

NC DIVISION OF SERVICES FOR THE BLIND POLICIES AND PROCEDURES VOCATIONAL REHABILITATION

Section:	D
Title:	Definitions
Current Effective Date:	10/10
Revision History:	Issued 11/99 Revised 07/99; 08/99; 02/03; 07/06; 02/08; 04/08; 10/08; 12/08; 06/09; 05/10

Abilities – One of the primary factors in employment. Abilities include the individual's existing physical, mental, or functional capacity to successfully engage in employment through natural aptitude or acquired proficiency.

Academic Remedial or Literacy Training – Training provided to remediate basic academic skills that are needed to function on the job in the competitive labor market.

Act – The Rehabilitation Act of 1973, as amended.

Acute Condition – Those injuries or acute illnesses of short duration (30 days or less occurring during the course of extended evaluation or rehabilitation such as unrelated accidental fractures, acute appendicitis, severe upper respiratory infections, etc.

Administrative Costs Under the State Plan – Expenditures incurred in the performance of administrative functions under the Vocational Rehabilitation Program including expenses related to program planning, development, monitoring, and evaluation, including, but not limited to expenses for: quality assurance; budgeting, accounting, financial management, information systems, and related data processing; providing information about the program to the public; technical assistance and support services to other state agencies, private nonprofit organizations, and businesses and industries; State Rehabilitation Council and other advisory committees; professional organization membership dues for designated State Unit employees; removal of architectural barriers in State Vocational Rehabilitation Agency offices and State operated rehabilitation facilities; operating and maintaining designated State Unit facilities, equipment and grounds; supplies; administration of Comprehensive System of Personnel Development including personnel administration, administration of affirmative action plans, and training and staff development; administrative salaries including clerical and other support staff salaries; travel costs related to carrying out the program; costs incurred in conducting reviews of Rehabilitation Counselors or Coordinator determinations; and legal expenses required in the administration of the program.

Administrative Review – An individual who is dissatisfied with the decision of the Impartial Hearing Officer may seek an impartial Administrative Review of the decision of the Impartial Hearing Officer.

Agreement of Understanding for Self-Employment – The Agreement for Self-employment is a written agreement between the eligible individual and the Agency regarding Self-Employment that identifies the responsibilities of each party, including any available similar benefits, involved in an approved self-employment project by an eligible individual. The agreement must clearly identify the income from the self-employment venture. It will also include the services to be provided, time frames for service provision and reporting, financial responsibilities including the amounts to be paid by parties, the reporting responsibilities, and others as identified by the approved plan for self-employment. It must be signed by the eligible individual, the Vocational Rehabilitation Counselor, and if required, the Vocational Rehabilitation Counselor's Supervisor.

American Indian – Member of an Indian Tribe.

Annual Review – Review of the Individual Plan for Employment (IPE), at least annually, by a qualified Vocational Rehabilitation Counselor and the individual or the individual's representative to assess the individual's progress in achieving the employment outcome. Additionally, review of the eligibility determination in cases closed in Status 08 from 02 or 06; Status 28 from 14-24; and Status 30 from 10-12 no later than 12 months after the decision is made.

Applicant – An individual who submits an application for Vocational Rehabilitation (VR) services. An individual is considered to have submitted an application when the individual, or the individual's representative, has completed and signed an Agency application form or has otherwise requested services, has provided information necessary to initiate an assessment to determine eligibility and priority for services, and is available to complete the assessment process.

Applicant Representative – A parent, a family member, a guardian, an advocate, or an authorized representative of an applicant.

Application Process – The act of formally requesting services for vocational rehabilitation and it is the beginning of the rehabilitation process.

Appropriate Modes of Communication – Any specialized aid and supports that enables an individual with a disability to comprehend and respond to information that is being communicated. Appropriate modes of communication include, but are not limited to, the use of interpreters, open and closed captioned videos, specialized telecommunication services and audio recordings, Braille and large print materials, materials in electronic formats, augmentative communication devices, graphic presentations and simple language materials. This includes, but is not limited to, graphic presentations and simple language materials that may be appropriate for individuals with cognitive impairments.

Assessment for Determining Eligibility and Vocational Rehabilitation Needs – A review of existing data to determine if an individual is eligible for Vocational Rehabilitation services and to assign priority for an Order of Selection and to the extent necessary, the provision of appropriate assessment activities to obtain necessary additional data to make the eligibility determination and assignment. To the extent additional data are necessary to make a determination of the employment outcomes and the nature and scope of Vocational Rehabilitation services to be included in the Individualized Plan for Employment of an eligible individual, a comprehensive assessment to determine the unique strengths, resources, priorities, concerns, abilities, capabilities, interest and informed choice, including the need for Supported Employment. Review to make a referral for the provision of Rehabilitation Technology services and to assess and develop the capabilities of the individual to perform in a work environment. To explore an individual's abilities, capabilities, and capacity to perform in work situations, which must be assessed periodically during trial work experiences, including experiences in which the individual is provided appropriate supports and training. Included here are Trial Work Experiences and Extended Evaluation.

Assistive Technology Consultant – Staff with knowledge in the assessments of individuals skills and needs, recommendations, assistance with purchase, assembly, delivery of assistive technology devices, and follow-up services for assistive technology required for individuals who are blind or

visually impaired to become employed and/or to live independently. The position closely evaluates home situations, post secondary school settings, and worksites and recommends the most appropriate reasonable accommodations that will allow the individual who is blind or visually impaired to live independently, attend school, and perform the essential functions of a job in the most effective and efficient manner. The Consultant may recommend low-technical modifications, such a change in lighting, adaptation of the controls on a telephone switchboard or the installation of safety measures, or may use high tech modifications, such as adaptive computer equipment for large print, speech, or Braille access.

Assistive Technology Device – Any item, piece of equipment, or product system, whether acquired commercially off-the-shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of an individual with a disability.

Assistive Technology Instructors – Staff with knowledge in providing teaching services to individuals who are blind or visually impaired out of the field offices, through remote access, or in their homes about the use of assistive technology devices that will allow greater success in employment and in independent living. Instructions will include use of screen reader software, enhanced font software, scanning software and hardware, speech and Braille output devices, specialized keyboards, and other computer related equipment. They will assist in instruction about use of CCTV and other magnification devices. If discovered in the course of instruction, the AT Instructor can make minor repairs or recommendations for equipment replacement with the consultation of the AT Consultant.

Assistive Technology Services – Any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device including:

1. The evaluation of the needs of an individual with a disability, including a function evaluation of the individual in his/her customary environment;
2. Purchasing, leasing, or otherwise providing for the acquisition by an individual with disability of an assistive technology device;
3. Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
4. Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plan and programs;
5. Training or technical assistance for an individual with a disability or, if appropriate, the family members, guardians, advocates, or authorized representatives of the individual
6. Training or technical assistance for professionals (including individuals providing educational and rehabilitation services), employers, or others who provide services to, employ, or are otherwise substantially involved in the major life functions of individuals with disabilities, to the extent that such training or technical assistance is necessary to the achievement of an employment outcome by an individual with a disability.

Barriers to Employment – Conditions that create problems which relate to finding and holding a job are: inadequate education level, lack of job skills, architectural barriers, lack of self confidence, poor self concept, and inability to get along with others, etc.

Basic Academic Remedial or Literacy Training – Literacy training or training provided to remediate basic academic skills that are needed to function on the job in the competitive labor market.

Benefits Counseling – A resource for an individual to obtain benefits and/or to understand and use work incentives available through the Social Security Administration and other public or private programs. Benefits counseling provides reliable information on the impact of earned income on cash benefits and entitlement programs that the person may depend on for overall income, including: SSI, SSDI, Medicaid and Medicare, and other health care benefits, housing subsidies, and other public assistance.

