

CHAPTER 51

VOCATIONAL REHABILITATION SERVICES

Authority

N.J.S.A. 34:1-20, 34:16-20 et seq. and 34:16-27; 29 USCA, §§ 701 et seq.; and 34 CFR 361.1 et seq.

Source and Effective Date

R.2002 d.119, effective March 22, 2002.
See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 51, Vocational Rehabilitation Services, expires on September 18, 2007. See: 39 N.J.R. 1628(a).

Chapter Historical Note

Chapter 51, Vocational Rehabilitation Services, became effective August 6, 1981 as R.1981 d.289. See: 13 N.J.R. 230(a), 13 N.J.R. 517(a).

Pursuant to Executive Order No. 66(1978), Chapter 51 was readopted as R.1986 d.298, effective June 30, 1986. See: 18 N.J.R. 1088(b), 18 N.J.R. 1479(a).

The Executive Order No. 66(1978) expiration date for Chapter 51 was extended by gubernatorial waiver from June 30, 1991 to December 31, 1991. See: 23 N.J.R. 1893(a).

Pursuant to Executive Order No. 66(1978), Chapter 51, Vocational Rehabilitation Services, was readopted as R.1996 d.604, effective November 22, 1991. See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Pursuant to Executive Order No. 66(1978), Chapter 51, Vocational Rehabilitation Services, was readopted as R.1996 d. 564, effective November 8, 1996. As a part of R.1996 d.564, Subchapter 2, Introduction, was made a part of Subchapter 1, General Provisions, and a new Subchapter 2, Adoption by Reference, was adopted; Subchapter 3, Corporate Organization and Administration, was renamed Organization and Administration; Subchapter 6, Extended (Sheltered) Employees, was recodified to Subchapter 8, and a new Subchapter 6, Time Limited Job Coaching, was adopted; Subchapter 7, Psycho-Social Centers, was recodified to Subchapter 9, and a new Subchapter 7, Employment Skills Training Services, was adopted; Subchapter 8, Fees, was partially recodified to Subchapter 10, Fees, and partially recodified to Subchapter 11, Program Requirements, and a new Subchapter 8, Extended (Sheltered) Employees, was recodified from Subchapter 6; Subchapter 9, Staffing, was recodified to Subchapter 12, Staff Requirements, and a new Subchapter 9, Psycho-Social Centers, was recodified from Subchapter 7; Subchapter 10, Reporting, was repealed, and a new Subchapter 10, Fees, was partially recodified from Subchapter 8; Subchapter 11, Physical Facilities, was recodified to Subchapter 13, and a new Subchapter 11, Program Requirements, was partially recodified from Subchapter 8; Subchapter 12, Community Relations, was recodified to Subchapter 14, and a new Subchapter 12, Staff Requirements, was recodified from Subchapter 9; Subchapter 13, Professional Advisory Committee, was recodified to Subchapter 15, and a new Subchapter 13, Physical Facilities, was recodified from Subchapter 11; Subchapter 14, Grants, was recodified to Subchapter 16, and a new Subchapter 14, Community Relations, was recodified from Subchapter 12; Subchapter 15, State Plan, was repealed, and a new Subchapter 15, Professional Advisory Committee, was recodified from Subchapter 13; Subchapter 16, Cooperative Relationships, was repealed, and a new Subchapter 16, Grants, was recodified from Subchapter 14; Subchapter 18, Commission on Accreditation of Rehabilitation Facilities (CARF) Accreditation was renamed Accreditation of Rehabilitation Programs and Subchapter 20, Standards to Vend Supported Employment Services, was adopted as new

rules, effective December 16, 1996. See: 28 N.J.R. 4054(a), 28 N.J.R. 5209(a).

Chapter 51, Vocational Rehabilitation Services, was readopted as R.2002 d.119, effective March 22, 2002. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

12:51-1.1 Scope and purpose

(a) The purpose of this chapter is to define the criteria for operation of a program which is eligible to vend specific services to the Division of Vocational Rehabilitation Services and to ensure the provision of quality services to persons with disabilities. The basic rationale for the development of these standards of operations consists of the following:

1. With the increased growth and diversification of organizations in the vocational rehabilitation field, there is a

need to establish standards of operations for organizations offering rehabilitation services.

2. Established, recognized standards give evidence of a professional discipline, help organizations provide the consumer with quality services, and establish accountability of operations.

3. Standards for rehabilitation organizations are necessitated by the enactment of State and Federal legislation to help establish and improve rehabilitation programs. These standards will be utilized as a minimum basis for establishing the approval of assistance grants under the Federal Rehabilitation Act and other legislation, and for the use of such rehabilitation services by the Division of Vocational Rehabilitation Services, and by the New Jersey Commission for the Blind and Visually Impaired. They shall also be applicable to the purchase of services and the payment of fees to the rehabilitation program by the Division of Vocational Rehabilitation Services and the New Jersey Commission for the Blind and Visually Impaired.

(b) The standards of performance and service for vocational rehabilitation organizations, unless specified otherwise, are applicable to community rehabilitation programs such as sheltered workshops, psychiatric rehabilitation centers, supported employment providers, and similar types of organizations which provide rehabilitation services.

Amended by R.1991 d.604, effective December 16, 1991.

See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Stylistic revisions.

Amended by R.1996 d.564, effective December 16, 1996.

See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

Rewrote section; (b) incorporates parts of former N.J.A.C. 12:51-2.1.

SUBCHAPTER 2. ADOPTION BY REFERENCE

12:51-2.1 Adoption by reference

(a) The standards maintained by the Rehabilitation Accreditation Commission, also known as the Commission on the Accreditation of Rehabilitation Facilities (CARF), and published in the most recent Standards Manual and Interpretive Guidelines for Employment and Community Support Services and other accrediting bodies such as the Council on Accreditation of Services for Families and Children, the Joint Commission on Accreditation of Health Care Organizations and other State agencies for whom documentation is provided indicating that they meet or exceed CARF standards are adopted and incorporated herein by reference as standards for the operation of vocational rehabilitation programs in New Jersey.

(b) The standards of the American Institute of Certified Public Accountants (AICPA) Audit Guide for audits of voluntary Health and Welfare Organization, as amended and supplemented, are adopted and incorporated herein by reference as standards for rehabilitation organization accounting systems. The requirements of the Single Audit Act, Federal OMB Circular A-133, "Audits of Institutions of Higher Education and Other Non-profit Organizations," as amended and supplemented are adopted and incorporated herein by reference as standards for the conduct of audits for rehabilitation organizations.

(c) The Rehabilitation Act, 29 U.S.C. §§ 701 et seq. as amended, for Titles I and VI Part C and their applicable Federal regulations are adopted and incorporated herein by reference, as amended and supplemented, for the operation of vocational rehabilitation programs in New Jersey funded under those Titles.

Amended by R.2002 d.119, effective May 6, 2002.
See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

In (a), substituted "most recent" for "(1996)" preceding "Standards" and inserted "indicating" preceding "that they meet or exceed".

12:51-2.2 Availability of standards adopted by reference

(a) A copy of the standards adopted and incorporated herein by reference as standards for the operation of vocational rehabilitation programs in New Jersey may be obtained from the Rehabilitation Accrediting Commission, 4891 East Grant Road, Tucson, Arizona 85712-2704.

(b) A copy of the standards adopted and incorporated herein by reference as standards for rehabilitation organizations accounting systems may be obtained from the American Institute for Certified Public Accountants, 666 Fifth Avenue, New York, New York 10019.

(c) The Single Audit Act, Federal OMB Circular A-133, "Audits of Institutions of Higher Education and Other Non-profit Organizations" may be found in the Federal Register, Vol. 55, No. 52, Friday, March 16, 1990.

(d) All standards adopted and incorporated herein by reference may be reviewed at the Division of Vocational Rehabilitation Services, 135 East State Street, Trenton, New Jersey 08625, between the hours 8:30 A.M. through 4:30 P.M.

Amended by R.2002 d.119, effective May 6, 2002.
See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

In (a), substituted "Rehabilitation Accrediting Commission, 4891 East Grand Road" for "Commission on the Accreditation of Rehabilitation Facilities, 101 N. Wilont Road, Suite 500", and substituted "85712-2704" for "85711".

SUBCHAPTER 3. ORGANIZATION AND ADMINISTRATION

12:51-3.1 Organization and by-laws

(a) The rehabilitation organization or its parent organization will be, or will be part of, a legal entity with a charter

and by-laws which are in accordance with those legal requirements, which in the case of a for profit entity affect its status as a business under the laws of this State.

(b) A not-for-profit organization must hold a letter of exemption under Section 501(c)3 of the Internal Revenue Service Code of 1954.

1. The agency's charter from the State of New Jersey will identify the corporate entity, state the objective of the corporate entity, and describe categories of the qualifications for membership if applicable.

2. The charter, by-laws, or articles of incorporation of non-profit organizations will contain provision for the dissolution of the organization in such a manner as to ensure that no residual assets can accrue to the benefit of any individual or group of individuals.

(c) The charter will clearly state the purposes of the organization and describe these purposes in a form suitable for distribution.

(d) The purpose of the organization will be related to the human needs it serves. The organization will describe how its programs contribute to these purposes and conditions or restrictions on admission or provisions of services.

