work tolerance, work therapy, occupational therapy, lip reading, speech training and speech correction, auditory training, gait training, diabetes management courses, driver's training, and mobility training. It may also include development of personal habits, attitudes, and work habits necessary to orient the individual to the world of work. This service does not require client participation in cost of services. High school students eligible for this service must be at least 16 years of age and may not participate for more than ~~18~~ 24 months unless client and counselor determine additional time is needed.

**PART 17. SUPPORTED EMPLOYMENT SERVICES**

**612:10-7-179. Overview of Supported Employment Services [AMENDED]**

Supported ~~employment~~ Employment ~~services~~ Services are provided to individuals with the most ~~severe~~ significant disabilities who need supports on and off the job to obtain and maintain employment and who require~~.~~ :

(A) A significant degree of job site support to learn job tasks, gain work adjustment skills, and stabilize in employment, and;

(B) Long-term support to retain employment.

**612:10-7-180. Eligibility for the Supported Employment ~~Program~~ Services[AMENDED]**

An individual shall be eligible for supported employment (SE) services if:

(1) The individual is determined to be eligible for vocational rehabilitation services;

(2) The individual is determined to be an individual with the most ~~severe~~ significant disabilities; ~~and~~

(3) A comprehensive assessment of rehabilitation needs of the individual, including an evaluation of rehabilitation, career, and job needs, identifies supported employment as the appropriate rehabilitation objective for the individual~~.~~; and

(4) The counselor may not find an individual ineligible for supported employment services because a resource for providing extended services cannot be identified. In this instance, the counselor will:

(A) accept the individual as eligible for VR services;

(B) plan VR services as appropriate, including the expected availability of extended services; and

(C) seek out and/or help in developing the needed extended services resource.

**612:10-7-182. Competitive integrated employment for ~~supported~~ Supported ~~employment~~ Employment clients [AMENDED]**

Competitive integrated employment for individuals receiving ~~supported~~ Supported ~~employment~~ Employment services ~~clients~~ is defined as employment performed on a full-time or part-time basis in an integrated setting, consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual. The individual is compensated at or above minimum wage, but not less than the customary or usual wage paid by the employer for the same or similar work performed by individuals who are not disabled. (See 34 CFR 361.5(c)(9)). Wages must be paid by the employer, not the ~~vendor~~ contractor, unless the contractor is the employer of record, and the wage meets the ONET median hourly wage, [www.onetonline.org](https://www.onetonline.org/) for the type of job and location of the job.

**612:10-7-183. Ongoing support services [AMENDED]**

The individual will be provided needed and appropriate ongoing support services such as job site training, transportation, service to family members, or any service necessary to ~~achieve~~ ~~and~~ maintain the ~~supported~~ successful employment ~~placement~~ throughout the term of employment. DVR and DSBVI sponsored support services are provided from the ~~time of placement~~ first day of employment until the individual is stabilized on the job (completion of "Stabilization Milestone") by the ~~service provider~~ contractor.

**612:10-7-184. Extended services [AMENDED]**

Extended services are a continuation of ongoing support services provided to individuals in Supported Employment at completion of stabilization, during the "Successful Rehabilitation" Milestone and beyond case closure. Such services consist of the provision of specific services, including natural supports, needed to maintain the ~~supported~~ successful employment placement. Extended services are specifically identified in the IPE. Except as provided by federal law with regard to youth with the most significant disabilities, extended services are paid from funding sources other than DVR and DSBVI. An individual may not be found ineligible for supported employment services because the resource for providing extended services cannot be identified.

**612:10-7-185. Provision of supported employment services [AMENDED]**

(a) Supported employment (SE) services are provided by DRS for a period of time not to exceed the period specified in federal law, unless under special circumstances the eligible individual and the rehabilitation counselor jointly agree to extend the time in order to achieve the rehabilitation objective identified in the IPE.

(b) Supported employment services are not subject to financial status determination. Services are purchased from a qualified ~~vendor~~ contractor ~~under contract~~ with the Oklahoma Department of Rehabilitation Services and are provided by certified employment consultants or job coaches. Payment rates are established by the Commission for Rehabilitation Services and are based on a milestone delivery system ~~of service milestones~~.