Benefits counseling can help the individual to make informed choices regarding working and earnings; apply work incentives to manage benefits and the costs associated with going to work; and develop a plan that leads to greater economic self-sufficiency. It reduces the risk of losing essential entitlements and helps the person establish a secure financial situation.

Braille literacy – The ability for an individual to read and write Braille or written words at a level appropriate to his/her age.

Business Enterprise Program – Randolph-Sheppard vending facilities and other small businesses operated by individuals with significant disabilities under the management and supervision of a State VR Agency. Include home industry where the work is done under the management and supervision of a State Vocational Rehabilitation agency in the individual's own home or residence for wages, salary, or on a piece rate. Individuals capable of activity outside the home, as well as homebound individual, may engage in such employment.

Capabilities – One of the primary employment factors. Capabilities include the potential for an individual to develop the skills necessary for employment through the provision of Vocational Rehabilitation Services.

Career Interests – A secondary employment factor. Interests include occupational areas on which an individual has focused special attention.

CHRONIC DENTAL CARIES or other Severe Dental Problems – impairment may exist if the condition is so severe that pain and discomfort interferes with normal functioning. Likewise, the impairment may prevent the individual from maintaining control or treatment of another medical condition.

Clear and Convincing Evidence – The designated State Unit shall have a high degree of certainty before it can conclude that an individual is incapable of benefiting from services in terms of an employment outcome. This is the highest standard used in our civil system of law and is to be individually applied on a case by case basis.

Client Assistance Program – The purpose of this program is to advise and inform applicants, eligible individuals, and other individuals with disabilities of all the available services and benefits under the Rehabilitation Act of 1973, as amended, and of the services and benefits available to them under Title I of the Americans with Disabilities Act (ADA). In addition, grantees may assist and advocate for applicant, eligible individuals in relation to projects, programs, and services provided under the Rehabilitation Act. In providing assistance and advocacy under Title I of the Rehabilitation Act, a CAP agency may provide assistance and advocacy with respect to services that are directly related to employment for the applicant or eligible individuals.

College Training – see University Training

Communication – The physical, cognitive and psychological ability to exchange information through the spoken or written word, sign, Braille, concepts, gestures, or any other means effectively when participating in work related activities. This includes language and Braille literacy.

When considering whether a functional limitation exists in the communications area, remember to assess the limitation with current accommodations in place. For example, if the individual has a hearing aid, what limitations exist when using the hearing aid? If the individual writes using a Braille Writer, what limitations exist when using the Braille Writer? Limitations in this area must derive directly from the disability (reading at the third grade level is not a limitation unless the reason is disability-related).

Community Rehabilitation Program – A program that provides directly or facilitates the provision of one or more of the following Vocational Rehabilitation services to individuals with disabilities to enable those individuals to maximize their opportunities for employment, including career advancement: medical, psychiatric, psychological, social, and vocational services provided under one management; testing, fitting, or training in the use of prosthetic and orthotic devices; recreational therapy; physical and occupational therapy; speech, language, and hearing therapy; psychiatric, psychological, and social services, including positive behavior management; assessment for determining eligibility and Vocational Rehabilitation needs; rehabilitation technology; job development, placement, and retention services; evaluation or control of specific disabilities; orientation and mobility services for individuals who are blind; extended employment; psychosocial rehabilitation services; Supported Employment services and extended services; services to family members if necessary to enable the applicant or eligible individual to achieve an employment outcome; and personal assistance services.

The word “program” means an agency, organization, institution, or unit of an agency, organization, or institution, that provides directly, or facilitates the provision of, Vocational Rehabilitation services as one of its major functions.

Comparable Services and Benefits – Services and benefits that are provided or paid for, in whole or in part, by other Federal, State, or local agencies, by health insurance, or by employer benefits. They must be available to the individual at the time needed to ensure the progress of the individual toward achieving the employment outcome in the individual’s Individualized Plan for Employment. They must also be commensurate to the services that the individual would otherwise receive from the Vocational Rehabilitation Agency. Merit-based awards and scholarships are not considered comparable services and benefits. Before providing certain Vocational Rehabilitation services, the Vocational Rehabilitation Counselor must determine whether another source, such as medical

insurance or Medicaid, can pay for the service. The Vocational Rehabilitation Counselor is not required to seek a comparable service or benefit if it would delay (1) the individual's progress toward achieving an Individual Plan for Employment identified employment outcome, (2) an immediate job placement, or (3) the provision of such services to an eligible individual at extreme medical risk.

Competitive Work – Work that at the time of transition is performed weekly on a full-time basis or on a part-time basis, as determined in each Individualized Plan for Employment, and for which an individual is compensated consistent with the wage standards provided for in the Fair Labor Standards Act.

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

Comprehensive Assessment – Shall:

1. to the extent necessary, identify the unique strengths, resources, priorities, interest, and needs of the participant conducted in the most integrated setting possible, consistent with the informed choice of the individual,
2. be limited to information necessary to identify the rehabilitation needs and development of the rehabilitation Individual Plan for Employment with the individual, and may, if necessary, include,
 - a. A comprehensive analysis of pertinent medical, psychiatric, psychological, and other pertinent vocational, educational, cultural, social, recreational, and environmental factors affecting the employment and rehabilitation needs of the individual;
 - b. An analysis of the individual's personality, interests, interpersonal skills, intelligence and related functions, educational achievements, work experience, vocational aptitudes, personal and social adjustments, and employment opportunities;
 - c. An appraisal of the individual's patterns of work behavior and services needed to acquire occupational skills and to develop work attitudes, work habits and work tolerance and social and behavior patterns suitable for successful job performance;
 - d. Assessment of the need for the provision of rehabilitation technology services to an individual with a disability to develop the capacities of the individual to perform in a work environment, including in an integrated setting, to the maximum extent feasible consistent with the individual's informed choice;
3. to the maximum extent possible and appropriate, be based on existing information provided by the individual and by the individual's family in accordance with confidentiality requirements.

Construction of a facility for a public or nonprofit Community Rehabilitation Program – The acquisition of land in connection with the construction of a new building for a Community

Rehabilitation Program: construction of new building; acquisition of existing building; expansion, remodeling, alteration or renovation of existing buildings; architect's fees, site surveys, and soil investigation in connection with the construction project; acquisition of initial fixed or movable equipment of any new, newly acquired, newly expanded, newly remodeled, newly altered, or newly renovated buildings, that are to be used for Community Rehabilitation Program purposes; and other expenditures appropriate to the construction project except costs of off-site improvements.

Concerns – One of the primary employment factors. Concerns include employment-related issues that need to be considered in vocational planning such as financial, self-sufficiency, medical, residential, and family considerations.

Conditions that May Affect Ability to Benefit – The presence of a rapidly progressive, catastrophic or terminal illness may affect an individual's ability to benefit or participate in vocational rehabilitation services. In such situations, the counselor should work closely with the individual and the treating practitioners regarding anticipated ability to work and the span of time involved. The medical consultant may also be a resource in these situations.

Congenital Condition –The disability has been present before, during or immediately after birth.

Coordinated Set of Activities – Includes instruction, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional Vocational Evaluation.

Coping – Facing a disability or to overcome difficulties rather than just managing.

COSMETIC APPEARANCE - Impairment may be present if the individual encounters rejection in employment-related situations due to the severity of cosmetic appearance and is only applicable when appearance is an essential part of the eligible individual's employment such as salesperson, teacher, customer service representative, or other employment where face-to-face contact is required.

Counseling and Guidance (Vocational Rehabilitation) – Discrete therapeutic counseling and guidance services that are necessary for an individual to achieve an employment outcome, including personal adjustment counseling, counseling that addresses medical, family, or social issues, vocational counseling, and any form of counseling and guidance that is necessary for an individual with a disability to achieve an employment outcome. This service is distinct from the general counseling and guidance relationship that exist between the counselor and the individual during the entire Vocational Rehabilitation process.