(e) The by-laws will:

1. Provide for an advisory body, in the case of a not-for-profit rehabilitation organization for the selection of a governing board;

2. Describe qualifications for election to the advisory body and tenure of office;

3. Provide for the election and specification of duties of officers;

4. Establish regular and special meetings of the advisory body, in no event fewer than four meetings each year;

5. Provide for committees of the advisory body;

6. Describe the parliamentary procedures which will be followed in the conduct of business meetings;

7. Describe methods of amending the by-laws;

8. Establish a quorum with requirements of at least one-third of the advisory body; and

9. Require recording of minutes.

(f) The rehabilitation organization will have an Affirmative Action Program and will not discriminate on the basis of race, sex, creed, national origin or disability.

Amended by R.1991 d.604, effective December 16, 1991.
See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Revised (d)1.

Amended by R.1996 d.564, effective December 16, 1996.
See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

Amended by R.2002 d.119, effective May 6, 2002.
See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).
Rewrote (a) and (c).

12:51-3.2 Governing entity

(a) Each not-for-profit rehabilitation organization shall establish a governing entity which consists of no less than seven people and is broadly representative of the community and reflect the major areas of activities in which the organization is engaged.

1. The governing entity should reflect such professional and related fields as management, personnel, rehabilitation, manufacturing, public relations, finance or accounting, medicine, law and public welfare.

2. A person with a disability, associations for people with disabilities, and organizer labor should be represented on the governing entity.

3. The governing entity shall be organized into committees corresponding to the major activities of the organization. The minimum committees include an Executive Committee, Personnel Committee, Finance Committee, and Nominating Committee.

4. Staff members of the organization other than the executive director, and staff members of DVRS, shall not serve as members of this governing entity.

(b) The articles of incorporation and/or the by-laws shall provide a maximum length of time for a term of office of a governing entity member to ensure rotation of membership.

(c) The governing entity shall be responsible for:

1. Formulating basic policies concerned with the achievement of its purposes and conduct of its program;
2. Establishing all broad organizational policies of administration and operation;
3. Formulating a mission statement, approving and evaluating programs, stimulating continuing program planning, and adopting recommendations for program growth;
4. Establishing policy regarding property, funds, personnel operations;
5. Obtaining adequate financial support for its organizations and providing funding for the building and equipment needs for the organization;
6. Establishing and maintaining high standards of operations for its programs and for its continuing development;
7. Approving the initiation, expansion, or modification of its programs based upon the rehabilitation needs of the community and the capability of the organization to affect those needs within its established goals and objectives; and

8. Adopting an annual budget, establishing policies for administration of funds and reviewing the financial status of the organization on a quarterly basis.

(d) The governing entity, or its executive committee, shall meet at least quarterly and minutes of all meetings will be on file and distributed to all governing entity members.

Amended by R.1991 d.604, effective December 16, 1991.
See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).
Revised (a)-(i); added (j).

Amended by R.1996 d.564, effective December 16, 1996.
See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).
Rewrote section.

Amended by R.2002 d.119, effective May 6, 2002.
See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

In (a), inserted "not-for-profit" preceding "rehabilitation" in the opening paragraph and substituted "entity" for "body/board" throughout.

12:51-3.3 Executive director

(a) The governing entity will appoint an executive director or equivalent. It will formally state his or her relationship to the governing entity or its designated authority and duties, and delegate to him or her in writing such authority and responsibility as is necessary to direct the organization in accordance with its policies.

(b) The executive director will be responsible for:

1. Assisting the governing entity in the formulation of policy by presenting and interpreting operating reports, including reports reflecting the efficiency and effectiveness of the organization and by presenting and interpreting financial statements, short-term and long-term plans, changing concepts, needs and related information;
2. Assisting the governing entity as required in such functions as fund-raising, community relations, and related duties;
3. Coordinating and directing activities of the organization in accordance with the policies of the governing entity;
4. Developing the organizational structure for the program staff;
5. Maintaining personnel policies;
6. Controlling the operation of the organization through day-to-day decisions and authorization of expenditures, and other procedures in accordance with the policies established by the governing entity;
7. Upgrading the operation of the programs by studying and analyzing reports of the various services comparing the performance against budgetary, administrative, and professional standards and the extent to which program goals and objectives are being attained, and taking appropriate corrective measures;
8. Being informed of local and national rehabilitation developments; and

9. Administering the overall operations and programs and offering them appropriate information, guidance, and recommendations.

Amended by R.1991 d.604, effective December 16, 1991.
See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Revised (a)-(h).

Amended by R.1996 d.564, effective December 16, 1996.
See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

Amended duties.

Amended by R.2002 d.119, effective May 6, 2002.
See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

Substituted "entity" for "body/board" throughout.

12:51-3.4 Staff organization

(a) There will be a staff organization under the executive director which sets forth lines of authority, responsibility, and communication in accordance with policies established by the governing entity. The organizational structure will be designed to promote efficient and effective operation of the organization's programs. The organizational chart will be updated annually.

1. The delegation of authority and responsibility within the staff organization will be established and specified in job descriptions of administrative and professional personnel.

2. Coordination of activities and policies of administrative and professional departments will be achieved through regularly scheduled meetings of appropriate department heads.

3. Each department head will be responsible to the executive director or his or her designee for fulfillment of assigned duties.

Amended by R.1991 d.604, effective December 16, 1991.
See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Revised (a) and (a)3.

Amended by R.1996 d.564, effective December 16, 1996.
See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

Amended by R.2002 d.119, effective May 6, 2002.

See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

In (a), substituted "entity" for "body/board" in the introductory paragraph.

12:51-3.5 Business and financial practices

(a) The rehabilitation organization's accounting system will follow the standards established by the Rehabilitation Accreditation Commission and the American Institute of Certified Public Accountants (AICPA) Audit Guide for Audits of Voluntary Health and Welfare Organizations, as amended and supplemented, incorporated herein by reference. The accounting system shall be functional and enable the organization to identify clearly the cost of rehabilitation services, production activities, administration, and other expenses of operation.

(b) The governing entity and the executive director of not-for-profit organizations shall have an audit conducted which meets the requirements for the Single Audit Act, Federal OMB Circular A-133, "Audits of Institutions of

Higher Education and Other Nonprofit Organizations," as amended and supplemented, incorporated herein by reference. This audit shall be conducted in accordance with generally accepted auditing standards and the AICPA Industry Guide for Voluntary Health and Welfare Organizations and a copy shall be filed with the Division of Vocational Rehabilitation Services each year.

(c) A for-profit organization shall provide a written report by an independent auditor in compliance with the terms and conditions of the grant agreement and applicable laws and regulations, within 13 months of the conclusion of the contract, or within 13 months of the end of the fiscal year which includes the grant period. Such a report on compliance can be part of the independent auditor's financial audit, or can be a separate report.

(d) Charges for services or products will be based on a knowledge of their cost, including overhead. All long-term contracts should be reviewed regularly to ensure an adequate pricing structure.

(e) Where fees are charged for services not paid for by other agencies, the organization will have an established schedule of fees for services. The schedule of fees shall be available in printed form and will be applied fairly and equitably to each person served. Fees will not be divided with other agencies or individuals as consideration for referral of persons to be served.

(f) In quoting bids for contract work, an overhead mark-up should be charged. The value of any products or services, equipment or space provided by the contractor for the contract operation may be included in the determination of this mark-up. Bid quotations for program services or work should take into consideration the following:

1. Knowledge of local industry prevailing piece or time rates for comparable work;
2. Determination of production norms of the clients;
3. Production rate norms established when industry rates are not available; and
4. Costs of supplies, equipment peculiar to the work, and of administrative overhead.

(g) Selling prices of the organization's manufactured products will be in line with the prevailing price range for such products in the areas in which its products are marketed.

(h) Subcontract prices and selling prices of manufactured items and services will be reviewed at least annually to assure that they remain fair and competitive. The organization will not knowingly accept work from companies whose workers are legally on strike at the time they accept it.

(i) The organization will pay wage rates commensurate with those paid for similar types and amounts of work of local commercial and industrial establishments maintaining approved labor standards.

(j) The organization must comply with all Federal and State wage and hour laws and regulations, and be certified when applicable, by the Wage and Hour Public Contracts Division of the U.S. Department of Labor and by the State of New Jersey. All clients under the age of 18 are required to have working papers issued by the local board of education. The organization will comply with Federal, State, and local laws and regulations covering the physical facility, staff, client benefits and will also comply as nearly as practicable with local industrial and/or business practices relating to fringe benefits, including Social Security coverage for all clients so eligible. The community rehabilitation program shall have a risk protecting program adequate to preserve its assets and to compensate its staff, volunteers, clientele, and the public for reasonable claims due to events for which the program is liable. Evaluation of the needs for insurance and the types of protection offered shall be reviewed annually, or more frequently, if necessary. Insurance or risk coverage will include building(s), equipment, and inventory malpractice liability, Workers' Compensation, Social Security and bonding of appropriate personnel.

(k) Active membership should be maintained in the appropriate State and national professional associations such as the National Rehabilitation Association, the Association for Choices in Community Supports and Employment Services (ACCSES) and their affiliates, the American Rehabilitation Association, the New Jersey Psychiatric Rehabilitation Association, the Association for Persons in Supported Employment, and any other allied health and welfare organizations.

(l) All financial records will be made available to authorized representatives of the New Jersey Department of Labor and the New Jersey Commission for the Blind and Visually Impaired community rehabilitation program staff and will be subject to examination and audit upon satisfactory notice thereof.