(c) Supported employment services may include:

~~(1) Situational assessments to help develop, finalize or reassess a supported employment plan of services;~~

~~(2) Job development and job placement;~~

(~~3~~1) Time-limited job coach services to provide intensive on-the-job skills training and additional training and support services needed to achieve and maintain job stability, including follow-up services with employers and others for the purpose of supporting and stabilizing the job placement; and

(2) Post-employment services following an individual's transition to extended services, when such services are not available from an extended service provider and are necessary to maintain or regain the job placement or advance in employment. Services may include job coaching, job station redesign, repair and maintenance of assistive technology and repair and replacement of orthotic and prosthetic devices.

(d) DRS must utilize ~~re-placement~~ Additional Employment ~~services~~ Services for individuals who lose a job ~~within two years of~~ after achieving a successful rehabilitation outcome, and prior to DRS case closure, if the counselor determines extended services are not adequate to cover re-placement and DRS assistance is necessary. ~~Re-placement~~ Additional Placement ~~services~~ Services include ~~Vocational Preparation/Job Club,~~ Four (4) Weeks Job Support, Job Stabilization and Successful Rehabilitation.

(e) Transitional employment services are available for individuals with serious mental illness. Transitional employment is designed to assist individuals who have not had significant, successful or recent work experience to build work adjustment skills and ego strength/self-esteem, develop a positive work history, learn adjustment skills in a real work environment or clarify their strengths and interests. Transitional employment prepares individuals to make future employment and career decisions.

**PART 18. EMPLOYMENT AND RETENTION SERVICES**

**612:10-7-186. Overview of Employment and Retention Services [AMENDED]**

Employment and Retention (E&R) Services are provided to individuals with significant disabilities who need short-term job coach supports ~~for individuals with significant disabilities, requiring assistance preparing for, obtaining, and~~ to ~~maintaining~~ maintain successful employment. ~~This service model~~ Employment and Retention Services consists of ~~5~~ the Four Weeks Job Support - Retention, and the Successful Employment Milestones.

**612:10-7-187. Eligibility for Employment and Retention Services [AMENDED]**

An individual shall be eligible for employment and retention (ER) services if:

(1) The individual is determined to be eligible for vocational rehabilitation services;

(2) The ~~client~~ individual is determined to be an individual with significant disabilities~~,~~; and

(3) The ~~client~~ individual needs short-term job coach support ~~in preparing for, obtaining, and/or~~ to ~~maintaining~~ maintain successful employment.

**612:10-7-188. Provision of ~~employment~~ Employment and ~~retention~~ Retention ~~services~~ Services [AMENDED]**

(a) Employment and retention (E~~&~~R) services are not subject to financial status determination. E~~&~~R services are purchased from a qualified ~~vendor~~ contractor ~~under contract~~ with ~~DRS~~ the Oklahoma Department of Rehabilitation Services and are provided by certified employment consultants or job coaches ~~or employment training specialists~~. Payment rates are established by the Commission for Rehabilitation Services and are based on amilestone delivery system. ~~Employment and retention services can be initiated during the final graduating semester of high school.~~

**612:10-7-189. Competitive integrated employment for Employment and Retention [AMENDED]**

Competitive integrated employment for ~~persons~~ individuals receiving Employment and Retention services is defined as employment performed on a full-time or part-time basis in an integrated setting, consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual. The individual is compensated at or above minimum wage, but not less than the customary or usual wage paid by the employer for the same or similar work performed by individuals who are not disabled. (See 34 CFR 361.5(c)(9)). ~~is defined in DRS policy.~~ Wages must be paid by the employer instead of the ~~vendor~~ contractor, unless the contractor is the employer of record, and the wage meets the ONET median hourly wage, [www.onetonline.org](https://www.onetonline.org/) for the type of job and location of the job.