Criminal Act – Any crime, including an act, omission, or possession under the laws of the United States or a State or unit of general local government, which poses a substantial threat of personal injury, notwithstanding that by reason of age, insanity, or intoxication or otherwise the person engaging in the act, omission, or possession was legally incapable of committing a crime.

Current Eye Report – A report which documents an eye examination dated from within the last 12 months. In cases where the individual has had eye surgery or a substantial change in vision, the most

current eye report is needed. In no cases are eye reports on examinations more than 24 months old accepted for low vision services.

Deaf-Blindness – Defined as:

1. central visual acuity of 20/200 or less in the better eye with corrective lenses, or a field defect such that the peripheral diameter of visual field subtends an angular distance no greater than 20 degrees, or a progressive visual loss having a prognosis leading to one or both these conditions;
2. chronic hearing impairment so severe that most speech cannot be understood with optimum amplification, or a progressive hearing loss having a prognosis leading to this condition; and
3. the combination of impairments described in clauses 1 and 2 cause extreme difficulty in attaining independence in daily life activities, achieving psychosocial adjustment, or obtaining a vocation;
4. despite the inability to be measured accurately for hearing and vision loss due to cognitive or behavioral constraints, or both, can be determined through functional and performance assessment to have severe hearing and visual disabilities that cause extreme difficulty in attaining independence in daily life activities, achieving psychosocial adjustment, or obtaining vocational objectives.

Deafness – A hearing impairment of such severity that the individual must depend primarily upon visual communication such as writing, lip-reading, manual communication, and gestures.

DENTAL IMPAIRMENTS – The weakening, damage, or deterioration, especially as a result of injury or disease of the parts of the dental structure. Impairments can include cosmetic appearance or chronic dental caries and can cause vocationally-related difficulties.

Designated State Agency or State Agency – The sole State Agency to administer or supervise the local administration of the State Plan for Vocational Rehabilitation services. The term includes the State Agency for individuals who are blind, if designated as the sole State Agency with respect to that part of the State Plan relating to the Vocational Rehabilitation of individuals who are blind.

Designated State Unit or State Unit – The State Vocational Rehabilitation Bureau, Division or other organizational unit that is primarily concerned with Vocational Rehabilitation or vocational and other rehabilitation of individuals with disabilities and that is responsible for the administration of the Vocational Rehabilitation program of the State Agency or the State Agency that is primarily concerned with Vocational Rehabilitation or vocational and other rehabilitation of individuals with disabilities.

Diagnosis and Treatment of Impairment – Corrective surgery or therapeutic treatment that is likely, within a reasonable period of time, to correct or modify substantially a physical or mental impairment that constitutes a substantial impediment to employment; diagnosis and treatment for mental and emotional disorders by qualified personnel who meet State licensure laws; dentistry; nursing services; necessary hospitalization (either inpatient or outpatient care) in connection with surgery or treatment;

drugs and supplies; prosthetic, orthotic, or other assistive devices, including hearing aids; eyeglasses and visual services, including visual training, and the examination and services necessary for the prescription and provision of eyeglasses, contact lenses, microscopic lenses, telescopic lenses, and other visual aids prescribed by personnel who meet State licensure laws and are selected by the individual; podiatry; physical therapy; occupational therapy, speech and hearing therapy; mental health services; treatment of either acute or chronic medical complications and emergencies that are associated with or arise out of the provision of physical and mental restoration services or that are inherent in the condition under treatment; special services for the treatment of individuals with end-stage renal disease, including transplantation, dialysis, artificial kidneys and supplies; and other medical or medically related rehabilitation services.

Disability – A physical or mental impairment that constitutes or results in a substantial impediment to employment or that substantially limits one or more major life activities.

Disability Related Augmentative Skills Training – Training that includes but is not limited to: orientation and mobility; rehabilitation teaching; training in the use of low vision aids; Braille; speech reading; sign language; and cognitive training/retraining.

Division – North Carolina Division of Services for the Blind

Drug – A controlled substance.

Duration – The length of time the limitation has existed or is expected to last.

Eccentric Viewing – Looking off center/not directly ahead in order to use the best part of the visual field, typically due to blind spot(s) in the central visual field. Also called “eccentric fixation” and sometimes called “preferred retinal locus”. Typical abbreviations are EV or EF.

Eligible Individual – An applicant for Vocational Rehabilitation services who meets the eligibility requirements.

Employment Factors – Areas that include strengths, resources, priorities, concerns, abilities, capabilities, interest and informed choice.

Employment Goal – The profession or occupation the individual is expected to achieve as a result of the services provided under the Individual Plan for Employment (IPE). The goal, including the projected timeframe for achieving it, should be as specific and realistic as possible but may change or become more focused as the individual proceeds through the IPE. The IPE must also, to the maximum extent possible, provide training and employment in an integrated setting. The goal is based on an assessment of Vocational Rehabilitation needs, considering the individual's primary employment factors (i.e., strengths, resources, priorities, concerns, abilities, and capabilities) as well as interests and informed choice.

Employment Network (EN) – Any qualified entity that has entered into an agreement with the Social Security Administration (SSA) to deliver employment, Vocational Rehabilitation and support services to beneficiaries of SSI and/or SSDI who have assigned their Tickets to them.

Employment Outcome – Entering or retaining full-time or, if appropriate, part-time competitive employment in the integrated labor market, Supported Employment (that meets the definition of competitive employment), or any other type of employment in an integrated setting, including self-employment, telecommuting, or business ownership, that is consistent with an individual's strengths, resources, priorities, concern, abilities, capabilities, interest, and informed choice.

Employment without Supports in Integrated Setting – Full-time or part-time employment in an integrated setting without ongoing support services.

Employment with Supports in Integrated Setting – Full-time or part-time employment in an integrated setting with ongoing support services for individuals with significant disabilities.

Enclave Model – A small group of approximately five to eight individuals with most severe disabilities who work in a local industry with training, supervision and ongoing support provided by a job coach from a provider agency/agent. Supported employment enclaves are distinguished by the continuous, individualized job and integrative social skills training provided to consumers. Enclaves are built slowly, starting with one or two workers, then adding new workers as previous trainees are established with the enclave. There is an opportunity for integration with non-disabled workers at the site, as well as an opportunity for enclave workers to be absorbed into the regular work force as work skills develop.

Establishment of a Community Rehabilitation Program – The acquisition, expansion, remodeling, or alteration of existing buildings necessary to adapt them to Community Rehabilitation Program purposes or to increase their effectiveness for such purposes, and may include such additional equipment and staffing as considered appropriate.

Extended Employment – Work for wages or salary in a non-integrated or sheltered setting for a public or private non-profit agency or organization that provides compensation in accordance with the Fair Labor Standards Act and any needed support services to an individual with a disability to enable the individual to continue to train or otherwise prepare for competitive employment, unless the individual through informed choice chooses to remain in extended employment. Extended employment that does not meet the criteria described in integrated work setting will not be recognized as an employment outcome.

Extended Evaluation – Vocational rehabilitation services provided, for a maximum of eighteen (18) months, for the limited purpose of determining whether or not an individual meets the eligibility criteria for vocational rehabilitation services.

Extended Period of Time – A period of time, after eligibility has been determined, lasting six or more months. These six months of service encompass Statuses 16-20, unless significant services such as job coaching are anticipated in Status 22.

Extended Services – Ongoing 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 non-profit organization, employer, or any other appropriate resource and after the individual with a most significant disability has made the transition from support provided by the Agency.

Following transition, services provided 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. Ongoing 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 Individualized Plan for Employment (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 minimum, consist of two meetings with the individual and one contact with the employer each month.

Extreme Medical Risk – A probability of substantially increasing functional impairment or death if medical services, including mental health services are not provided expeditiously.

Eye Report – A report of an eye examination conducted and provided by an ophthalmologist (an eye M.D.) or optometrist (O.D.). The report may be on the provider's chart notes, provider's letterhead or the Eye Report. To receive low vision services, in almost all cases a current eye report is needed.