(m) The organization will file with the Division of Vocational Rehabilitation Services an annual copy of its certified audit and the management letter.

(n) The Division of Vocational Rehabilitation Services will suspend payment to any organization that does not keep appropriate records.

Amended by R.1983 d.600, effective January 3, 1984.
See: 15 N.J.R. 1548(a), 16 N.J.R. 51(b).

Update the regulations to recognize the "shop rate" concept for bidding.

Amended by R.1991 d.604, effective December 16, 1991.
See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Revised (a)1-5, 12, and 15-19.

Amended by R.1996 d.564, effective December 16, 1996.

See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

Substantially amended section.

Amended by R.2002 d.119, effective May 6, 2002.

See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

Rewrote the section.

SUBCHAPTER 4. VOCATIONAL EVALUATION

12:51-4.1 Vocational evaluation, description

(a) Vocational evaluation is a comprehensive, individualized and systematic process in which an individual, in partnership with the evaluator and DVRS counselor, learns to identify vocational options consistent with his or her abilities, capabilities, preferences and interests and develop employment goals and objectives. This process incorporates background information (for example, information on education, psychological history, work history, medical/physical capabilities, behavior status, and financial status) and uses a combination of testing, work samples, situational assessments, community-based job tryouts, prevailing labor market data, occupational information, assistive technology, functional capacities, accommodations, and modifications. It incorporates respect for the consumer's personal processes of growth, self-empowerment, and development of insight leading to the consumer's informed choice of meaningful career progression goals.

(b) The vocational evaluation process must include intake procedures as well as an orientation procedure in order to define reasonable expectations for all parties involved. In addition, the range and scope of the evaluation services should be sufficiently comprehensive to obtain information about the individual such as: ability to learn about oneself as a result of the information obtained and furnished through the evaluation experience; educational and vocational achievements; assistive technology and reasonable accommodations needed; community and employment supports needed; environmental conditions needed; the need for tool and job-site modifications or adaptive equipment that may enhance the employability of the persons receiving services when their disabilities may invalidate otherwise standardized procedures; work and non-work needs; independent living skills; intellectual capacity; interests, aptitudes, and career aspirations; job-seeking and job-keeping skills; knowledge and occupational information; learning styles, including ability to understand, recall, and respond to various types of instruction; loss of access to the labor market and/or loss of earning capacity; personal, social, and work-related behaviors; physical and psychomotor capacities; possible employment objectives; transferable skills; work skills and tolerances; and modes of communication.

(c) The length of the basic vocational evaluation process should be based upon the time necessary to identify the individual's vocational goals which generally should be completed within a five-week (25 days of work) period, but may be more intensive and thereby shorter by mutual agreement of the client, evaluator and DVRS counselor. Those facilities that have not received approval for a five-week evaluation will continue to provide a 10-week evaluation at the approved 10-week evaluation fee. Further time extensions will depend entirely upon justification, viable staff conferences which include the individual, the evaluator and the DVRS counselor and written reports. The evaluation shall result in:

1. Development of a rehabilitation plan with a vocational goal in an integrated competitive setting with, if required, a description of supports that are required for such a placement. The evaluation report must identify the number and types of support that are required;
2. Development of the organization's rehabilitation plan, indicating the services to be provided in order to prepare for integrated employment; or
3. Determination that a vocational program is not appropriate at this time.

(d) Should an individual choose to enter extended employment rather than pursue services leading to integrated employment, the community rehabilitation program shall request certification for extended employment if the individual's productivity rate is 20 percent or more of standard productivity or seek an alternate source of funding for extended employment.

Amended by R.1983 d.600, effective January 3, 1984.
See: 15 N.J.R. 1548(a), 16 N.J.R. 51(b).

Clarifies language and removes outdated material related to phone in periods that have already expired.

Repeal and New Rule, R.1991 d.604, effective December 16, 1991.
See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Section was "Evaluation".

Amended by R.1996 d.564, effective December 16, 1996.
See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

Changed name of section from "Vocational evaluation" and substantially amended section.

Amended by R.2002 d.119, effective May 6, 2001.
See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

Rewrote (b); in (c), substituted "individual" for "consumer" in the third sentence of the introductory paragraph, and rewrote 2; rewrote (d).

12:51-4.2 Procedure

(a) The rehabilitation organization will maintain a current description of the tools, forms, and materials used for the vocational evaluation process, noting when such tools are utilized. DVRS may contract with an organization for a short term evaluation utilizing a valid commercial assessment system. In these instances, the maximum fees and length of time will be those on file with the community rehabilitation program unit.

(b) The evaluation staff conference will be conducted no later than the fourth week for a five-week evaluation and no later than the eighth week for a 10 week evaluation and will include minimally the consumer, the agency case manager, and the DVRS counselor.

(c) The evaluation report will be prepared following the staff conference and should arrive at DVRS office during the fifth week for a five-week evaluation and during the ninth week for a 10-week evaluation and will be processed for further action by DVRS. DVRS will be responsible for providing appropriate documentation of such action to the facility within one week of receipt of the report. The vocational evaluation report will be comprehensive in nature and include information as referenced in the most recently published CARF standards manual concerning the range and scope of comprehensive vocational evaluation services. The report will answer the referral questions, be shared with the individual, be disseminated in a timely manner and be relevant to the desired employment outcome. Required supports shall be identified.

(d) Vocational evaluation, other than simulated job stations, on-floor work observation, and on-the-job evaluation, shall be carried out in a separate room with appropriate space, light, and ventilation. Sound levels shall not be so excessive as to interfere with the evaluation process.

Repeal and New Rule, R.1991 d.604, effective December 16, 1991.

See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Section was "Procedure".

Amended by R.1996 d.564, effective December 16, 1996.

See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

Applied existing procedures to five-week evaluation and added procedures for ten-week evaluations; added to contents of evaluation report.

Amended by R.2002 d.119, effective May 6, 2001.

See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

In (c), rewrote the fourth sentence and added the fifth sentence; in (d), rewrote the second sentence.

12:51-4.3 Short-term comprehensive vocational evaluation

(a) Short-term comprehensive vocational evaluation is an individualized, timely, and systematic process, lasting from three to five days, in which a person seeking employment, in partnership with the evaluator and the DVRS counselor, learns to identify viable vocational options and develop employment goals and objectives that will lead to an outcome of competitive employment.

(b) The short-term comprehensive vocational evaluation shall include intake procedures; orientation; vocational exploration; person centered planning focusing on expected vocational outcomes and interests; testing which assesses an individual's learning style, dexterity, aptitudes and skills; and the appropriate work samples, if necessary. The evaluation shall also identify the reasonable accommodations, adaptations and supports, such as assistive technology, needed to remove or minimize barriers to competitive integrated employment.

(c) An individualized written evaluation plan shall be developed with the input of the person seeking employment and the evaluator, and agreed to by the DVRS counselor. It shall be modified, as necessary, with the input of the person seeking employment.

(d) The length of the short-term comprehensive vocational evaluation shall be three to five days depending upon the specific needs of the individual and agreement between the individual, the evaluator, and the DVRS counselor. The days need not be consecutive. A full day consists of five hours, of which three hours will be devoted to actual testing. Two hours can be used to determine appropriate instruments, grading the tests, and writing the report. The evaluation shall result in the development of a relevant employment plan that is the result of integrating the following information: work history; previous training and education; economic status and the impact of the loss of benefits; relevant medical and diagnostic information; functional abilities; employment and training opportunities in the community; interests of the individual; and support needs and accommodations, including assistive technology; or a determination that a vocational program is not appropriate at this time.

(e) An exit interview shall be conducted and a written evaluation report prepared which is: shared with the individual seeking employment; disseminated in a timely manner to agencies and individuals responsible for implementing the report recommendations; relevant to the desired employment outcome; and responsive to the referral questions.

(f) The rehabilitation organization will maintain a current list of vocational assessment instruments, competency exams, aptitude and interest tests available for the evaluation.

(g) If work samples are used, written instructions must specify: the materials used; the equipment used; the layout; methods for administration; interpretation of scoring; the population upon which the norms were established for these samples; and the industrial time standards for the work being performed.

(h) If situational assessments are used, the ability of the organization to provide the following must be documented: that there is adequate supervision; that the job site is safe; that there is a system for measuring appropriate work behaviors; the ability to provide or obtain job accommodations; that all aspects of the program are accessible (no physical, attitudinal, communication, or transportation barriers); what is expected in terms of quality and quantity of work; a description of the physical demands of the job; the task and demands related to the goals of the situational assessment are identified; and other issues as appropriate to the person seeking employment.

(i) Short-term comprehensive vocational evaluation, other than situational assessment, shall be carried out in a separate room with appropriate space, light, and ventilation. Sound levels shall not be so excessive as to interfere with the evaluation process.

(j) The short-term comprehensive vocational evaluation shall be conducted by a vocational evaluator who: shall have a minimum of a Bachelor's degree in Vocational Rehabilitation or a related field; shall have successfully completed at least one basic and one advanced course in test and measurements; shall come to the position with two years of relevant experience; shall be prepared to sit for the Certified Vocational Evaluator (CVE), a national examination, within three years of hire; shall be supervised by an individual who meets the CARF definition of Vocational Specialist or Vocational Evaluator; participates in ongoing relevant training in vocational evaluation and assessment such as the bi-annual Vocational Evaluation and Work Adjustment Association (VEWAA) vocational evaluation forum, regional CRP training, and New Jersey DVRS sponsored training that is appropriate to the profession. An alternative to preparing and sitting for certification through CCWAVES is to attend three courses offered through the Region II Rehabilitation Continuing Education Programs (RRCEP II): Vocational Evaluation Methods, Advanced Vocational Assessment Techniques, and Functional Situational Assessment. Completion of these courses followed by passing an examination that assesses the person's competency may be substituted for CCWAVES certification.