**PART 21. PURCHASE OF EQUIPMENT, OCCUPATIONAL LICENSES AND CERTIFICATIONS**

**612:10-7-221. Housing Modification [AMENDED]**

(a) Modification of a residence may include installation of ramps, widening of doors, installation of grab bars and other accessibility modifications when such modifications are necessary to support the client in achievement of an employment outcome. DRS will not provide major structural modifications such as elevators, room additions or major wall removal. Housing modifications that will cost more than the OMES-DCAM authority order limit require supervisor approval. All housing modifications are subject to the Prior Approval from RSA in accordance with 2 CFR 200.439.

(b) In all situations where housing modification is to be done, the owner of the house must provide proof of ownership, sign a written release form, and be current on mortgage payments. DRS will not provide permanent modification to rental properties but may assist with portable/removable modifications. The renter/client is responsible for obtaining prior written permission from the owner for any portable/removable modifications. The counselor must make a referral to the Assistive Technology (AT) Specialist who will then evaluate the residence recommending modifications needed to make the residence accessible for the client. After modifications have been completed the counselor will contact the AT Specialist for inspection of the home, to ensure the modifications conform to prescribed standards and meet the client's accessibility needs. The AT Specialist will provide a report to the counselor that will contain pictures of the completed work and a signed statement of satisfaction from the client.

(c) Once the Assistive Technology (AT) Specialist has completed the initial evaluation of a home for a home modification and the report is received back to the counselor:

(1) The counselor has six (6) months to act on the AT Evaluation, in that, it must be sent to Purchasing for bidding/out to bid, prior to six months from the date of the AT Evaluation, or a new evaluation must be done. An AT Report should not be more than six months old. Many things can happen in six months, especially in older homes, such as, settling, damage from storms, etc. A new report will be required after this period of time.

(2) No second egress on any home modification. Our purpose is to get the client out the front door to go to work. If the client feels the necessity to have a second egress, then that should be up to them or the homeowner, that is not the purpose of DRS.

**PART 23. SELF-EMPLOYMENT PROGRAMS AND OTHER SERVICES**

**612:10-7-230. Self-employment programs [AMENDED]**

~~(a)~~ Self-employment is not a vocational goal itself but a method of achieving employment. Self-employment programs may be divided into Contract Labor and Self-Employment.

(1) Contract Labor. Employment is contract labor when the client has a contract or on-going business with a company or person to provide a specific product or service for a fee. The service or product is produced to meet the vendor's specifications and needs. The purchasing company often supervises the work.

(2) Self-Employment. In Self-Employment, the client owns, manages and operates a business selling goods or services for the purpose of making a profit~~, ex: (Business Enterprise Program)~~. Self-Employment ranges from sole proprietorships and independent contractors to multi-employee companies and independent franchise operations.

(A) The client must have the proper skills and managerial ability to succeed in the trade or occupation for which the services are provided; and

(B) The client must have adequate resources available for the proper maintenance and upkeep of the required tools, equipment, and stocks. The client is responsible for the maintenance and repair of any tools, equipment, and stocks.

~~(b) Agency Role. The role of the VR Agency is not to serve as the sole funding source for self-employment endeavors. Other funding resources must be researched and utilized when available. DRS may participate in partially funding small business start-up or the retention of an existing client owned and operated business but does not have a capital or loan program for the establishment businesses. These investment resources must come from other sources. DRS will assist the client in making informed decisions, reduce or eliminate the barriers created by the disability(ies), training regarding small business development/self-employment, and assisting the individual in identifying possible funding resources.~~

~~(c) DRS will not assist with services to maintain or expand an existing self-employment business. However, services can be offered which might address changes brought on by a disabling condition that limits or interferes with a person's ability to continue to operate their business independently. These services might include but are not limited to such things as AT assessment for changes in worksite or job tasks; recommendations for purchase of adaptive equipment; worksite or vehicle modifications that are needed for a person to continue operating their business; or training in the use of required adaptive equipment or techniques. Before consideration will be given to assisting with an existing business the client must provide copies of the most recent two years of profit and loss statements and/or tax returns showing business profitability. DRS will not support businesses that have failed to demonstrate profit sufficient to support the individual financially.~~

~~(d) When to Consider Self-employment. The counselor may consider self-employment when all of the following guidelines have been met.~~