Fair Hearing Board – A committee, body or group of persons established by a State. This Board is authorized under State law to review determinations made by personnel of the designated State unit that affect the provision of Vocational Rehabilitation services and carries out the responsibilities for the Impartial Hearing Officer.

Family Member – An individual who is a relative or guardian of an applicant or eligible individual or lives in the same household as the applicant or eligible individual and who has a substantial interest in the well-being of the individual and whose receipt of Vocational Rehabilitation services is necessary to enable the applicant or eligible individual to achieve an employment outcome.

Frequency – The number of times a given limitation affects the individual's ability to function within a set period of time.

Functional Capacity – A set of life activities or skills in which the ability to function is significant to successful independence and/or employment. The areas that have been identified for the purpose of determination of severity of disability are mobility, motor skills, interpersonal skills, communication, work tolerance, work skills, self-care and self-direction. In terms of an employment outcome, the Vocational Rehabilitation Counselor must analyze the impact of serious functional limitations on the individual's current employment, previous jobs, education, capacities, and usual line of work and/or occupations usually available to people of equivalent age that do not have impairment(s).

Functional Limitations – Limitations imposed by a disability that impede or limit an individual's functioning in one or more of the following areas: mobility, work tolerance, self-care, work skills, communication, self-directions and interpersonal skills.

Governor – A chief executive officer of a State.

Hard of Hearing – A hearing impairment resulting in a functional loss, but not to the extent that the individual must depend primarily upon visual communication.

Homemaker – An individual who has the skills and abilities to maintain a home and actively functions in that capacity as a result of substantial Vocational Rehabilitation service provision to improve the individual’s homemaking abilities. To achieve a successful employment outcome as a homemaker, an individual must satisfy one of the following criteria:

1. performs activities that enable another household member to be the primary wage earner;
2. enables the individual to remain in the home; or
3. acts as primary caregiver for another member of the household and bears the primary responsibility for the majority of the following: bill paying, household laundry, handling mail, cooking, grocery shopping, house cleaning, and home maintenance.

Illegal Aliens (Undocumented Residents) – Individuals present in the United States without legal status are not eligible for VR services. Counselors should encourage these individuals to register with the Immigration and Naturalization Service for legal alien status. Individuals applying for legal status should possess a Temporary Residence Card.

Illegal Use of Drugs – The use of drugs, the possession or distribution of which is unlawful under the Controlled Substance Act. Such term does not include the use of a drug taken under supervision by a licensed health care professional, or other uses authorized by the Controlled Substance Act or other provisions of Federal law.

Immediate Family Member – A spouse, child, stepchild, adopted child, and sometimes a parent, sibling, grandchild, or grandparent.

Immigrant Aliens – The individual with the exception of voting has all the privileges of citizenship, including working that is provided to individuals admitted for the purpose of permanent residence. All immigrant aliens must possess a valid Alien Registration Card issued by the United States Immigration and Naturalization Service (USINS) before they may be accepted for VR services.

Impairment – The loss or limitation of physical, mental, or sensory function on long-term or permanent basis.

Impartial Hearing Officer – An individual who is not an employee of the State Agency; who is not a member of the State Rehabilitation Advisory Council; who has not been involved in previous decisions regarding the Vocational Rehabilitation of the applicant or eligible individual; who has knowledge of the delivery of Vocational Rehabilitation services; the State plan; the Federal and State rules governing the provision of Vocational Rehabilitation services.

Impartial Due Process Hearing – A formal review procedure that provides for an hearing conducted by an Impartial Hearing Officer and must be held within 60 days of the applicant’s or eligible individual’s request for review of a determination made by personnel of the State Unit that effects the provision of Vocational Rehabilitation services unless informal resolution of a mediation agreement is achieved prior to the 60th day or the parties agree to a specific extension of time.

Independence – The ability to live and work daily without assistance.

Independent Living – A philosophy advocating self-directed choice and the ability to exercise as many free choices as possible.

Independent Living Core Services – Information and referral, independent living skills training, peer counseling (including cross-disability peer counseling), and individual and systems advocacy.

Independent Living Services – Independent living core services; counseling services, including psychological, psychotherapeutic and related services; services related to securing housing or shelter, including services related to community group living, and adaptive housing services (including appropriate accommodations to and modifications of any space used to serve, or occupied by individuals with disabilities); rehabilitation technology, mobility training, services and training for individuals with cognitive and sensory disabilities, including life skills training and interpreter and reader services; personal assistance services, including attendant care and training of personnel providing such services; surveys, directories, and other activities to identify appropriate housing, recreation opportunities, and accessible transportation, and other support services; consumer information programs on rehabilitation and independent living services especially for minorities and other individuals with disabilities who have traditionally been unserved or underserved; education and training necessary for living in a community and participating in community activities; supported living; transportation, including referral and assistance for such transportation and training in the use of public transportation vehicles and systems; physical rehabilitation; therapeutic treatment; provision of needed prostheses and other appliances and devices; individual and group social and recreational services; training to develop skills specifically designed for youths who are individuals with disabilities to promote self-awareness and esteem, develop advocacy and self-empowerment skills, and explore career options; services for children; services under other Federal, State, or local programs designed to provide resources, training, counseling, or other assistance, of substantial benefit in enhancing the independence, productivity, and quality of life of individual with disabilities; appropriate preventive services to decrease the need of individuals assisted for similar services in the future; community awareness programs to enhance the understanding and integration into society of individuals with disabilities.

Indian, American Indian or Indian American – Member of an Indian tribe.

Indian Tribe – Any Federal or State Indian tribe, band, rancheria, pueblo, colony, or community including any Alaskan native village or regional village corporation.

Individual Plan for Employment – A written document prepared on forms provided by the State Unit. It is developed and implemented in a manner that gives eligible individuals the opportunity to exercise informed choice consistent with selecting an employment outcome including the employment setting, specific Vocational Rehabilitation services needed to achieve the employment outcome, including the setting in which services will be provided, the entity or entities that will provide the services.

Individual Representative – Any representative chosen by an applicant or eligible individual, as appropriate, including a parent, a family member, a guardian, an advocate, unless a representative

has been appointed by a court to represent the individual, in which case the court appointed representative is the individual representative.

Individual Who is Blind – A person who, after examination by a physician skilled in diseases of the eye or by an optometrist, whichever such person shall select, has been determined to have (1) corrected visual acuity of 20/200 or less in the better eye with correcting lenses or (2) an equally disabling visual field of no more than 20 degrees in the better eye.

Individual with a Disability – An Individual who has a physical or mental impairment whose impairment constitutes or results in a substantial impediment to employment and who can benefit in terms of an employment outcome from the provision of Vocational Rehabilitation services. This disability must substantially limit one or more major life activities, who has a record of such impairment, or who is regarded as having such and impairment.

Individual with a Significant Disability – An individual who is significantly disabled is an eligible individual:

- (1.) who has a severe physical or mental impairment which seriously limits one or more functional capacities such as mobility, communications, self-care, self-direction, interpersonal skills, work tolerance, or work skills (in terms of an employment outcome);
- (2.) whose Vocational Rehabilitation can be expected to require multiple Vocational Rehabilitation services over an extended period of time; and
- (3.) who has one or more physical or mental disabilities determined on the basis of an assessment for determining eligibility and Vocational Rehabilitation needs to cause comparable substantial functional limitation.

Individual with a Most Significant Disability – An individual who is most significantly disabled is an eligible individual with a disability:

- (1.) who has a severe physical or mental impairment that seriously limits two or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome; and
- (2.) whose Vocational Rehabilitation can be expected to require multiple Vocational Rehabilitation services over an extended period of time.

Ineligible – The person has no disability or no substantial impediment to employment or the individual does not require vocational rehabilitation services to achieve an employment outcome.

