

CHAPTER 95

**VOCATIONAL REHABILITATION SERVICES
PROGRAM OF THE COMMISSION FOR
THE BLIND AND VISUALLY IMPAIRED**

Authority

N.J.S.A. 29 U.S.C. §§ 701 et seq., 34 C.F.R. Parts 74, 76, 77,
78, 79, 80, 361, 363 and 395; and N.J.S.A. 30:6-11.

Source and Effective Date

R.1999 d.375, effective October 5, 1999.
See: 31 N.J.R. 2152(a), 31 N.J.R. 3328(a).

Executive Order No. 66(1978) Expiration Date

Chapter 95, Vocational Rehabilitation Services Program of the Commission for the Blind and Visually Impaired, expires on October 5, 2004.

Chapter Historical Note

Chapter 95, Organization of the Commission for the Blind and Visually Impaired, was adopted as R.1984 d.406, effective August 23, 1984. See: 16 N.J.R. 2442(b). Chapter 95 expired on August 23, 1989.

Chapter 95, Vocational Rehabilitation Services Program of the Commission for the Blind and Visually Impaired, was adopted as new rules by R.1994 d.561, effective November 7, 1994. See: 26 N.J.R. 2242(a), 26 N.J.R. 4394(a).

Pursuant to Executive Order No. 66(1978), Chapter 95, Vocational Rehabilitation Services Program of the Commission for the Blind and Visually Impaired, was readopted as R.1999 d.375, effective October 5, 1999, and Subchapter 4, Informed Choice, Subchapter 5, Individualized Plan for Employment (IPE), and Subchapter 19, Client Appeal Rights, were adopted as new rules and former Subchapters 4 through 16 were recodified as Subchapters 6 through 18 by R.1999 d.375, effective November 1, 1999. See: Source and Effective Date. See, also, section annotations.

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APPENDIX I**SUBCHAPTER 1. OVERVIEW OF VOCATIONAL REHABILITATION****10:95-1.1 Purpose and scope**

(a) This chapter contains the rules of the Commission for the Blind and Visually Impaired regarding the vocational rehabilitation services available to eligible individuals so that such individuals might maximize their employment outcome, independence, and integration into the workplace and their communities.

(b) Vocational rehabilitation (VR) services derive from a Federally funded program emanating out of the Rehabilitation Act of 1973, as amended. The services provided under the Act are any goods or services necessary to render blind and visually impaired individuals employable, including, but not limited to, the following:

1. Assessment of rehabilitation needs, including diagnostic and related services, following the determination of eligibility for VR services.
2. Physical and mental restoration services;
3. Vocational and other training services;
4. Counseling and guidance services;
5. Maintenance services;
6. Placement services, including job search and placement assistance, job retention services, follow-up and identification of follow-along services;
7. Post employment services;
8. Services to clients' families;
9. Transportation services, as needed, while an individual is receiving other Services in vocational rehabilitation;

10. Referral services;

11. Reader service, rehabilitation teaching services, eye health, social work and orientation and mobility services;

12. On the job or other related personnel assistance services provided while an individual is receiving other services described in this section;

13. Occupational licenses, tools, equipment and initial stocks and supplies;

14. Technical assistance and other consultation services to conduct market analysis, develop business plans and otherwise provide resources, to the extent such resources are authorized to be provided through the State work-force investment systems, to eligible individuals who are pursuing self-employment or telecommuting or establishing a small business operation as an employment outcome;

15. Assistive technology services and devices; and

16. Other VR related services.

(c) The Individualized Plan for Employment (IPE) shall be the mechanism that the Commission for the Blind and Visually Impaired will utilize to ensure that client involvement and informed choice is present in every case (see N.J.A.C. 10:95-4). A statement indicating that ample choices were discussed and offered to the client shall be included in every individualized plan for employment.

Amended by R.1999 d.375, effective November 1, 1999.
See: 31 N.J.R. 2152(a), 31 N.J.R. 3328(a).

Rewrote (b); and in (c), substituted references to individualized plans for employment for references to individualized written rehabilitation programs throughout, changed N.J.A.C. reference, and substituted "discussed and offered" for "provided" following "choices were" in the second sentence.

10:95-1.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Amanuensis" means an individual who reads and/or writes appropriate material for a blind or visually impaired person. For the purposes of this chapter, an amanuensis is equivalent to a reader.

"Applicant" means an individual who submits an application for vocational rehabilitation services.

"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 telecommunication services and audio recordings. Braille and large print materials in electronic formats, augmentative devices, graphic presentations and simple language materials.