~~(1) The income derived from a self-employment plan is to be the primary source of support.~~

~~(2) Is the client's informed choice consistent with their unique strengths, resources, priorities, concerns, abilities, capabilities and interests.~~

~~(3) When a client expresses interest in self-employment, the individual will be required to participate in a vocational assessment with focus on self-employment potential. The assessment will include a self-evaluation completed by the client.~~

~~(4) The counselor will document, as appropriate, in the comprehensive assessment that the client has the academic, communication and managerial skills to manage their own business and the resources to demonstrate a likelihood of success.~~

~~(e) Once it has been determined by DRS that self-employment is a feasible goal, an IPE will be written to further assist the self-employment concept and the client is sent to training for developing a business plan.~~

~~(f) Certain individuals may require on-going supports or services for a business plan to be successful. The counselor will assist the individual in identifying and securing these support services. DRS cannot be responsible for funding these supports following successful employment outcomes.~~

~~(g) Clients who are receiving SSI/SSDI will be referred to a DRS Benefits Planner to review how profits from self-employment will affect their benefits prior to the completion of an Individualized Plan for Employment.~~

~~(h) The agency may provide some financial assistance toward self-employment plans that have met the requirements as specified in policy. The counselor will determine the client's financial status and any required financial participation by the client. The client's contribution may come from personal resources, property, loans, PASS plan funds or small business start-up grants from other assistance programs. A client who is receiving SSI/SSDI must submit a Plan to Achieve Self-sufficiency to SSA for review and consideration before any DRS funds can be expended toward a self-employment start up business.~~

~~(i) Any required client financial participation is applied to the cost of planned services.~~

~~(j) The agency's contribution to a self-employment plan will not exceed $5,000 without supervisory approval.~~

~~(k) The Agency will consider three-tiers of support for self-employment.~~

~~(1) Tier 1 is for self-employment plans that are considered low cost, simple and considered low risk. These cases will be limited to DRS financial contribution up to $5,000. DRS will cover 100% of costs minus any required client financial contributions. In Tier 1 cases the client is required to provide the Basic Business Plan which includes the following items:~~

~~(A) Business feasibility study.~~

~~(B) Monthly personal and living expenses worksheet.~~

~~(C) Business start-up expenses worksheet.~~

~~(D) Projected monthly case flow worksheet showing business profits versus cost of operations.~~

~~(2) Tier 2 is for self-employment businesses with anticipated costs from $5,000 up to $10,000. In these cases the client is responsible for providing 25% of the anticipated costs. Client contribution can come in many forms including the use of existing equipment or home/office space which the client owns: bank loans; PASS Plans, or any other Agency approved financial contribution. All IPE's included in Tier 2 with planned expenses over $5,000 must be reviewed and approved by the Programs Manager. In Tier 2 self-employment cases the client is required to provide the Comprehensive Business Plan that includes:~~

~~(A) Detailed description of the proposed business.~~

~~(B) Market research.~~

~~(C) Sales Plan.~~

~~(D) Management Plan.~~

~~(E) Business License and City Zoning regulations.~~

~~(F) Supporting documents will include:~~

~~(i) List of identified vendors.~~

~~(ii) Items requested to be paid by DRS.~~

~~(iii) Items and resources provided by client.~~

~~(iv) Credit Report.~~

~~(v) Copy of the client's last two years of tax returns if they were required to file.~~

~~(vi) A 100 form completed and signed by the client to be submitted to the Oklahoma Tax Commission for disclosure of tax information.~~

~~(3) Tier 3 self-employment cases are those with an anticipated cost which exceeds $10,000. Tier 3 cases will require the same supporting documentation as Tier 2. In Tier 3 the client will be required to contribute a minimum of 50% of the anticipated costs exceeding $10,000. All Tier 3 self-employment cases require review and approval by the Field Coordinator.~~

~~(4) Tier 2 and Tier 3 self-employment proposals will be required to have their Business Plan reviewed and approved by Agency designated staff and/or Review Panels.~~

~~(l) Items that the agency will not approve for funding include:~~

~~(1) Construction or purchase of real estate.~~

~~(2) Businesses that are speculative in nature such as stocks, bonds or other investments or considered speculative by the Better Business Bureau.~~