Informal Dispute Resolution – A request for a review without conducting mediation or a formal Impartial Due Process Hearing. This process may not be used to deny the right of an applicant or eligible individual to an Impartial Due Process Hearing or Mediation.

Information and Referral Services – Assistance provided to individuals who need services from other agencies (through cooperative agreements) not available through the Vocational Rehabilitation program.

Informed Choice – A decision-making process in which the individual analyzes relevant information and selects, with the assistance of a Qualified Vocational Rehabilitation Counselor, vocational goals, intermediate objectives, services and service providers. Informed choice is provided through the entire Vocational Rehabilitation Process.

Intake Interview – Part of the application process and is the beginning of the comprehensive assessment to determine eligibility and the services to be included on the individual Plan for Employment.

Integrated Setting – A setting typically found in the community in which the applicant or eligible individual interacts 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.

Integrated Work Setting (with respect to the provision of services or employment outcome) – A setting typically found in the community and employs individuals with disabilities and non-disabled individuals at all levels and individuals with disabilities are not congregated into any one position. The individuals with disabilities interact with non-disabled co-workers and other non-disabled individuals to the same extent that non-disabled individuals in comparable or similar positions interact with other persons.

Integrated work settings are typically found in the community. To determine whether any job meets the “employment outcome” regulatory definition of integrated setting, a careful analysis is required and must be done on a case-by-case basis.

The Community Rehabilitation Program can be considered a “typical integrated work setting” if the following criteria are met.

1. The individual is employed in a type of job available to the general public.
2. The individual is employed under the same working conditions as non-disabled employees in similar positions and has access to restroom facilities, lunch or break room arrangements, and entrance and exits that non-disabled employees have.
3. The individual has an ongoing interaction with other workers, supervisors, and the general public to the same degree as workers without disabilities in the same or comparable occupations.
4. General working conditions reflect interaction with other workers rather than a segregated environment.
5. The individual is hired and promoted in the same way as a non-disabled worker.
6. The individual is supervised the same as a non-disabled worker (supervised by the provider or business).
7. The individual has comparable wages and benefits.
8. Consider how employees are assigned to specific production lines, work teams, or shift work (i.e., percentage of disabled workers in relation to non-disabled workers).

Intern – See Trainee.

Intensity – The degree to which the limitation affects the individual's ability to function.

Inter-Current Illness – Services necessary to assist with acute treatment or care for a condition arising during rehabilitation and constituting a barrier to achievement of an employment outcome. Comparable benefits will be explored prior to authorization of this service.

Interest – Occupational areas an individual has focused special attention.

Interpersonal Skills – The physical, cognitive and psychological ability to make and maintain personal, family, and community relationships with others at a level which allows the individual to participate in work-related activities.

When considering whether a functional limitation exists in the interpersonal skills area, remember to assess the limitation with current accommodations in place. For example, if the individual has had cataract surgery to manage sight, what problems still exist post-surgery?

Interpreter Services – Sign language or oral interpretation services for individuals who are deaf or hard of hearing and tactile interpretation services for individuals who are deaf-blind. Specially trained individuals perform sign language or oral interpretation. Also, include here real-time captioning services for persons who are deaf or hard of hearing.

Job Placement Assistance – A referral to a specific job resulting in an interview, whether or not the individual obtained the job.

Job Readiness Training – To prepare an individual for the world of work (e.g. appropriate work behaviors, getting to work on time, appropriate dress and grooming, increasing productivity).

Job Related Services – Job related services include job search assistance, job placement assistance, and on-the-job support services.

Job Search Assistance – Job search activities support and assist an eligible individual in searching for an appropriate job. Job search assistance may include help in resume preparation, identifying appropriate job opportunities, developing interview skills, and making contacts with companies on behalf of eligible individuals.

Job Shadowing – Job shadowing is a work experience option where individuals learn about a job by walking through the work day as a shadow to a competent worker. The job shadowing work experience is a temporary, unpaid exposure to the workplace in an occupational area of interest to the individual. Individuals witness firsthand the work environment, employability and occupational skills in practice, the value of professional training and potential career options. Job shadowing is designed to increase career awareness, help model individual behavior through examples, and reinforce in the individual the link between classroom learning and work requirements. Almost any workplace is a potential job shadowing site. Job shadowing is limited in that it allows individuals to observe only: direct work experience, responsibility and skills are not acquired. While integration of

school and work is implied, there is little if any curriculum alignment between the school and occupational area.

Language – The ability to place labels and meaning to objects, actions, concepts such as who, what ,where, when, and how.

Legal Blindness – A visual acuity of 20/200 or less with best correction in the better eye or the widest diameter of the visual field does not subtend an angle greater than 20 degrees.

Literacy Training – see Basic Academic Remedial or Literacy Training

Local Agency – An Agency of a unit of general local government or of an Indian tribe (or combination of such units or tribes) which has an agreement with the designated State Agency to conduct a Vocational Rehabilitation program under the supervision of such State Agency in accordance with the State Pan.

Local Workforce Investment Board – A local Workforce Investment Board established under the Workforce Investment Act of 1998.

Maintenance – Monetary support provided to an individual for expenses such as food, shelter, and clothing that are in excess of the normal expenses of the individual and that are necessitated by the individual’s participation in an assessment for determining eligibility and Vocational Rehabilitation needs or the individual’s receipt of Vocational Rehabilitation Services under an Individual Plan for Employment.

Mediation – Allows an applicant or eligible individual and the State Unit to resolve disputes involving State Unit determinations that affect the provision of Vocational Rehabilitation services through a mediation process that must be made available, at a minimum, whenever an applicant or eligible individual or, as appropriate, the individual’s representative requests an Impartial Due Process Hearing. Participation is voluntary on the part of the applicant or eligible individual or as appropriate on the part of the State Unit and cannot be used to deny or delay the right to an Impartial Due Process Hearing.

Medical Consultant – A physician, licensed and contracted by the agency to provide consultation to vocational rehabilitation counselors and management concerning medical aspects and usually reviewing and discussing medical problems of the referred or eligible individuals.

Medical Emergency – Hospitalization, surgery and/or treatment that is provided or scheduled without allowing adequate time to determine eligibility for VR services.

Mobile Crew Models – Small single purpose service businesses whose employees move from site to site in the community rather than operating as an extension of a large organization with many missions. A general manager is responsible for small crews with eight or fewer employees, and there is one supervisor/job coach per crew. Companies using the Mobile Crew model are often organized as not-for-profit corporations, performing such services as cleaning or landscaping. Opportunities for integration are provided through interaction with customers and the general publics as mobile crew members perform their work.

Mobility – The physical, cognitive and psychological ability a person has to travel safely to and from a destination in the community and getting to work from home and to move around a worksite or participate in work activities which including walking, climbing, coordination, accessing and using transportation, as well as use of special and perceptual relationships.

When considering whether a functional limitation exists in the mobility area, remember to assess the limitation with current accommodations in place. For example, if the individual has a guide dog, what limitations exist when using the guide dog. If the individual uses a scooter, what limitations exist with the scooter. If the person has a relative drive them to and from work, what limitations exist with the use of the driver (if the driver will continue to be available as needed).

Motor Skills – A learned sequence of movements that combine to produce a smooth, efficient action in order to master a particular task.

- Gross motor skills include lifting one's head, rolling over, sitting up, balancing, crawling, and walking. Gross motor development usually follows a pattern with large muscles developing before smaller ones. Development also generally moves from top to bottom in the body such as the first thing a baby usually learns to control is its eyes.
- Fine motor skills include the ability to manipulate small objects, transfer objects from hand to hand, and various hand-eye coordination tasks. Fine motor skills may involve the use of very precise motor movement in order to achieve an especially delicate task. Some examples of fine motor skills are using the pincer grasp (thumb and forefinger) to pick up small objects, cutting, coloring, writing, or threading beads. Fine motor development refers to the development of skills involving the smaller muscle groups.
- Ambidexterity is a specialized skill in which there is no dominance between body symmetries, so tasks requiring fine motor skills can be performed with the left or right extremities. The most common example of ambidexterity is the ability to write with the left or right hand, rather than one dominant side.