(k) After receiving the initial approval, an organization shall have an evaluator certified by the Commission on Certification of Work Adjustment and Vocational Evaluation Specialists (CCWAVES) in order to continue to provide services. Thus, when first applying, an organization shall be given up to three years to qualify the evaluator for CCWAVES. Absent extenuating circumstances, no extensions will be granted subsequent to the three-year qualifying period. Organizations that choose the RRCEP II alternative shall demonstrate the individual's competency via examination within the same time period. Absent extenuating circumstances, no extensions will be granted subsequent to the three-year qualifying period.

New Rule, R.2002 d.119, effective May 6, 2002.

See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

SUBCHAPTER 5. WORK ADJUSTMENT TRAINING (WAT)

12:51-5.1 Work adjustment training

(a) Work adjustment training (WAT) is a comprehensive, individualized service that assists persons seeking employment to develop or reestablish skills, attitudes, personal characteristics, work behaviors, functional capacities, to achieve the identified integrated employment outcome.

(b) Services are provided that address the individual needs of a person seeking employment to achieve the desired integrated employment outcome which shall include: attendance and punctuality; grooming skills; job-seeking skills such as interviewing, completing applications, and developing and using, job-finding networks and resources; on-the-job performance skills related to quality and quantity of work; work-related community skills such as time management, mobility, and money management skills; functional literacy skills; knowledge of work practices, such as payroll deductions, insurance, unions, retirement, benefits, and safety; work-related academic skills; work-related communication skills; access to government and community service agencies; community living arrangements and coordination; knowledge of legal affairs/tax matters and mobility and transportation skills.

(c) Work adjustment services shall result in: (1) development of a rehabilitation plan for placement in integrated employment with or without supports; or (2) development of a rehabilitation plan for extended employment for up to one year for those individuals performing at 20 percent productivity who will continue to prepare for integrated employment; or (3) development of an organization's rehabilitation plan, should an individual choose to enter extended employment rather than pursue services leading to integrated employment. The community rehabilitation program shall request certification for extended employment if the individual's productivity rate is 20 percent or more of standard productivity or seek an alternate source of funding for extended employment.

(d) During work adjustment training, staff conferences are to be held no less than every six weeks. Written notes of these conferences will be submitted to DVRS during the week following the conference. A comprehensive review of the client's progress will be conducted at the staff conference two weeks prior to the end of the authorization (approximately week 16 for a 90-day authorization and week seven for a 45-day authorization). The same relative schedule for processing will be binding on both parties.

Amended by R.1983 d.600, effective January 3, 1984.
 See: 15 N.J.R. 1548(a), 16 N.J.R. 51(b).
 Clarifies language and removes outdated material related to phone in periods that have already expired.
 Amended by R.1991 d.604, effective December 16, 1991.
 See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).
 Revised (a)-(d).
 Amended by R.1996 d.564, effective December 16, 1996.
 See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).
 Amended by R.2002 d.119, effective May 6, 2002.
 See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).
 Rewrote (a) through (c).

SUBCHAPTER 6. TIME LIMITED JOB COACHING

12:51-6.1 Time limited job coaching

(a) Time limited job coaching is the provision of support by a job coach to an individual with a disability in an integrated, competitive job setting. This program is intended for those who require intensive individual training at the work site, but who, once they have learned the job and other routines, will not require long term extended services.

(b) Each consumer is to receive an individual vocational assessment. This can be a review of existing records from other resources compiled by the rehabilitation counselor. The range and scope of the evaluation services are the same as those listed in N.J.A.C. 12:51-4.1(b).

(c) The client, a representative of the community program, and the Division's local Vocational Rehabilitation Counselor shall meet to identify those services necessary for the client to become employed, and to formulate an Individualized Plan for Employment. At this point, if there is consensus among the parties, an individual placement in integrated employment with the assistance of a job coach can be funded.

(d) Records that must include actual numbers of job coaching hours for each day shall be maintained.

Amended by R.2002 d.119, effective May 6, 2002.
 See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).
 In (a), substituted "support" for "skills training" and deleted the last sentence; in (c), substituted "Individualized Plan for Employment" for "Individualized Written Rehabilitation Plan" and "integrated" for "competitive".

12:51-6.2 Personnel administration and staffing development

(a) Basic qualifications for professional job coaches are that the individual shall have an AA degree from an accredited college in the Human Services field, or three years of related experience. If the job coach is to serve individuals whose primary language is American Sign Language (ASL), the coach shall achieve a rating of Intermediate in the Sign Communication Proficiency Interview (SCPI).

(b) Mentors recruited at the job sites shall be supervised and shall have the qualifications required for their assignments. Any personal risks or liabilities that might be encountered shall be clearly communicated to the mentor, along with information on insurance coverage.

(c) Trainees/interns shall be supervised and have the qualifications required for their assignments. Information regarding any personal risks, liabilities, and insurance coverage shall be clearly communicated to the trainee/intern and, when appropriate, to the affiliating academic or training program.

(d) Job description shall be maintained which address all staff members involved in this service. The descriptions shall set forth the qualifications, the reporting supervisor, the position(s) supervised, and the duties of each position. These are to be dated, regularly reviewed for appropriateness, and provided in written form to the individual involved.

12:51-6.3 Job coach and job coach supervisor training

(a) The organization shall have a policy for orientation of new staff members, staff members moving to new positions, volunteers, and trainees/interns, including orientation to the organization's purpose.

(b) The organization shall define and provide for the orientation and ongoing training needs of personnel providing job coaching services. This orientation and training shall include achieving community integration and the following: introduction to disability; philosophy of the organization in such areas as personal dignity, family interactions, and participation in community life; individual rights and how to assist persons to secure and exercise those rights; behavioral management practices; characteristics of persons served (for example, means of communication, degree of supervision, guardianship, special needs, medications, and general health); communication and active listening skills; confidentiality; conflict resolution; documentation and recordkeeping; job development techniques; performing a job analysis; creating the client job profile; placement; creation of a job log; facilitation of the use of natural supports; legal requirements and hiring practices (for example, Americans with Disabilities Act, Department of Labor Wage and Hour regulations); prevention/reporting of neglect and abuse; reasonable accommodation including assistive technology; social skills training; and work environments including negotiating skills, interacting with supervisors, understanding of employer and organized labor's needs and expectations.

12:51-6.4 Staff coverage

The organization has a written procedure that identifies alternate individuals to ensure that the job coaching service is provided in the absence of designated job coaching staff.

SUBCHAPTER 7. EMPLOYMENT SKILLS TRAINING SERVICES
12:51-7.1 Employment skills training services

(a) An employment skills training service is an organized, formal training program that assists a person seeking employment to acquire the skills necessary for a specific job or family of jobs. Formal skills training programs can be provided at job sites or within formal and organized training and educational settings.

(b) A number of community based organizations have developed programs intended to provide entry level skills in various occupations for individuals in the community who have disabilities. In that there are frequently an insufficient number of individuals with disabilities in a community at a given period in time to fill a complete class, such programs shall also be available for individuals without disabilities.

12:51-7.2 Approval process

In order to vend a skill training program by a community based organization, it is necessary to acquire Chapter 531 approval from the Department of Education, or approval pursuant to N.J.A.C. 6A:18-1 et seq. if the organization intends to offer the program to the general public for a fee. In those instances where some other Department has approval authority, the appropriate approval from that Department shall be secured.

Amended by R.2002 d.119, effective May 6, 2002.

See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

In former (a), deleted "Chapter 46" and inserted "pursuant to N.J.A.C. 6A:18-1 et seq."; uncodified former (a); deleted (b) through (f).

SUBCHAPTER 8. EXTENDED (SHELTERED) EMPLOYMENT
12:51-8.1 Extended (sheltered) employment

(a) Extended (sheltered) employment is a program designed to provide long term employment by the community rehabilitation program of a client/worker who is presently unable to work in the competitive labor market as provided for in N.J.S.A. 34:16-40(e). The program has available all the services of the basic vocational rehabilitation program (Title I) provided by DVRS at a lower level of intensity and without the time constraints of the basic vocational rehabilitation program for those individuals choosing non-integrated employment or for those requiring such services to prepare for integrated employment. The achievement of at least 20 percent of the normal production level is required for these persons to be individually certified by DVRS. For those individuals choosing extended employment as a long-term goal, extended employment may be entered without a PVE or WAT for a trial period of up to 50 days during which 20 percent productivity must be achieved in order to be certified as an extended employee. Those individuals who are unable to reach the required 20 percent productivity within that period will be referred to an alternate funding source. For individuals continuing to pursue integrated employment, extended employment can be entered from a PVE or WAT program provided that 20 percent productivity is achieved.

(b) The services available to extended (sheltered) employees must include evaluation, counseling, work adjustment, and placement. A case record shall be maintained on each individual which shall include documentation of all services provided to the extended (sheltered) employee.

