



## A Lifetime of Learning and Earning: A Transition Series for Families of Deaf and Hard of Hearing Students

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# A LIFETIME OF LEARNING AND EARNING:

## Vocational Rehabilitation Services FAQ for Parents of Deaf and Hard of Hearing High School Students

By Annette Reichman, MS, and Susan Jacoby, PhD

### A. Vocational Rehabilitation

#### What are vocational rehabilitation services?

Vocational rehabilitation (VR) services are a range of support services available in each state to eligible individuals with disabilities (including your child). These services enable them to obtain meaningful employment and career opportunities. The services provided must be consistent with your child's strengths, resources, goals, concerns, abilities, interests, and informed choices.

#### What does VR mean by an "individual with a disability"?

An "individual with a disability" is any person who:

- has a physical disability (such as mobility impairments, visual impairments, or deafness) or mental impairment (such as mental retardation, learning disabilities, autism, or mental illness) that can have a significant impact on getting and/or maintaining a job; and
- can benefit from VR services to gain employment.

#### Does every state have VR services?

VR is available in each state. Each state receives federal money (grants) to provide VR services under the Rehabilitation Act of 1973, as amended.

#### Where can I find information about my state's VR services?

Every state has at least one VR office. The addresses and telephone numbers of the local VR agency offices are generally listed under "State Government" in the local telephone directory. You can also find information at: <http://www.jan.wvu.edu/SBSES/VOCREHAB.HTM>.

### B. Eligibility Requirements

#### Who is eligible for VR?

Any individual with a disability who wants to get a job or return to work and who needs services to prepare for, gain, keep, or regain employment may be eligible for VR services.

#### Would my child be eligible for VR services?

If your child has a physical or mental impairment (such as deafness or learning disabilities) and can benefit from VR services to prepare for, gain, keep, or regain employment, then he or she is eligible to apply for VR.

#### Is my child guaranteed VR services?

##### That is, does every eligible individual receive VR services?

No. The Rehabilitation Act requires VR to first serve people with the *most significant disabilities* when there are not enough funds to serve everyone eligible for VR services. People with the most significant disabilities are given priority over those with less significant disabilities. This process is called "order of selection." Ask the VR counselor if your state is under order of selection and how this selection process might impact VR services for your child.

### C. Application Process

#### How can my child apply for VR?

Your child must complete a written application. In addition, he or she needs to include documentation about his or her educational background and disability with the application in order to determine VR eligibility. VR makes a decision within 60 days of receiving the application.



## How will my child receive VR services?

The VR agency will assign a VR counselor to your child. The counselor will gather as much information as possible about your child's work history, education and training, abilities and interests, needs, and career goals. Your child should bring copies of any medical and educational records (e.g., the most recent IEP) or other helpful information he or she already has to the first meeting since the VR counselor will want to review them.

The VR counselor will conduct a further assessment if more information is needed to determine your child's eligibility. Based on what the VR counselor gathers during the assessment, an Individualized Plan for Employment (IPE) will be developed with your child.

## The local VR counselor stated that since my child is attending high school in another state for 10 months out of the year, he or she should apply for VR services in this state. Is this correct?

No, this is not correct. The state VR agency cannot have a "duration of residence" requirement. This means the agency cannot specify a minimum amount of time your child must live at home when he or she applies for VR services. Even if your child only lives at home during holidays or summer vacations, he or she can still apply for VR services in your home state.

## The local VR counselor wants my child to apply for SSI in order to be eligible for VR. I don't want my child become dependent on SSI. Is it necessary to apply for SSI to be eligible for VR?

Applying for SSI is not a prerequisite

to applying for VR. Whether or not your child applies for SSI, he or she has the right to apply for VR services and, in most cases, would be eligible for these services. One reason the VR counselor may want your child to apply is because those who apply for SSI or SDI are presumed eligible for VR services.

## When is the best time for my child to apply for VR services – as a junior or a senior? My child was told he or she could not apply for VR services until his or her senior year. Is that correct?

Ideally, the transition plan from school to work (the IPE) is developed and approved as early as possible during the transition process—preferably during the student's junior year. At the very latest, though, VR eligibility and transition planning should be done before your child leaves high school. Each state VR agency is required to have an agreement with public schools to assist students with disabilities in the transition from school services to VR services.