Multiple Vocational Rehabilitation Services – More than one of the following major services, excluding services for assessment to determine eligibility, counseling, guidance and placement provided by the Vocational Rehabilitation Counselor. These services must be necessary, as a result of a person's disability, in order to achieve an employment outcome. Comparable benefits that will be identified under an approved Individual Plan for Employment (IPE) counts toward the multiple service requirements.

- vocational and other training services
- physical and mental restoration services
- maintenance
- interpreter services
- ongoing assessment other than for determining eligibility
- occupational licenses, tools equipment, and initial stocks and supplies
- transportation
- telecommunications
- rehabilitation technology services

- referral to other programs for necessary services developed through
- cooperative agreements
- transition services
- personal assistance services
- supported employment services

Natural Supports – Extended services provided by a supervisor or co-worker on the job site or on a limited basis by family members.

Non-Immigrant Aliens – Individuals admitted into the United States for a particular purpose and time period that are expected to return to their home country upon completion of a specific purpose or time period. Examples include: visitors for business or pleasure; crew of vessels or aircraft; students pursuing a course of study; representatives to international organizations; ambassadors, public ministers and career diplomatic or consular officers.

Nonprofit (with respect to a Community Rehabilitation Program) – A Community Rehabilitation Program carried out by a corporation or association where no part of the net earnings of which inures, or any lawfully inure, to the benefit of any private stakeholder or individual and the income of which is exempt from taxation by the Internal Revenue Code of 1986.

Number of Services and Length of Service Provision – A requirement for multiple VR Services over an extended period of time has been defined by DSB in terms of the number of core VR services necessary to address the VR needs arising from the individual’s limitations in functioning that are expected to require at least one year to a minimum of three months of service provision. In identifying the number of core services, the Vocational Rehabilitation Counselor does not count those services which are supportive to another service, such as transportation and maintenance, and would not be provided if not to support a necessary core service.

Occupational/Vocational Training – Occupational, vocational, or job skill training provided by a community college and/or business, vocational/trade or technical school to prepare students for gainful employment in a recognized occupation, not leading to an academic degree or certification.

On-Going Support Services – Services that are needed to support and maintain an individual with a most significant disability in Supported Employment. These services are identified based on a determination by the designated State Unit of the individual’s need as specified in an Individualized Plan for Employment. Services furnished by the designated State Unit from the time of job placement until transition to Extended Services, unless Post-Employment services are provided following transition, and thereafter by one or more Extended Service providers throughout the individual’s term of employment in a particular job placement or multiple placement if those placements are being provided under a program of transitional employment.

Following transition, services provided 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. Ongoing 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 Individualized Plan for Employment 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 minimum, consist of two meetings with the individual and one contact with the employer each month.

On-the Job Training – Training in a specific job skill by a prospective employer. Generally the individual is paid during this training and will remain in the same or a similar job upon successful completion. Also include apprenticeship training programs conducted or sponsored by an employer, a group of employers, or a joint apprenticeship committee representing both employer and a union.

On-the-Job Supports – Support services provided to an individual who has been placed in employment in order to stabilize the placement and enhance job retention. Such services include job coaching, follow-up and follow-along, and job retention services.

Ophthalmic Consultant – A licensed physician specializing in diseases of the eye, employed by the department to provide consultation to vocational rehabilitation counselors and management regarding procedures and prognosis relating to eye conditions.

Ophthalmologist – A medical doctor skilled in eye disease and treatment.

Optometrist – A professional trained in the visual systems of the eye involving performing routine refractions.

Order of Selection – The State Agency is required to implement an Order of Selection when it will not have sufficient fiscal and/or personnel resources to fully serve all eligible individuals. An Order of Selection consists of priority categories to which eligible individuals are assigned based on the significance of their disability. Individuals with the most significant disabilities are selected first for the provision of Vocational Rehabilitation Services. If an Agency is in an Order of Selection, an Individual Plan for Employment will be developed and implemented only for those eligible individuals to whom the Agency is able to provide services. Individuals who do not meet the Agency's Order of Selection will be put on waiting lists and must be provided with access to the services available through the Agency's information and referral system.

Orientation and Mobility – The ability of an individual to know where he/she is, where he/she wants to go, and how to get there, as well as the ability to adapt and adjust to new environments.

Participant – Any individual with a disability who has applied for vocational rehabilitation services and whose services have not been denied or terminated by the agency.

Personal Assistance Services – Services provided by one or more persons designed to assist an individual with a disability to perform daily living functions on or off the job that the individual would typically perform without assistance if the individual did not have a disability. The services must be designed to increase the individual's control in life and ability to perform everyday activities on or off the job. The services must be necessary to the achievement of an employment outcome and may be provided only while the individual is receiving other Vocational Rehabilitation services.

Personal Attendant Services – Personal services an attendant performs for an individual with a disability such as bathing, feeding, dressing, providing mobility and transportation, etc.

Physical and Mental Restoration Services – Corrective surgery or therapeutic treatment, diagnosis and treatment of mental or emotional disorders, dentistry, nursing, necessary hospitalization, drugs and supplies, prosthetic and orthotic devices, eyeglasses and visual services, podiatry, occupational therapy, speech or hearing therapy, mental health services, treatment of either acute or chronic medial complications and emergencies, special services for the treatment of individual end-stage renal disease, and other medical or medically related rehabilitation services.

Physical or Mental Impairment – An individual with any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the body systems or any mental or psychological disorder.

Placement – Personal contact or interaction with the employer. Placement also requires the potential for a successful status 26 outcome; this does not refer to short-term employment as summer youth work experiences or seasonal employment. Placement requires that the individual is employed under the same working conditions, pay and benefits as other non-disabled employees. Placement does not include self employment or individuals hired by this Agency. Placement does not include Community Rehabilitation Programs employment unless the individual was hired through a competitive selection process and the employment was not or is not considered to be, in whole or in part, of direct labor for the Community Rehabilitation Program’s Javits-Wagoner-O’Day Program requirements. Previous services that result in “job assisted” outcomes have not changed. Supported employment placements made by contractors of this Agency are recorded separately.

Post-Employment Services – Services provided for the purposes of assisting an individual to maintain, regain, or advance in employment. As all other rehabilitation services, post-employment services must be consistent with the individual’s informed choice. Post-employment services should be limited in scope and duration and should not require a complex and comprehensive provision of services. Post-employment services are to be provided with an amended Individual Plan for Employment and no re-determination of eligibility is required.

Post-Vocational Hearing Impairment – An impairment known or is assumed to have occurred on or after the 19th birthday.

Pre-Lingual Hearing Impairment – An impairment known or is assumed to have occurred prior to the third birthday.

Presumed Eligible – The individual is presumed to be an individual that can benefit in terms of an employment outcome from Vocational Rehabilitation services unless the Designated State Unit can demonstrate by clear and convincing evidence that such an individual is incapable of benefiting in terms of an employment outcomes from Vocational Rehabilitation services due to the severity of the disability of the individual.

Presumption of Eligibility – Any applicant who has been determined eligible for Social Security benefits under Title II or Title XVI of the Social Security Act is presumed eligible for Vocational Rehabilitation Services and considered an individual with a significant disability. The individual is presumed eligible provided that the individual intends to achieve an employment outcome consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and

informed choice of the individual unless the Designated State Unit can demonstrate by clear and convincing evidence that such an individual is incapable of benefiting in terms of an employment outcomes from Vocational Rehabilitation services due to the severity of the disability of the individual.

Pre-Vocational Hearing Impairment – An impairment known or is assumed to have occurred on or after the third birthday, but prior to the 19th birthday.