(c) The case record will also include an individual rehabilitation plan which will be developed in concert with the evaluation and participation of the extended (sheltered) employee. The case record is the primary source of documentation and must be updated every three months.

1. For individuals choosing extended employment as a long-term goal, the rehabilitation plan shall provide for annual review to determine the individual's interests, priorities, and needs with respect to integrated employment; and

2. For individuals in extended employment for up to one year who are continuing to pursue integrated employment, the rehabilitation plan shall include specific objectives to overcome the barriers to integrated employment and for placement.

(d) Each extended (sheltered) employee will participate in a formal semi-annual review with an appropriate professional staff member and modification will be made of the individual's rehabilitation plan as indicated by progress or lack of the same.

(e) Case records will include regular quarterly notation of client earnings as a percentage of competitive pay on jobs. Specific explanations are required in those instances where an individual is earning over 50 percent of the competitive rate and is not involved in active efforts toward competitive placement. Active placement efforts in progress must be documented.

(f) The ratio for floor supervision shall be one supervisor to 20 clients. Floor supervisors shall not be absent from the floor due to other assigned duties not related to floor supervision (for example, contract procurement). Staff meetings, safety committee, etc., are considered regular supervisory responsibilities.

(g) In computing supervisor ratio in satellite facilities, off-site, or crew labor programs, these will be considered as separate entities. While counseling and placement services need not be "on site" full time, all services must be available on a regularly scheduled basis.

(h) When a staff vacancy exists through illness or separation that is expected to last more than 10 consecutive days, the facility must notify the DVRS program specialist. If it appears the vacancy will exist beyond 10 days, the facility will submit, in writing, a plan for assuring continued services to client.

(i) For the purposes of standards compliance, a position will be considered vacant for 40 work days. After 40 work days, the position will be considered not to exist until such time as it is filled.

(j) Each facility is expected to place a percentage of its extended (sheltered) employees in competitive employment each year. It is recognized that economic considerations will impact on performance in this area and consideration will be given for economic factors.

(k) Physical plant facilities must comply with the Rehabilitation Accreditation Commission standards for "Health and

Safety," as amended and supplemented, incorporated herein by reference.

(l) A client who is released early for medical appointments shall be considered to have attended the full day for purposes of counting program days unless such early releases occur on more than five percent of the days he or she is present.

Amended by R.1983 d.600, effective January 3, 1984.
See: 15 N.J.R. 1548(a), 16 N.J.R. 51(b).

Clarifies and regulates the definition of a client service day in the event of early release for medical reasons.

Amended by R.1991 d.604, effective December 16, 1991.
See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Revised (a); recodified (b)-(m) as (b)-(l), with changes.

Amended by R.1996 d.564, effective December 16, 1996.
See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

Section was "Classifications; fees and program requirements".

Amended by R.2002 d.119, effective May 6, 2002.

See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

Rewrote (a); in (b), substituted a reference to work adjustment for a reference to work services; added (c)1 and (c)2; rewrote (k).

12:51-8.2 Reporting

The organization approved to provide extended employment services shall be responsible for the submission of a quarterly statistical report 14 calendar days after the close of each quarter. This report will be submitted on Form RSW-1 to be supplied by the Division of Vocational Rehabilitation Services.

<u>Quarter Ending</u>	<u>Due Date</u>
September 30	October 14
December 31	January 14
March 31	April 14
June 30	July 1

Amended by R.1991 d.604, effective December 16, 1991.

See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Stylistic revision in (b).

Amended by R.1996 d.564, effective December 16, 1996.

See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

Deleted subsection designations and provisions requiring a narrative report.

12:51-8.3 Business and financial practices; records; requirements

(a) Contractor's accounting records are required to include the following information:

1. Individual client attendance records summarizing periodically on a calendar basis the number of days the client is present and absent, and the reason. The scheduled "working day" of a facility's extended (sheltered) employment program will consist of not less than five working or instructional hours. This record will be maintained either for all clients in a single binder or individually in each client's case file.

2. Total wages or other payments to all individual clients on an annual basis for the agency's fiscal or calendar year.

3. **Supplementary cost records:** Records shall also be maintained that will enable the State auditor to readily and accurately determine the separate cost for direct labor, indirect labor, and payments made in excess of those required by minimum Wage and Hour regulations (often called wage supplements or "subsidies").

4. **Annual auditor's reports,** copies of the auditor's adjustments and work papers, if any, to explain the adjustments and depreciation schedules. An analysis of the agency's costs will not be completed until this information has been reviewed by State auditors. In the absence of this information, the agency's book figures and the State auditor's estimates will be used in computing the agency's program costs.

Amended by R.1991 d.604, effective December 16, 1991.
See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Revised (a)1-6.

Amended by R.1996 d.564, effective December 16, 1996.
See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

Deleted (a)5 and (a)6, relating to validity of expenses and record requirements.

12:51-8.4 Wage and hour compliance

Contracts will comply with all applicable State and Federal wage and hour regulations including the possession of all certificates legally required and on a current basis.

Amended by R.1991 d.604, effective December 16, 1991.
See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).
Stylistic changes.

12:51-8.5 Reevaluation of extended (sheltered) employees

(a) Annual reevaluation and ongoing services to extended (sheltered) employees is the responsibility of the vocational rehabilitation facility. This activity is supported by DVRS under the funding of the Extended Employment Act. The Division shall also meet with extended employees to offer them additional options for integrated employment.

(b) On occasion it may become apparent that with the provisions of some specific service the individual may be competitively employable. When this instance occurs, the facility should contact the local DVRS office and discuss the specifics of the case. The decision as to whether the case should be accepted will be made on an individual basis.

Amended by R.1991 d.604, effective December 16, 1991.
See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).
Revised (a); deleted (c); redesignated existing (d) as (c), with changes.

Amended by R.1996 d.564, effective December 16, 1996.
See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

In (a), added provision relating to options; and added (d).

Amended by R.2002 d.119, effective May 6, 2002.

See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

In (a), substituted "integrated" for "integrative"; deleted (c) and (d).

SUBCHAPTER 9. PSYCHO-SOCIAL CENTERS

12:51-9.1 Psycho-social centers

(a) Psycho-social rehabilitation is a structured program of vocational preparation which endeavors to:

1. Discover and develop the individual's strengths and assets;
2. Build positive and adaptive skills; and
3. Increase and extend the individual's repertoire of skilled behavior in the physical, emotional and intellectual areas. The purpose of the center is to teach living, learning and working skills necessary to function effectively in the individual's community with adequate support.

(b) Psycho-social rehabilitation is distinguishable from treatment or maintenance programs by its emphasis on vocational performance skills acquisition. Treatment seeks to alleviate discomfort, reduce symptoms and minimize "sickness" in a non-threatening environment with minimum demands. Vocational rehabilitation begins when work ceases to be a treatment modality and becomes the program goal toward which all psycho-social activities and all performance expectations are oriented.

(c) The tactic of providing vocational performance skill acquisition is designed to make the client increasingly less dependent upon the program itself and upon the mental health system. Rather than solving the immediate problems, or assisting him through a crisis, the rehabilitation goal is ultimately to teach the individual the skills necessary to prevent future problems, enabling him or her to live and work effectively and independently. Effective rehabilitation programs are those in which all activities are systematically synchronized to progress deliberately toward that goal utilizing existing resources and linking the client to program services that ultimately enhance his or her independence in the community.

(d) The minimum staff required for approval of a facility in this classification should consist of the following.

1. Executive director (agency);
2. Program director or supervisor (full-time);
3. Rehabilitation counselor (full-time);
4. Work supervisor (full-time);
5. Employment specialist (full-time); and
6. Consulting psychiatrist.

(e) At least two of the staff in (d) above, exclusive of the executive director and consulting psychiatrist, must have a master's degree or a B.A. and at least three years experience in providing vocational programming to people with a psychiatric disability. A staff-to-client ration of one to 12 exclusive of the executive director and consulting psychiatrist must be maintained.

- vi. Evaluation reports, prognosis, summary reports and an IPE;
- vii. Information on wages paid and written report on the discussion of wages with the client;
- viii. A summary description fully setting forth the reasons for non-acceptance or closure of the case;
- ix. A written record of follow-up placement efforts; and
- x. A continuous running record, updated quarterly, of client activity.

(f) A current client or worker manual, or handbook covering services available and personnel policies, regulations and benefits should be given to each client at the time of acceptance.

(g) Each certified extended employee will be evaluated twice a year and appropriate modification will be made to the client's IPE.

(h) Records will be kept which reflect the productivity of each client/worker on a continuing basis.

(i) The organization will have a plan of placement services for clients who are ready for employment in the competitive labor market, including an adequate follow-up program.

(j) The organization will evaluate every three years its total program, its coordination with related rehabilitation programs in the community, the capacity of the organization for providing services needed in the community, follow-up of clients served, and the adequacy of the total program. Information derived from the organization's system of program evaluation should be utilized in this regard.

(k) The written consent of the client, guardian, and, if necessary, cooperating agencies shall be obtained prior to the use of the client for public relations and publicity purposes.

(l) An organization shall have a written grievance procedure for distribution to clients, trainees, and employees, which facilitates receiving and hearing complaints and discussing problems of a general or specific nature.

(m) All records of both client and the program pertaining to DVRS or the Commission for the Blind and Visually Impaired (CBVI) sponsored clients will be made available to the Division's community rehabilitation program specialist and/or auditors upon request.