~~(3) Businesses that are organized as not for profit.~~

~~(4) Businesses organized as hobbies.~~

~~(5) Purchase of vehicles including farming, ranching and construction vehicles.~~

~~(6) Refinancing of existing debt.~~

~~(7) Business plans that are not developed as the primary source of support.~~

~~(8) A business endeavor that does not have an agency approved business plan.~~

~~(9) Any business activity related to the Marijuana business including the production, distribution and/or sale of marijuana products.~~

~~(10) DRS will not assist with the purchase of a franchise business or any type of pyramid business arrangement.~~

~~(11) The purchase of domestic animals or livestock.~~

~~(m) Purchases and support services. All Agency purchases for a plan with a goal of self-employment will be in accordance with established purchasing policy regarding the competitive bid process and referrals to the State Office Purchasing Unit. Any requests for assistance with maintenance or transportation will be required to meet established policy guidelines for these support services.~~

~~(n) The counselor will continue to be available for technical assistance upon completion of approved purchases. Counselor will review with client every 3 months the progress of the business. This will include copies of the businesses profit and loss statements and record of business performed. The purpose of these reviews is to determine if the involvement in self-employment is allowing the client to substantially increase his/her earnings to achieve self-employment success and be able to meet on-going financial obligations of the business. Should the business not be showing an increase in the income of the client, the counselor will review, with the client, the client's business plans to try to increase the business income. If necessary, the client may be referred to the small business development center or similar program for technical assistance in making changes in business operation to achieve a business profit.~~

~~(o) As stated in the IPE, this case would be agreed upon as a successful closure if the business is stable after 90 days and has met the specified level of performance. At the time of case closure, title for all goods purchased by the agency will be released to the client.~~

~~(p) As stated on the IPE the Counselor will discuss with the client at time of successful case closure that the client will be expected to furnish the Agency with income verification for the first year after successful case closure for reporting purposes as required under WIOA. This income verification can come in the form of self-employment worksheets signed and attested to by program participants or other approved Agency forms of verification.~~

**612:10-7-232. Placement [AMENDED]**

(a) Placement is the joint responsibility of the counselor and client. The counselor must start preparing the client for placement prior to completion of training or other employment related services.

(b) Job placement services may be provided by DRS counselors, job placement specialists employed by the agency, or through procurement of services from other ~~entities~~ qualified contractors that offer job placement assistance. ~~In addition,~~ ~~the agency's~~ ~~Supported Employment (SE) and Employment and Retention (E&R) programs~~ ~~make job placement services available through~~ ~~contracts with~~ ~~certified~~ ~~vendors~~. Job development and placement services are available from qualified contractors through the Supplemental Employment Services (SES) contract.

**PART 25. TRANSITION FROM SCHOOL TO WORK PROGRAM**

**612:10-7-240. Overview of transition from school to work services [AMENDED]**

(a) Transition services is a coordinated set of activities for a student with a disability that promotes movement from the public schools to post-school activities. Transition services represent the next set of services on the continuum of VR services available to eligible individuals. Transition services, for eligible students with disabilities, provide for further development and pursuit of career interests with postsecondary education, vocational training, job search, job placement, job retention, job follow-up, and job follow along. The transition process is outcome based, leading to post-secondary education, vocational training, competitive integrated employment (including supplemental employment services and supported employment), continuing and adult education, adult services, independent living, and/or community participation consistent with the informed choice of the individual.

(b) The Transition from School to Work Program is implemented through a cooperative agreement between DRS and each participating local secondary school district, private school, charter school, home school organization and Career and Technology Education Center, through an MOU with the State Department of Education. The Transition Coordinator in DRS State Office acts as the liaison with the State Department of Education, and provides statewide coordination and technical assistance for the Transition from School to Work Program. **1**

(c) Transition services must be based on the individual student's needs, taking into account the student's preferences and interests. Transition planning will include, to the extent needed, services in the areas of:

(1) instruction;

(2) community experiences;

(3) development of employment and other post-school adult living objectives, including job skill training available through vocational-technical schools;

(4) if appropriate, acquisition of daily living skills and a functional vocational evaluation;

(5) that promotes or facilitates the achievement of the employment outcome identified in the student's or youth's individualized plan for employment; and

(6) that includes outreach to and engagement of the parents, or, as appropriate, the representative of such a student or youth with a disability or other needs specific to the individual.