Primary Vocational Rehabilitation Service – Those services which reduce the impact of functional limitations on employment outcome (physical and mental restoration services, vocational and other training services, placement services, interpreter and reader services, recruitment and training in public service, rehabilitation teaching, orientation and mobility services, occupational licenses, tools, equipment, and initial stocks and supplies, rehabilitation technology, telecommunication, sensory, and other technological aids and devices, referral services, and supported employment services) as opposed to supportive services which complement the provision of primary services (transportation, maintenance; services to family members; personal assistance services) provided while an individual with a disability is receiving primary services.

Priority – Consistency with and the relationship to the individual's employment-related preferences, based on informed choice among available options.

Priority Category – A classification of eligible persons listed according to priority for receiving Vocational Rehabilitation Services under an Order of Selection (OOS) for Services.

Profound Limitations – The individual is unable to use vision, with or without aids, to assist him/her in performing such functions as mobility, communication, self-care, interpersonal skills, self-direction, work tolerance or work skills and the individual has not acquired the adaptive skills to compensate for the lack of functional vision. It also means unable to function, due to a severe impairment, to the degree that the individual requires goods and services or special working conditions, such as job re-engineering, assistive technology, substantial on the job support or intensive supervision, not typically provided for other individuals in order to prepare for, enter, engage in or retain employment in previous jobs, usual line of work and/or occupations usually available to people of equivalent age, education and capabilities who do not have disabilities. External factors, such as a geographical location, availability of public transportation, lack of financial resources or training, are not considered when determining whether or not a limitation meets the criteria for profound.

Public Safety Officer – A person serving the United States or a state or unit of local government, with or without compensation, in any activity pertaining to those individuals whose disability was sustained in the line of duty, if the proximate cause of such disability was a criminal act, apparent criminal act, or hazardous condition resulting directly from the officer's duties in direct connection with the enforcement, execution, and administration of fire prevention, fire fighting, or related safety activities. These individuals would include the following:

- a. the enforcement of criminal laws, including highway patrol, or the maintenance of civil peace by the National Guard or the Armed Forces,
- b. a correctional program, facility, or institution if the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees,
- c. a court having criminal or juvenile delinquent jurisdiction if the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers,

- or paroles, or
- d. fire fighting, fire prevention, or emergency rescue mission.

Qualified and Impartial Mediator – An individual who is not an employee of the Agency is not a member of the Agency’s rehabilitation council, has not been involved previously in the Vocational Rehabilitation of the applicant or eligible individual, is knowledgeable of the Vocational Rehabilitation program and applicable laws, regulations and policies, has been trained in effective mediation techniques, and has no personal, professional, or financial interest that would be in conflict with the objectivity of the individual during the mediation proceedings. An individual serving as a mediator is not considered to be an employee of the Agency.

Randolph-Sheppard Vending Facility Clerk – Persons who are employed as clerks, sales persons, or helpers in a vending facility operated under the Randolph-Sheppard Vending Facility Program.

Randolph-Sheppard Vending Facility Operator – Persons who are employed as operators or managers of vending facilities operated under the Vending Facility Program.

Reader Services – Assistance for individuals who cannot read print because of blindness or other disability. Reader services include, in addition to reading aloud, transcription of printed information into Braille or sound recordings if the individual requests such transcription. Reader services are generally for individuals who are blind or deaf-blind, but may also include individuals unable to read because of serious neurological disorders, specific learning disabilities, or other physical or mental impairments.

Referral date – The earliest date that a person becomes known to the Division as a person who may benefit from its services; it becomes the date on which the person's name is registered as being in the Vocational Rehabilitation System.

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

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

Referral Services – see Information and Referral Services

Reservation – A Federal or State Indian reservation, public domain Indian allotment, former Indian reservation in Oklahoma, and land held by incorporated Native groups, regional corporations, and village corporations under the provisions of the Alaska Native Claims Settlement act.

Residence – Voluntarily living in the state for other than temporary reasons.

Residual Vision – An individual’s usable vision.

Resource – The individual's sources of available support, including financial, social, information, and technological, on which the person can rely to prepare for and meet employment objectives. These resources could be available from the individual, the family, or other community or public sources.

Secondary Disability – A physical or mental condition, impairment or disease that contributes to, but is not the major basis of independent living or vocational limitation(s).

Self-Care – The physical, cognitive and psychological ability to manage one’s own living situation, thereby allowing participation in training or work-related activities. This includes management of special health and safety needs.

When considering whether a functional limitation exists in the self-care area, remember to assess the limitation with current accommodations in place. For example, if the individual uses attendant care, what limitations exist with use of the attendant? If an attendant feeds the individual three times a day, inability to feed one is not a limitation. (If however, the attendant care will not be available at the worksite due to funding limitations or time considerations, then a functional limitation would exist if the individual cannot feed oneself).

Self-Direction – The physical, cognitive and psychological ability to plan, initiate, organize, problem-solve, carry out goal directed activities, and make decisions in one's own best interest at a level allowing the individual to participate in work-related activities.

When considering whether a functional limitation exists in the self-direction area, remember to assess the limitation with current accommodations in place. For example, if the individual takes medication to control self-destructive impulses, what limitations exist with the use of the medication. If the individual has twelve months of sobriety and an AA sponsor to help, what limitations exist with the current condition of the person and existence of the sponsor. A person who has a payee for benefits payment purposes does not have a limitation in money management decisions unless there are problems with the payee.

Self-Employment – Work for profit or fees including an individual owning, managing and/or operating a business to generate income. Self-employment is an employment outcome that can be supported when consistent with the individual’s employment factors. The Agency will only develop plans leading to self-employment after careful consideration of the full range of employment options available to the individual. In developing the Individual Plan for Employment, the eligible individual and the Vocational Rehabilitation Counselor should assess the individual’s employment factors as related to being an employee of another person, business, or organization and consider the risks and responsibilities of self-employment. Only sound business plans that will result in a reasonable income for the level of investment will be considered by the Agency.

Serious Functional Limitations – A reduction of one’s capacity to perform to the degree that the individual requires services or accommodations, not typically provided to others, in order for the individual to work.

Serious Limitations – Some functional vision, with or without aids, which is used by the individual in performing such functions as mobility, communication, self-care, interpersonal skills, self-direction, work tolerance or work skills and the individual has not acquired the adaptive skills to compensate for the limited functional vision. It also means a reduction in functioning, due to a severe impairment, to the degree that the individual requires goods and services or special working conditions, such as job re-engineering, assistive technology, substantial on the job support or intensive supervision, not typically provided for other individuals in order to prepare for, enter, engage in or retain employment in previous jobs, usual line of work and/or occupations usually available to people of equivalent age, education and capabilities who do not have disabilities. External factors, such as geographical location, availability of public transportation, lack of financial resources or training, are not considered when determining whether or not a limitation meets the criteria for serious.

Severe Impairment – One or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), spinal cord conditions (including paraplegia and quadriplegia), sickle cell anemia, specific learning disability, end-stage renal disease, or another disability or combination of disabilities determined on the basis of an assessment. These impairments are considered to be severe because of the nature of the impairment. Other impairments maybe severe for one individual but not for another depending on the impact on the individual's life activities. Sometimes an individual may have two more impairments, neither of which alone is severe, but together cause serious functional limitations. These determinations must be supported by assessment data and the analysis of the Vocational Rehabilitation Counselor as to the impact of the impairment(s) on the particular individual's life activities.

Social Security Disability Insurance (SSDI) – Provides benefits to disabled or blind individuals who are "insured" by workers' contributions to the Social Security trust fund. These contributions are the Federal Insurance Contributions Act (FICA) social security tax paid on their earnings or those of their spouses or parents. Title II of the Social Security Act authorizes SSDI benefits.