Amended by R.1983 d.600, effective January 3, 1984.
 See: 15 N.J.R. 1548(a), 16 N.J.R. 51(b).
 Amended by R.1991 d.604, effective December 16, 1991.
 See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).
 Revised (a)-(e); (g)-(h); and (j)-(m).
 Amended by R.1996 d.564, effective December 16, 1996.
 See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

In (a), added two year prior existence or demonstrated capacity requirement; and in (d), provided that client, case manager, and DVRS/CBVI counselor would develop the plan.
 Amended by R.2002 d.119, effective May 6, 2002.
 See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

In (b), rewrite the introductory paragraph; in (d), inserted "interests," preceding "needs,;" in (e), substituted "quarterly" for "monthly" in 1x; in (m), inserted "or the Commission for the Blind and Visually Impaired (CBVI)" following "DVRS"; substituted references to IPEs for references to rehabilitation plans throughout.

12:51-11.2 Procedure for program approval

(a) An organization that wishes to implement a new program on a "fee for service" basis must, besides meeting the criteria of N.J.A.C. 12:51-11.1, assemble the "Program Request Package," which includes the detailed written comments of the local office manager and the community rehabilitation program specialist's written endorsement.

(b) The package shall contain a detailed program description, cost analysis and fee requests.

(c) A community rehabilitation program must apply for and be granted a written approval issued by the Director of the Division of Vocational Rehabilitation Services upon his or her being satisfied that:

1. There is a need for the service to be vended; and
2. The community rehabilitation program is in compliance with the rules and regulations governing community based vocational rehabilitation organizations.

(d) Letters of approval will be issued covering several specific service areas including, but not restricted to:

1. Vocational evaluation;
2. Work adjustment training;
3. Extended employment;
4. Psycho-social vocational rehabilitation services;
5. Skill training;
6. Time limited job coaching; or
7. Supported employment.

Amended by R.1996 d.564, effective December 16, 1996.
 See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).
 Substantially amended section.

SUBCHAPTER 12. STAFF REQUIREMENTS

12:51-12.1 Staff requirements, procedures and qualifications

(a) The executive director will maintain a functional organizational chart which is available at all times.

(b) The organization will provide a staff improvement program designed to encourage professional growth and development of the staff; for example, University Training Programs. Part of this program should include attendance at professional conferences each year pertaining to the work of the staff member, such as the National Rehabilitation Association, ACCSES New Jersey and the Association of Persons in Supported Employment, meetings and programs which are offered by the Regional Rehabilitation Continuing Education Program (RRCEP), University of Medicine and Dentistry of New Jersey, and the New Jersey Psychiatric Rehabilitation Association.

(c) Generally speaking, the professional and supervisory staff-client ratio should be no more than one to 12. The staff referred to are those directly involved in services to the participant. When dealing with the individuals with more severe disabilities, this ratio should be much less.

(d) Personnel policies, procedures and practices, and job descriptions must be stated in writing, a matter of official record, and given to all staff members. Such personnel codes shall be reviewed annually.

(e) Staff meetings at which appropriate staff members are present must be held periodically (at least once per month), and the minutes for every meeting will be kept on file and distributed for the use of the staff members involved.

(f) The executive director and the governing body/board will conduct a periodic review of professional staff salary ranges.

(g) Evidence that the individuals with disabilities, director and staff actively participate in interagency and community planning activities should be available.

(h) All staff members will have an annual written evaluation of their performance.

(i) Minimum qualifications for staff personnel are:

1. Executive director should possess:

i. A Bachelor's Degree and some of the college and university education should have included training in business administration, personnel management, the social sciences, industrial engineering, or management;

ii. Three years of experience in an administrative capacity directing professional, technical or supervisory personnel. Graduate degree(s) work may be substituted for two years experience; and

iii. Experience as a staff member in a rehabilitation program.

2. Supervisor (production) should possess:

i. A high school or technical school education or equivalency; and

ii. Supervisory experience in industrial production.

3. Rehabilitation counselor should possess a Bachelor's Degree in vocational rehabilitation or related fields.

4. Bookkeeper should possess a high school education or business school training in bookkeeping and/or accounting.

5. Vocational evaluator should possess an undergraduate degree, with emphasis in the rehabilitation area, and must attend a DVRS approved training program within six months of employment. Post graduate training in vocational evaluation may be substituted for the DVRS training program.

6. Vocational instructor should possess:

i. Accreditation by the New Jersey State Department of Education, or qualified as a journeyman in his or her field; and

ii. One year's experience in teaching a trade with teaching experience acceptable to the Division of Vocational Rehabilitation Services.

7. Director of professional services should possess:

i. A Master's Degree in vocational rehabilitation or related field;

ii. At least one year of experience in an administrative capacity directing professional, technical, or supervisory personnel; and

iii. Experience as staff member in a rehabilitation program.

8. Psychiatrist should possess board certification.

9. Program director (psycho-social), who will be responsible for the overall development, implementation and maintenance of the psycho-social program and may have direct service responsibility, should possess:

i. A Master's Degree in vocational rehabilitation or a related field;

ii. At least three years' experience, one of which should be in an administrative capacity, directing professional, technical or supervisory personnel; and

iii. Experience in direct vocational service with the psychiatric disabilities.

10. Work supervisor (psycho-social) should possess:

i. A high school education or equivalent; and

ii. Five years of work experience in occupational areas similar to those being offered at the facility. The individual must have a clear understanding of the demands and expectations in business and industry, particularly related to the occupational area supervised. The individual must understand the functional limitations imposed by a psychiatric disability. Any combination of college or technical school may be substituted for experience on a year for year basis. College credits should be within the helping professions.

11. Employment specialist (psycho-social) should possess:

- i. A Bachelor of Arts degree in human services or a related field; and
- ii. Two years experience in working with individuals with disabilities, particularly with individuals who have significant psychiatric disabilities. He or she should have an understanding of the functional limitations imposed by such a disability and must be familiar with the demands and expectations of business and industry. Experience in job placement should also be required.

Amended by R.1983 d.600, effective January 3, 1984.
See: 15 N.J.R. 1548(a), 16 N.J.R. 51(b).

Remove excessive editorial material that do not constitute rules and regulations in enforceable sense. Reduces 24 position description to 11.

Amended by R.1991 d.604, effective December 16, 1991.
See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Revised (a) through (I).

Amended by R.1996 d.564, effective December 16, 1996.
See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

Deleted (a), relating to available services; and recodified (a)1 as (a).
Amended by R.2002 d.119, effective May 6, 2002.
See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

In (b), rewrote the second sentence.

5. Architectural barriers must be eliminated. A plan for removal of all barriers will be developed and submitted to DRVS, in accordance with the Uniform Construction Code, N.J.A.C. 5:23-7, Barrier Free Subcode.

6. The facility will conform to all local, State and Federal codes, regulations, and standards with respect to health and safety. It shall have regular fire drills and an evacuation plan and require an annual inspection by the local fire control agency.

7. The facility will use criteria similar to that used in industry in determining the type and amount of labor-saving tools, equipment and machinery to use in the facility unless there are clearly defined reasons for exceptions in dealing with specific groups or clients.

8. New construction and remodeling will be in keeping with present day industrial design and meet all building codes. An automatic fire alarm system shall be required.

9. Equipment used in vocational evaluation will represent the type currently used in competitive industry and be based on client capabilities and opportunities in the labor market.

10. Access to suitable hospital and first-aid facilities will be readily available and at least one person who is trained in administering first-aid to other required client-related medical services will be available during all working hours.

11. All floors will be kept clean and dry and free of holes or projections which constitute a hazard.

12. The facility will have at least two exits, exclusive of ladders and elevators and as remote from each other as possible. It will also provide for adequate lighting (no less than a 30 candle of illumination in work areas), proper storage of inflammable material or other supplies, unobstructed and marked aisles and passageways, and adequate safety inspection and enforcement of safety regulations.

(b) The standards in (a) above will apply as appropriate based on the type of program and activities required.

Amended by R.1983 d.600, effective January 3, 1984.
See: 15 N.J.R. 1548(a), 16 N.J.R. 51(b).

Correct language.
Amended by R.1991 d.604, effective December 16, 1991.
See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Revised (a)1; 3.-6. and 8.
Amended by R.1996 d.564, effective December 16, 1996.
See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

SUBCHAPTER 13. PHYSICAL FACILITIES

12:51-13.1 Considerations

(a) If an agency offers on site services at its facility, it will be designed, located, constructed, and equipped so as to promote effective conduct of its program and to protect the safety of its clientele, staff, and equipment.

1. The facility will be located in a community convenient to main thoroughfares and public transportation and where there is adequate parking and food service for clients and staff.

2. The site and size of the property and building, rented or purchased, will be adequate for the immediate program and contemplated expansion. It is suggested that there be a minimum footage of 100 square feet floor space, exclusive of storage space, but including aisles and passageways, for each client. All ceilings will be a minimum of nine feet in height. The architectural design of the building if being newly constructed will provide for maximum flexibility in adapting floor space and utilities to facilitate operations of the workshop.

3. Private offices, easily accessible, shall be available for client counselling.

4. Space will be provided for lavatory facilities of adequate number, design, and construction to accommodate individuals with disabilities and will be kept in a clean, orderly and sanitary manner.