(7) supported employment services ~~can be initiated during the final graduating semester of high school~~, 34 CFR 361.5 (c) (54) (iii-v)~~.~~ and supplemental employment services.

(d) The Transition from School to Work Program is based upon effective and cooperative working relationships between the Special Education Section of the State Department of Education, the Department of Rehabilitation Services, and the Local Educational Agency. Each agency retains responsibility for providing or purchasing any transition service that the agency would otherwise provide to students with disabilities who meet the eligibility criteria of that agency.

**SUBCHAPTER 13. SPECIAL SERVICES FOR THE DEAF AND HARD OF HEARING**

**PART 3. CERTIFICATION OF INTERPRETERS**

**612:10-13-16. Evaluation [AMENDED]**

(a) **Evaluation components and conditions.** An applicant must be 18 years old or older to be eligible to take the written examination and the skill-based performance evaluation. To be eligible to take the skill-based interpreter performance evaluation, an applicant should have earned at least 30 credit hours from an accredited college or university, with a cumulative GPA of 2.0 or higher or 60 hours of Continuing Education Units relating to interpreting. To be certified as an interpreter, an ~~individual~~ applicant must pass a skill-based performance evaluation. The process for certification consists of a written examination and a sign language skill-based performance evaluation. The written examination and performance interview may include items from the NAD-RID Code of Professional Conduct and the Certification Levels limitations. Interpreters who hold Level III certification in either Interpreting or Transliterating are required to take the IV/V performance evaluation, which is in compliance with the Ethical Standards. (b) **Written examination.** The written examination consists of questions designed to measure knowledge of interpreting and situational ethics. Applicants must make a passing score, as established by the program, before being allowed to take the performance evaluation. If the written test is failed, retesting may be taken again in 30 calendar days.

(c) **Performance Evaluation.** The Interpreter Certification and Resource Center (ICRC) administers two performance evaluations, certification levels for category I-III and certification levels for category IV/V. ~~The performance evaluation~~ Both of the performance evaluation categories consists of ethical situational questions, which is called an interview, and a skill-based proficiency test, which will test the candidate's ability to interpret and transliterate interactive settings. Individuals may request testing for category levels I-III or category levels IV/V. A candidate is eligible to apply in the same performance category, I-III or IV-V, in ~~four~~ three months from prior testing date. A performance application can be submitted before ~~four~~ three months and will be placed on the next available evaluation date after the ~~four~~ three months waiting period. If an interpreter obtains a level III in either transliterating or interpreting, he/she is immediately eligible to apply for the IV/V performance. Certification will be granted to an individual whose total score falls within the acceptable range for that level.

(d) **Conflict of interest.** Interpreter certification program staff who select, manage or coordinate the certification process or select evaluators are not eligible to test for Oklahoma interpreter certification through this process.

**612:10-13-18. Fees [AMENDED]**

A fee will be charged to each applicant who applies for the written test and performance evaluation for state certification of an interpreter for the deaf. A yearly certification renewal fee will also be charged. Individuals failing to timely pay the renewal fee must submit a reinstatement fee and the annual certification renewal fee along with the application for reinstatement. The fee structure will be based on the cost of the evaluations, materials and certificate maintenance program.

The fee for the written test is $50.00. The fee for performance evaluation is $125.00. The yearly certification renewal fee is $50.00. The certification reinstatement fee is $100. Out of state residents may take the ~~written/performance~~ written test and interpreter skill-based performance for double the fee.