Sole Local Agency – A unit or combination of units of general local government or one or more Indian tribes that has the sole responsibility under an agreement with, and the supervision of, the State Agency to conduct a local or tribal Vocational Rehabilitation program in accordance with the State Plan.

Special Transportation – Services provided to eligible individuals whose functional limitations are so severe as to preclude the use of public transportation. Special transportation may be provided by ambulance, facility vehicle, taxicab or other specialized vehicles.

State – Any of the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of Northern Mariana Islands.

State Agency – see Designated State Agency or State Agency.

State Plan – The State Plan for Vocational Rehabilitation services.

State Workforce Investment Board – A State Workforce Investment Board established under the Workforce Investment Act of 1998.

Statewide Workforce Investment System – A system described in the Workforce Investment Act of 1998.

Strengths – Positive attributes or inherent expertise related to an employment field such as intellectual aptitude, motivation, talents, work and volunteer experience, work skills, work-related hobbies and transferable life skills.

Substantial Impediment to Employment – A physical or mental impairment that hinders an individual from preparing for entering into, engaging in, or retaining employment consistent with the individual's abilities and capabilities. This clearly recognizes that currently employed individuals may qualify for Vocational Rehabilitation services for purposes of retaining their employment.

Substantial Services – Services provided in the context of the counseling relationship, collectively and significantly contribute to the achievement of an employment outcome consistent with the informed choice of the individual.

Supplemental Security Income Program (SSI) – Cash assistance payments to aged, blind and disabled people (including children under age 18) who have limited income and resources. The Federal government funds SSI from general tax revenues. Some States, like New York State, pay benefits to some individuals to supplement their Federal benefits. Title XVI of the Social Security Act authorizes SSI benefits

Supported Employment – Competitive work in integrated work settings for individuals with the most significant disabilities: for whom competitive employment has not traditionally occurred; or for whom competitive employment has been interrupted or intermittent as a result of a severe disability; and 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.

SE is also transitional employment for individuals with the most significant disabilities due to mental illness.

Supported Employment Services – Ongoing support services and other appropriate services needed to support and maintain an individual with a most significant disability. For a period of time not to exceed eighteen (18) months, unless under special circumstances the eligible individual and the Vocational Rehabilitation Counselor jointly agree to extend the time to achieve the employment outcome identified in the Individualized Plan for Employment and following transition as post employment services that are unavailable from an extended services provider and that are necessary to maintain or regain the job placement or advancement in employment.

Technical Assistance Services – Technical assistance and other consultation services provided to conduct market analyses, to develop business plans, and to provide resources to individuals in the pursuit of self-employment, telecommuting and small business operation outcomes.

Ticket to Work Program- Most working age individuals with disabilities who receive benefits from the Social Security Administration are eligible to participate in an initiative from the Social Security Administration called the Ticket to Work and Self-Sufficiency Program. The "Ticket to Work Program" allows SSDI and SSI beneficiaries to seek the employment services, Vocational Rehabilitation Services and other support services needed to obtain, regain or maintain employment and reduce their dependence on cash benefit programs.

Total Blindness – Any permanent visual condition resulting in total loss of vision.

Training – Services designed to help the individual improve educationally or vocationally or to adjust to the functional limitations of his or her impairment.

Trainee – Persons engaging in unpaid work experiences, internships or volunteer work for purposes of increasing their employability. Such individuals may receive a stipend to defray the cost of transportation or other incidental expenses.

Transition Services – Services identified in an eligible student's Individualized Plan of Employment that promote or facilitate the accomplishment of long-term rehabilitation outcomes. Because assessment services are provided prior to Individual Plan for Employment development, they are not included. It further means a coordinated set of activities for a student designed within an outcome-oriented process that promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment including supported employment, continuing and adult education, adult services, and independent living or community participation. The coordinated set of activities will be based upon the individual student's needs, taking into account the student's preferences and interests, and will include instruction, community experiences, the development of employment and other post-school adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation.

Transition Services Goal – The goal is not simply a referral to DSB, but rather post-secondary education, adult education and training, adult services, independent living, community participation, a specific job or career, and/or integrated community living.

Transitional Employment – A series of temporary job placements in competitive work in an integrated work setting with ongoing support services for individuals with the most significant disabilities due to mental illness. In transitional employment, the provision of ongoing support services must include continuing sequential job placements until job permanency is achieved.

Transportation – Travel and related expenses necessary to enable an applicant or eligible individual to participate in a vocational rehabilitation service, including expenses for training in the use of public transportation vehicles and systems. Also includes adequate training in the use of public transportation vehicles and systems and means travel and related expenses that are necessary to enable an applicant or eligible individual to participate in a Vocational Rehabilitation service.

University Training – Full-time or part-time academic training above the high school level leading to a degree (associate, baccalaureate, graduate or professional), a certificate or other recognized educational credential. Such training may be provided by a four-year college or university, community college, or junior college or technical college.

Unpaid Family Worker – An individual who works without actual cash reimbursement on a family farm or in a family business operated by one or more members of the individual’s family. To achieve a successful employment outcome as an unpaid family worker, an individual must have received substantial services which assisted in enabling the individual to perform such activity.

Visual Impairment – Vision with glasses is so limited as to prevent the performance of ordinary activity for which eyesight is essential.

Vocational Assessment – An ongoing process involving the systematic collection of information about a student's vocational aptitudes, abilities, expressed interests and occupational awareness.

Vocational Evaluation – A comprehensive process of vocational exploration and assessment designed to assist in identifying individuals vocational options. It incorporates medical, psychological, social, vocational, educational, cultural, and economic data in the attainment of the goals of the evaluation process.

Vocational Rehabilitation Counselor – An employee of the agency who has direct responsibility for providing all vocational rehabilitation services to a participant or eligible individual.

Vocational Rehabilitation Services – Services identified that are provided to individuals with disabilities.

Vocational Training – see Occupational/Vocational Training

Volunteer – See Trainee.

Workforce Investment Activities – Services identified in the Individual Plan for Employment (IPE) necessary to assist an individual with a disability in preparing for, securing, retaining, or regaining an employment outcomes that is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual which are provided to individuals.

Work Goal – The profession or occupation the individual is expected to achieve. The goal should be as specific as possible. In the case of Supported Employment, the goal will read: Supported Employment: [Title of Specific Profession or Occupation].

Work Skills – The physical, cognitive and psychological ability to do specific tasks required for a particular job and meet employment expectations for entry-level workers (or in the case of someone who is already employed, the expectations of employers for someone at that level of employment). In other words, is there a reasonable expectation that this person could obtain some kind of work or participate in work-related activities without training?

When considering whether a functional limitation exists in the work skills area, it is important to limit your assessment to those general work skills which are common to most workers. Consider ability to get to work on time, to stay on task, to avoid horseplay, to follow safety procedures, to accurately record time worked, to follow work rules, and similar job-keeping skills. Do not consider specialized work skills such as those learned through educational programs or years of work experience since

those are not skills held by most workers. The exception is if the individual's disability precludes any reasonable expectation that this person could obtain unskilled employment. In that case, since retraining is a mandatory IPE consideration, there would be a severe limitation in work skills.

Work Tolerance – The physical, cognitive and psychological ability to effectively perform job requirements with or without accommodations and meet the demands of participating in work-related activities. (For example, how long and under what conditions can the individual work?)

When considering whether a functional limitation exists in the work tolerance area, remember to assess the limitation with current accommodations in place. For example, if the individual is taking medication which allows him/her to be pain-free from glaucoma, what limitations still exist with the use of the medication?

- a. Is unable to perform sustained work for more than 4 hours per day.
- b. Is unable to perform work outside sheltered environment.
- c. Is unable to perform work in an integrated setting without support.
- d. Individual is unable to perform sustained work longer than 6 months due to cyclical nature of mental illness, and/or difficulty in handling stress/ anxiety, as evidenced by agitation or inability to problem solve.
- e. Other similar work related impediments.