## D. Career Planning and Personal Goals

### What is an IPE?

The IPE or Individualized Plan for Employment identifies your child's employment goal. It also lists the steps necessary to achieve this goal, the services needed to achieve it, and the evaluation criteria used by the VR agency to determine whether your child is making progress toward this goal. The IPE is similar to the Individualized Education Program (IEP) that you had to review and sign each year while your child was in elementary and high school. *The VR agency may provide only the services listed on the IPE.*

The VR agency must provide your child with written information about the IPE. This information should explain what must be included in the IPE and the support available for writing the IPE. The VR agency also must provide this information using an appropriate mode of communication (including American Sign Language). If the VR counselor is not proficient in American Sign Language and your child is unable to understand the counselor, he or she should ask for an interpreter.

### Who develops the IPE?

Based on the in-depth information provided by the VR counselor, your child will be able to make better career and other life choices while developing the IPE. He or she can select his or her employment outcome (goal), needed VR services, and providers of those services through discussion with the VR counselor. (Actively making career and service provider choices to meet the identified goals is called informed choice.) This process helps your child make employment and career choices based on his or her work history, education, training, abilities, and interests. The IPE can be developed with the assistance of other people who are willing to help, but it must be approved by the VR counselor and signed by your child and the counselor. The VR counselor may not advise your child to select a career in which he or she has no interest (e.g., suggest he or she attend computer classes because "hearing loss is not a barrier to computer-related employment opportunities").

## E. Services Provided

### What services will VR provide to my child?

VR services include but are not limited to:

- vocational counseling, guidance,



- and referral services;
- physical and mental restoration services;
- vocational and other training, including on-the-job training;
- assistance for students with disabilities transitioning from school to work;
- maintenance for additional costs incurred while receiving VR services (e.g., purchase of tools or school supplies);
- transportation related to other VR services;
- interpreter services for individuals who are deaf;
- reader services for individuals who are blind;
- personal assistance services to those with mobility impairments while an individual is receiving VR services;
- rehabilitation technology services and devices;
- supported employment services; and
- job placement services.

If your child has a disability in addition to being deaf, he or she can expect all of the above services and any other service that will help him or her find and keep a job.

### **Who provides the services listed in the IPE?**

The VR counselor provides some services directly to your child and arranges for other services from providers in the community.

### **My child will need long-term services because he or she will not be able to work independently. Does VR provide long-term support and services?**

VR does not provide long-term support or services. VR provides specific services to deaf individuals with additional disabilities, listed

previously in this document, to assist them in successfully obtaining employment.

Your child, however, may be eligible for long-term supported employment services through the Developmental Disabilities Program or the Mental Health Services Program in your state. Supported employment is paid, competitive work in an integrated setting that provides services such as job coaches, transportation, assistive technology, specialized job training, and individual supervision.

If your child has a developmental disability such as autism or mental retardation and needs long-term supported employment and other related support services, check your state's website to identify services that your state offers to individuals with developmental disabilities. You can find your state's developmental disabilities program website at [www.acf.hhs.gov/programs/add/states/ddcs.html](http://www.acf.hhs.gov/programs/add/states/ddcs.html).

If your child has a mental illness and needs long-term supported employment and other related support services, check your state's website to locate the nearest mental health agency. If you don't know your state's website, visit <http://mentalhealth.samhsa.gov/databases/>.

## **F. Financial Obligation**

### **Will my child have to pay for any of the VR services?**

Depending on your child's financial resources, VR may require him or her to help pay for services. For example, if your child receives monthly SSI or SSDI cash benefits, he or she may be asked to pay for transportation costs to a training facility or school and for work-related clothes. He or she also may be asked to purchase with his own

money a vibrating or flashing alarm clock to help him or her arrive at work on time.

The following services are available without charge to all eligible individuals regardless of their financial resources:

- assessment of VR eligibility;
- auxiliary aid or service (e.g., interpreting and CART services);
- vocational counseling, guidance, and referral services; and
- job search and placement services.

### **Does VR have to pay for all services in the IPE, or can VR find another agency to pay for the services?**

Before providing certain VR services, the VR counselor must decide whether another source, such as medical insurance or Medicaid, can pay for the services. This is done to save VR funds and support more clients. This is called "comparable services and benefits."