**612:10-13-19. Refunds [AMENDED]**

Fees paid for performance evaluations may be refunded, provided~~,~~ the request to cancel is submitted in writing at least ~~two weeks~~ four weeks prior to the scheduled date of the performance evaluation. An applicant may request to reschedule the date of the performance evaluation ~~two~~ three weeks prior to the confirmed scheduled date and may only be rescheduled once. A second request to reschedule will only be granted if documentation can be provided due to an uncontrolled situation. The new date must be within one year of the originally scheduled performance evaluation and must be before the certification level(s) expiration date or the fee is forfeited.

**612:10-13-20. Certification maintenance [AMENDED]**

(a) **General provisions for certification maintenance.** ~~QAST~~ The interpreter certification in Interpreting and Transliterating, for levels I-V, are valid for a term of ~~two~~ three years at which time the certification will expire unless the interpreter ~~retests~~ takes the skill-based performance evaluation again, including paying the appropriate fee. The exception for re-testing applies to those that achieve a certification level in Transliterating: V and Interpreting: V; those are the only levels that will not be required to retest providing the annual CEUs and the annual renewal fee is satisfied.

(1) Level V certification: An interpreter holding a certification level V in either Transliterating or Interpreting, but not both, will be required to retest. Testing will include performance test that consists of the ethical situation interview, and only the ~~performance~~ interactive section that the interpreter does not hold a level V in. The interpreter must pass the ethical situation interview with 80% before a level is granted. If a level V is not obtained, the interpreter will be required to retest until a V/V is achieved.

(2) Level I-IV certification: An interpreter with levels I, II, III, IV are required to take the 3 part performance evaluation that consists of the ethical situation interview, interactive Interpreting and interactive Transliterating. The interpreter must pass the ethical situation interview with at least an 80% before a level is granted.

(3) Certification will remain valid for an interpreter who has applied for evaluation and cannot be scheduled for testing prior to his/her certificate's expiration date, provided the application is received no later than ~~90~~ 160 calendar days before the expiration date. ~~However, any~~ Any certification will lapse if ~~the~~ any of the following occurs: annual renewal fee is not paid ~~and/or~~ continuing education requirements are not met by stipulated due dates, and/or if the application is not submitted ~~90~~ 160 days before levels expire. Individuals who have allowed certification to lapse due to non-compliance with requirements must take and pass the ~~ICRC/QAST~~ written ~~portion~~ test before they are eligible for the skill-based performance evaluation.

(4) An interpreter that holds only one ~~QAST~~ level V in either Interpreting or Transliterating, and holds a nationally recognized certification in good standing, such as, CI and CT or NIC, can be exempted from the requirement of retesting for the mode they do not have a level V in. The exemption is only valid providing the interpreter satisfies the annual ICRC CEUs by due date, the annual renewal fee by due date, and provides a current copy of their national certification card. If any of the stated requirements are not satisfied, the exemption is voided, and the interpreter will be required to take ~~QAST~~ to meet the V/V certification requirements.

(b) **Continuing education requirements.** ~~QAST~~ ICRC ~~certified~~ interpreters are required to satisfy ~~one (10 hours)~~ two (20 hours) Continuing Education ~~Unit~~ Units (CEU) annually, with ~~.1 (1 hour)~~ .5 (5 hours) ~~of this~~ in the category of ~~Ethics~~ ethics. It is the interpreter's responsibility to ensure all supportive CEU documentation is submitted to the Interpreter Certification Resource Center (ICRC) staff before or on December 31st of the current year, to avoid certification becoming invalid. If certification becomes invalid, the individual ~~must apply to test, and~~ will be required to take and pass the written ~~ICRC/QAST~~ test before becoming eligible for the skill-based performance ~~portion~~ evaluation.

(c) **Certification renewal fee.** A certification renewal fee and renewal form are due by January 31st each year. The renewal form must be postmarked on or before January 31st to avoid certification becoming suspended.

(d) **Certification suspension and reinstatement**. If the certification renewal fee and renewal form are submitted after January 31st, the ~~interpreter~~ interpreter's certification will become suspended~~,~~. ~~but~~ An interpreter who's certification has become suspended has an option to make application for reinstatement. The reinstatement process includes the following: (1) The reinstatement application, (2) a $100 reinstatement fee, and (3) payment of the annual certification renewal fee, ~~will be required for reinstatement~~ with the renewal form. The reinstatement ~~fee and certification renewal fee are due before or on February 28~~~~th~~ ~~to avoid certification becoming invalid~~ process must be submitted on or before February 28th to avoid certification becoming invalid. If certification becomes invalid, the individual must ~~apply to test, must~~ take and pass the written ~~ICRC/QAST~~ test before becoming eligible for the skill-based performance ~~portion~~ evaluation.