SUBCHAPTER 14. COMMUNITY RELATIONS

12:51-14.1 Program requirements

(a) It is recommended that the organization cooperate on a continuing basis with all other community agencies, the

National Rehabilitation Association, ACCSES New Jersey, the New Jersey Psychiatric Rehabilitation Association, The Association of Persons in Supported Employment and the appropriate State agencies in defining the needs of individuals with disabilities, providing services to meet those needs, and solving problems they have in common.

(b) The organization will have a well-planned public education program in which all forms of communication are utilized to encourage understanding, cooperation and financial assistance from other agencies, as well as civic, religious, fraternal, business and industrial groups in the community.

(c) Fund-raising practices will comply with the State and local laws, ordinances and regulations.

(d) Every effort should be made to maintain liaison with the local labor unions.

(e) The organization will work closely with the local DVRS office and other referral agencies to establish and maintain a coordinated system of service delivery for all individuals with disabilities in the community.

(f) The facility will be responsive to the needs of the community.

(g) In the event of a lay-off of employees, either professional or extended, DVRS must be notified immediately.

Amended by R.1991 d.604, effective December 16, 1991.
See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Revised (a) and (e)-(f).

Amended by R.1996 d.564, effective December 16, 1996.
See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

Amended by R.2002 d.119, effective May 6, 2002.

See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

In (a), substituted "the National Rehabilitation Association, ACCSES New Jersey" for "The New Jersey Association of Rehabilitation Facilities"; in (e), substituted "individuals with disabilities in the community" for "of its community's disabled".

(b) A Professional Advisory Committee is permanently established to meet at least twice a year to review the standards of performance and service for vocational rehabilitation programs. Written minutes of these meetings will be distributed. A formal report recommending any changes in the standards will be promulgated no later than six months prior to any readoption.

(c) Other duties of this Professional Advisory Committee will consist of assistance in handling differences of opinion, grievances and/or problems which may arise between directors of rehabilitation facilities and any private or public agencies, including the New Jersey Division of Vocational Rehabilitation Services. Those involved in whatever dispute is being mediated will in all cases be invited to attend the Professional Advisory Committee meeting.

(d) A report of these periodic meetings should be made available to the appropriate members of ACCSES New Jersey, the New Jersey Association of Persons in Supported Employment, the New Jersey Psychiatric Rehabilitation Association, the National Rehabilitation Association, other organizations with a vested interest and the New Jersey Division of Vocational Rehabilitation Services.

Amended by R.1983 d.600, effective January 3, 1984.

See: 15 N.J.R. 1548(a), 16 N.J.R. 51(b).

Correct codification of paragraph and delete "Duties" as separate section, 12:51-13.2.

Amended by R.1991 d.604, effective December 16, 1991.

See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Revised (a)-(c).

Amended by R.1996 d.564, effective December 16, 1996.

See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

Section was "Procedure".

Amended by R.2002 d.119, effective May 6, 2002.

See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

In (a), substituted "ACCSES New Jersey" for "New Jersey Association of Rehabilitation Facilities" and inserted ", the National Rehabilitation Association," preceding "and representatives of other organizations"; in (d), substituted "ACCSES New Jersey" for "New Jersey Association of Rehabilitation Facilities" and added "National Rehabilitation Association".

SUBCHAPTER 15. PROFESSIONAL ADVISORY COMMITTEE

12:51-15.1 Composition and purpose

(a) The permanent Professional Advisory Committee will consist of the Chief of Rehabilitation Services, the community rehabilitation program specialists of the Division of Vocational Rehabilitation Services and the New Jersey Commission for the Blind and Visually Impaired, the President of ACCSES New Jersey, representatives of the Association, the New Jersey Association of Persons in Supported Employment, the New Jersey Psychiatric Rehabilitation Association, the National Rehabilitation Association, and representatives of other organizations that have a vested interest in DVRS community rehabilitation program policy.

SUBCHAPTER 16. GRANTS

12:51-16.1 Availability

(a) The availability of grant monies is often difficult to determine. When specific grant monies are available DVRS will publish this information and inform organizations of the specific details for application.

(b) In the absence of specific information on availability of grant monies, organizations are encouraged to forward their request, via letters of intent, in reasonable detail, along with tentative budgets, to the community rehabilitation program specialist for their area. It would be advisable to discuss this material with the local DVRS office prior to submission.

Amended by R.1991 d.604, effective December 16, 1991.
 See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).
 Revised (a).
 Amended by R.1996 d.564, effective December 16, 1996.
 See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).
 Section was "Responsibilities".

12:51-16.2 Procedure

(a) The community rehabilitation program specialist will acknowledge receipt of the proposal and forward it to the DVRS Chief of Rehabilitation Services for community rehabilitation programs who will maintain a file of proposals.

(b) The Chief of Rehabilitation Services will, when appropriate, act as facilitator for those grant requests which show particular merit.

Amended by R.1991 d.604, effective December 16, 1991.
 See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).
 Revised text.
 Amended by R.1996 d.564, effective December 16, 1996.
 See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

SUBCHAPTER 17. PAYMENT AND ATTENDANCE POLICY

12:51-17.1 Procedure

(a) All rehabilitation services shall receive prior written authorization for specific units of service, and payment shall be made only upon the completion of the service and the receipt of required reports. Individual case records shall be maintained for each client and shall contain the appropriate documentation of rehabilitation services, copies of correspondence, invoices, and reports.

(b) The organization should notify the local office and be paid for only the units the client physically attends the program plus any official commemorative holidays occurring during the authorized period of service up to a maximum of 13 days in a calendar year. In those instances where the unit of service is an hourly rate, such as job coaching, only hours actually delivered will be reimbursed.

(c) DVRS reserves the right to terminate any authorization by submitting in writing, such a notification to the organization, giving it five-days notice.

(d) It is the DVRS counselor's responsibility to maintain an awareness of the client's progress in the program and it is the counselor's responsibility to terminate the program in the event of attendance problems severe enough to negate the value of the program.

(e) DVRS is interested in the evaluation of its client's competitive employment. There are not, within the DVRS context, excused absences. Clients whose attendance does not compare favorably with the industrial norms should not be represented as having good attendance.

Amended by R.1983 d.600, effective January 3, 1984.
 See: 15 N.J.R. 1584(a), 16 N.J.R. 51(b).
 Clarifies that all exceptions to stated regulations must be agreed upon in writing by specific staff.
 Amended by R.1991 d.604, effective December 16, 1991.
 See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).
 Revised (a)-(c) and (e).
 Amended by R.1996 d.564, effective December 16, 1996.
 See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).
 Amended by R.2002 d.119, effective May 6, 2002.
 See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).
 Rewrote (a).

SUBCHAPTER 18. ACCREDITATION OF REHABILITATION PROGRAMS

12:51-18.1 New Jersey Division of Vocational Rehabilitation Services

(a) The New Jersey Division of Vocational Rehabilitation Services (DVRS) has developed, maintained, and applied standards for approving vocationally oriented rehabilitation organizations to vend services to DVRS. These standards constitute the basis for this chapter.

(b) The DVRS maintains a firm commitment to ensure that quality, meaningful rehabilitation services will continue to be provided to individuals with disabilities. This commitment mandates DVRS to:

1. Utilize an accreditation process that will enable the agency to meet the ever changing demands of the rehabilitation movement;
2. Utilize the services of a nationally-recognized voluntary agency that has been established specifically for accreditation purposes, and operates independently of the institution it accredits; and
3. Utilize an accrediting body that meets the criteria as an acceptable accreditation authority that has been adopted by the Council of State Administrators of Vocational Rehabilitation (CSAVR).

(c) In order to achieve the above, community rehabilitation programs which are providing vocational evaluation, work adjustment training, extended employment, time limited job coaching and/or supported employment services to clients of DVRS will apply for accreditation in employment services and arrange an on-site survey by the Rehabilitation Accreditation Commission or any other accrediting body which meets or exceeds CARF standards no later than the third year of operation from date of approval by DVRS. Programs are encouraged to submit all core programs for accreditation, but are required to submit comprehensive vocational evaluation services to vend vocational evaluation; employee development services to vend work adjustment training; organizational employment services to vend extended employment; and community employment services to

vend supported employment and/or time limited job coaching.

Amended by R.1983 d.600, effective January 3, 1984.

See: 15 N.J.R. 1548(a), 16 N.J.R. 51(b).

Subsection (d) deleted and (e) recodified at (d).

Amended by R.1991 d.604, effective December 16, 1991.

See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Revised (a) through (d).

Amended by R.1996 d.564, effective December 16, 1996.

See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

Section substantially amended.

Amended by R.2002 d.119, effective May 6, 2002.

See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

In (c), substituted "Rehabilitation Accreditation Commission" for "Commission on Accreditation of Rehabilitation Facilities", deleted ", or November 8, 1999", and added "; organizational employment services to vend" before "extended employment".

SUBCHAPTER 19. ELIGIBILITY FOR DVRS SERVICES

12:51-19.1 Client eligibility

(a) To be eligible for services from DVRS, an individual must have a physical or mental disability that results in a substantial impediment to employment and require vocational rehabilitation services to prepare for, secure, retain or regain employment.

(b) Referrals are accepted from all sources and organizations are encouraged to refer individuals with disabilities to DVRS who might benefit from services.

Amended by R.1991 d.604, effective December 16, 1991.

See: 23 N.J.R. 2927(b), 23 N.J.R. 3797(a).

Revised (a).

Amended by R.1996 d.564, effective December 16, 1996.