Comparable services and benefits are those benefits or services that are:

- paid for, in whole or in part, by another federal, state, or local public agency or employee benefits;
- available at the time the individual needs them; and
- similar (comparable) to the services that the individual would receive from the VR agency.

The VR counselor is not required to look for a comparable service or benefit if it would delay: 1) progress toward an employment outcome; 2) an immediate job placement; or 3) services for a person who is at extreme medical risk. Merit-based awards and scholarships are not considered "comparable services and benefits," and VR cannot require that they be used to pay for services or for attending a postsecondary training program.



**The local VR counselor stated that VR will not pay for my child to go to Gallaudet University or to the National Technical Institute for the Deaf (NTID). The agency will only support my child if he or she attends the local community college, which does not have the best program for my child. What should I do?**

The answer will depend on the specific employment goal identified in the IPE. The IPE ensures that VR services are based on your child's needs and are consistent with his or her informed choice and employment goal.

If the local community college provides the necessary courses and support services that will allow your child to achieve his or her employment goal in the IPE, then the VR counselor is only required to support your child to attend the local community college. If your child still chooses to attend Gallaudet University or NTID, then VR is obligated only to provide support equal to the cost of the local community college. Your child would have to pay the rest.

If the local community college does not provide the necessary courses or the necessary support services for your child to achieve her employment goal and Gallaudet University or NTID offers the needed training, then your child may request that VR pay for enrollment at one of these institutions. If your child and the VR counselor are unable to reach an agreement, a complaint may be filed with your local Client Assistance Program representative.

**My child has been receiving SSI since he or she was 12 years old. Now my child is 18 years old, and the SSI check goes directly**

**to him or her. What will happen to the SSI checks once he or she acquires full-time employment with the corresponding salary? Will the SSI be reduced as a result of this new income? Will he or she continue to have medical insurance coverage under Medicare?**

A minimum wage salary, even at full-time employment, will not be enough to cover his or her expenses. If your child has a full-time job and earns more than minimum wage income, he or she will most likely no longer receive the SSI monthly cash assistance payment. However, depending on the state in which your child lives, he or she may be eligible for continued Medicare or Medicaid coverage under certain conditions, even with full-time employment.

SSI offers "work incentives." These incentives are special rules that allow people to work, receive SSI, and still get monthly payments and Medicare or Medicaid. These work incentives include "Impairment-related Work Expenses," "Unincurred Business Expenses," "Unsuccessful Work Attempts," "Extended Period of Eligibility," "Continuation of Medicare," etc. These work rules are complicated, which makes it difficult to determine how much your child's SSI payment will be affected by what he or she earns. To get more information, contact your local Benefits Planning, Assistance, and Outreach Program benefits specialist on Social Security Work Incentives at <http://www.socialsecurity.gov/work/ServiceProviders/wipafactsheet.html>.

**G. Appeal Process**  
**Do individuals have appeal rights with the VR program?**

Yes. If a person applying for or

receiving VR services is unhappy with a decision made by a VR employee, he or she may request a review of that decision. The law requires at least two methods of resolving a dispute: mediation and a formal hearing process. A person may choose to use one or both of these processes to resolve the dispute. Also, a VR agency can use informal review procedures to resolve problems before mediation or a formal hearing. These informal review procedures generally involve the applicant or, as appropriate, the applicant's representative. The individuals involved negotiate a resolution with the counselor or the counselor's supervisor.

**What is the Client Assistance Program?**

The Client Assistance Program (CAP) assists individuals in their relationships with VR. If a person applying for or receiving VR services is not satisfied with those services or the decisions of the VR counselor, CAP may be able to help resolve the problem through advocacy and representation at mediation sessions, informal reviews, formal hearings, and in court proceedings.

**I received a letter from the VR counselor that my child's case has been closed although no service has been provided. Why did VR close the case?**

You can contact the VR counselor directly to ask why the case was closed and to find out what needs to be done to re-open it.

See the other publication in the new Clerc Center series, *A Lifetime of Learning and Earning: A Transition Series for Families of Deaf and Hard of Hearing Students*, *A Family Guide to Work Preparation for Deaf or Hard of Hearing High School Students* at <http://clerccenter.gallaudet.edu/Transition/LearningtoEarn>