(e) **Expiration of certification.** If an interpreter does not submit an application and appropriate fee for testing ~~90~~ 160 days prior to the level(s) expiration date, the interpreter's certification level(s) will be considered invalid on the expiration date. If level(s) become invalid, the individual ~~must apply to test,~~ must take and pass the ~~ICRC/QAST~~ sign language interpreter written test before becoming eligible for the skill-based performance ~~portion~~ evaluation. If an interpreter's certification becomes invalid twice consecutively ~~in a four (4) year period~~ due to non-compliance with either, the CEU or annual renewal fee requirements, the interpreter will not be allowed to take the written ~~portion~~ test or the skill-based performance ~~portion~~ evaluation ~~of the ICRC/QAST test~~ until one (1) year from the date of the second documented non-compliance.

(f) **Modification of requirements**. Requirements for certification renewal of any level may be changed or modified by future amendments to this section or the rules of this subchapter.

**612:10-13-24. Interpreter certification program advisory committee [AMENDED]**

(a) An Oklahoma interpreter certification program advisory committee shall serve in an advisory capacity to provide expert assistance in maintaining the integrity of the Oklahoma interpreter certification performance and overall testing system. The committee will communicate the needs and concerns of the interpreting community ~~in regard to~~ regarding the interpreter certification performance process ~~as well as~~ and convey current industry standards for the best business practice for the interpreting profession. The advisory committee does not have formal authority to govern and cannot issue directives which must be followed. Rather, the advisory committee serves to make recommendations and/or provide key information, experiences, and suggestions for the betterment of the interpreter certification performance and overall testing system. It is imperative the advisory committee members demonstrate knowledge, expertise, and an understanding of the dynamics of the interpreter certification skill-based performance and overall testing system. Advisory committee members are also bound by confidentiality in safeguarding the integrity of the performance/testing system. The Oklahoma interpreter certification program advisory committee ~~shall also~~ may participate in selecting a grievance ~~board~~ panel members providing there is no conflict in any parties involved.

(b) ~~The Oklahoma interpreter certification program advisory committee shall consist of those individuals as defined by 612:10-13-17~~ The Oklahoma interpreter certification program advisory committee members shall be selected according to the qualifications: hearing interpreter must have either an ICRC level V/V or a national recognized interpreter certification and must be bilingual in ASL and English. The selection of the Deaf or hard of hearing members should hold a nationally recognized certification and must be bilingual in ASL and English. The members should be a current or former ICRC performance/testing evaluator, which is defined by 612:10-13-17.

(c) Oklahoma interpreter certification program advisory committee members may be nominated by others that are familiar with the interpreting field and will be chosen from a pool of qualified applicants that meets the qualifications set forth in 612:10-7-17. The qualified, nominated applications will be selected by the Department of Rehabilitation Services. The selection of qualified members should be from various sectors that serve the interpreting and Deaf/hard of hearing communities that may include educational, community interpreter, interpreter referral agency, professional agency, and/or professional organization. Members serve terms of two years, and may serve consecutive terms up to five years or longer if there are no other qualified individuals. Meetings will be held at least once annually, or as needed.

(d) Oklahoma interpreter certification program can host an interpreter quality committee that will serve to bring insight to the interpreter certification program (ICRC) regarding the basic needs from the interpreting profession. The interpreter quality committee does not have formal authority to govern and cannot issue directives which must be followed. Rather, the interpreter quality committee serves to make recommendations and/or provide key information, experiences, and suggestions for the betterment of the interpreter certification program.

(e) The quality committee members can be nominated from the interpreting community and the Deaf/Hard of Hearing community and serve on the committee for a term of two years and may serve consecutive terms up to four years. Meetings will be held at least twice annually, or as needed.