See: 28 N.J.R. 4045(a), 28 N.J.R. 5209(a).

Amended by R.2002 d.119, effective May 6, 2002.

See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

Rewrote (a).

SUBCHAPTER 20. STANDARDS TO VEND SUPPORTED EMPLOYMENT SERVICES

12:51-20.1 Definitions

The following words and terms which apply to the supported employment program have the following meanings unless the context clearly indicates otherwise:

"Competitive employment" means work in the competitive labor market that is performed weekly on a full-time basis or on a part-time basis in an integrated setting; and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.

"Extended services" means on-going support services and other appropriate services that are needed to support and maintain an individual with a most significant disability in supported employment and that are provided by a State agency, a private nonprofit organization, employer, or any other appropriate resource, from funds other than funds received under the basic Vocational Rehabilitation Program, after an individual with the most severe disabilities has made the transition from State vocational rehabilitation agency support. New Jersey DVRS has used the term "long term follow along services" to describe this element.

"Integrated setting" means 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, to the same extent that non-disabled individuals in comparable positions interact with other persons.

"On-going support services" means services that are:

1. Needed to support and maintain an individual with the most severe disabilities in supported employment.
2. Based on a determination by the Division of Vocational Rehabilitation Services of the individual's needs as specified in an individualized plan for employment (IPE); and
3. Furnished by DVRS from the time of job placement until transition to extended services and, following transition, by one or more extended services providers throughout the individual's term of employment in a particular job placement or multiple placements if those placements are being provided under a program of transitional employment. On-going support services must include, at a minimum, twice-monthly monitoring at the work site of each individual in supported employment to assess employment stability, unless under special circumstances, especially at the request of the individual, the IPE provides for off-site monitoring, and, based upon that assessment, the coordination or provision of specific services at or away from the work site, that are needed to maintain employment stability. If off-site monitoring is determined to be appropriate, it must, at a minimum, consist of two meetings with the individual and one contact with the employer each month.

On-going support services consist of:

1. Any particularized assessment needed to supplement the comprehensive assessment of rehabilitation needs including such pre-placement services as are necessary to insure a good employee-job match;
2. The provision of skilled job trainers who accompany the individual for intensive job skill training at the work site;
3. Job development and placement;

4. Social skills training;
5. Regular observation or supervision of the individual;
6. Follow-up services such as 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;
7. Facilitation of natural supports at the worksite;
8. Any other service identified in the scope of rehabilitation services; and
9. Any service similar to the foregoing services.

“Supported employment” means:

1. Competitive work in integrated work settings or employment in integrated work settings in which individuals are working towards competitive employment for individuals with the most severe disabilities:
 - i. For whom competitive employment has not traditionally occurred or for whom competitive employment has been interrupted or intermittent as a result of a significant disability; and
 - ii. Who, because of the nature and severity of their disability, need intensive supported employment services from the designated State unit and extended services after transition in order to perform this work; or
2. Transitional employment for individuals with the most severe disabilities due to mental illness.

“Supported employment services” means on-going support services provided by the designated State unit with funds under this part:

1. For a period not to exceed 18 months, unless under special circumstances a longer period to achieve job stabilization has been jointly agreed to by the individual and the rehabilitation counselor and established in the individualized plan for employment, before an individual with the most severe disabilities makes the transition to extended services; and
2. As discrete post-employment services following transition in accordance with those items indicated under “Discrete post-employment services” listed under 34 C.F.R. 363.4(c)(3) concerning authorized activities.

“Transitional employment” means a series of temporary job placements in competitive work in an integrated work setting with on-going support services for individuals with the most severe disabilities due to mental illness. In transitional employment, the provision of on-going support services must include continuing sequential job placements until job permanency is achieved.

Amended by R.2002 d.119, effective May 6, 2002.
See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

Changed “Competitive work” to “Competitive employment” and rewrote definition; rewrote “Extended services” and “Integrated setting”; in “On-going support services”, deleted “written rehabilitation” and inserted “for employment (IPE)” following “plan” in 2, and substituted “IPE” for “individualized written rehabilitation plan” in 3; in “Supported employment”, rewrote the introductory paragraph of 1 and substituted “significant” for “severe” in 1i; in “Supported employment services”, deleted “written rehabilitation” and inserted “for employment” in 1.

12:51-20.2 Administrative

(a) The organization shall develop a mission statement that describes in broad terms the organization’s purpose, whom it serves, and general areas of service. These must be consistent with the purposes stated in legal documents. It shall be sufficiently broad to allow for modification of the program in response to community needs, or the needs of the individuals it serves, and yet specific enough to give direction to the organization’s efforts. It shall reflect the perspective that persons with disabilities have a right to informed choices, including integrated community-based employment.

(b) The governance authority of the organization shall comply with N.J.A.C. 12:51-3.2.

(c) The organization shall develop an information and communication system that is designed to promote the effective and efficient management of the organization. The system of information collection, dissemination and utilization must be accurate, communicated to appropriate personnel, relevant to the organization, and timely.

1. Appropriate safeguards are to be applied to protect confidential administrative records, whether they are electronically or manually maintained. These safeguards must include access to records being limited to authorized individuals, and controls so that the locations of all essential records will be known at any time.

2. The organization shall develop reports required by the Division of Vocational Rehabilitation Services which contain relevant employment information. The organization shall develop procedures for tracking costs.

(d) The organization’s policy shall demonstrate that systems are in place to measure outcomes including effectiveness, efficiency, and satisfaction of the people served and comply with the most recent CARF Standards Manual.

Amended by R.2002 d.119, effective May 6, 2002.
See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).

In (d), substituted “the most recent” for “CARF Standards, Section 1, Article C of the 1996”.

12:51-20.3 Personnel administration and staff development

(a) The organization’s policy shall reflect its commitment to recruit, manage, develop and retain appropriate personnel to meet the needs of the people served and contribute to

the accomplishment of the organization's mission in conformance with CARF, Section 1, Article E.

(b) Professional job coaches shall have an AA degree in the Human Services or the rehabilitation related field from an accredited college, or three years of related experience. If the job coach is to serve individuals whose primary language is American Sign Language (ASL), the coach shall achieve a rating of Intermediate in the Sign Communication Proficiency Interview (SCPI).

(c) The minimum staffing for a supported employment program shall be two qualified full-time equivalents to start, with a minimum of three qualified full-time equivalents once this organization is fully functional. In large organizations where there are trained, qualified staff in other programs within the organization, the qualified staff may be counted toward the three full-time equivalents.

Amended by R.2002 d.119, effective May 6, 2002.
See: 33 N.J.R. 4091(a), 34 N.J.R. 1726(a).
Added (c).

12:51-20.4 Supported employment services and community relationships

(a) Supported employment is employment or employment-related services provided for people with disabilities within an industrial/business community setting and is intended to maintain or result in paid employment in the community. Such services are designed to enable the person served to integrate into the work place.

(b) Supported employment services assist persons with disabilities who require ongoing support, on and/or off the job, in order to choose, obtain, and retain paid employment in integrated settings.

(c) The organization shall establish and document relationships with a variety of community groups impacting upon integrated employment opportunities including local businesses. This is demonstrated through cooperative agreements, contracts, and participation in consortia and advisory groups.

(d) The organization should enhance relationships with community employers through:

1. Providing for close cooperation between the organization and community employers through such mechanisms as business advisory councils, membership in community employer associations, business forums, and/or formal relationships with public and private schools;
2. Providing onsite job analysis, consultation, and recommendations for worksite and job modification, when appropriate;
3. Assisting employers to identify, modify, and/or eliminate architectural, procedural, instructional/communication, and/or attitudinal barriers to the employment and advancement of persons with disabilities; and

4. Educating employers about various disabilities and resulting vocational implications, assistive devices, job accommodations, services provided by the organization, incentives to the employer, and current disability-related legislation affecting the employer.

(e) There shall be clear lines of communication between supported employment services personnel and appropriate individuals in the worksite. All persons should have equal opportunity for reasonable accommodation.

(f) The organization shall adopt a policy with regard to accepting work opportunities from businesses experiencing labor disputes.

(g) The organization shall have a process to actively market supported employment information to consumers, their families, and interested community groups.

12:51-20.5 Consumer involvement and empowerment

(a) The organization shall develop employment opportunities based upon the individual's preferences, interests, abilities, capabilities and needs. The organization shall assist the person served to:

1. Understand and manage the financial and personal impact of supported employment on disability benefits and other benefits; and
2. Become knowledgeable about access to, and rights and responsibilities, under such benefits.

(b) The persons served shall be informed of supported employment service options and policies regarding transfer and reentry to supported employment services.

(c) Based upon an assessment which fully involves the consumer and that identifies the supports the individual shall require in order to participate fully in the program, the organization shall work with the individual with a disability, and the Division of Vocational Rehabilitation's Counselor, to develop an Individualized Plan for Employment (IPE). The organization providing the long term follow along shall be invited to the planning meeting.

(d) Issues that contribute to the development of this plan are choices of the person served, career planning, and opportunity for job advancement and job changes. Other items that may be included are short and long term goals and objectives related to employment, opportunities for integration and independence, utilization of generic integrated community resources to meet non work needs, short and long term supports needed (including such supports as financial resources, natural supports), assistive technology devices and assistive technology services. Finally, issues involved in the development of the plan are consideration of ancillary support services if needed, job satisfaction, and provision for at least semiannual review.