# PART B, CHAPTER 5: ORDER OF SELECTION (OOS)

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| **Policy Number** | **Authority** | **Scope**  | **Effective Date** |
| Part B, Chapter 5 | 34 CFR [§361.36](https://www.ecfr.gov/current/title-34/section-361.36), and TWC Rule [§856.82](https://texreg.sos.state.tx.us/public/readtac%24ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=40&pt=20&ch=856&rl=82)  | All TWC-VR staff | 9/3/2024 |

## PURPOSE

In accordance with the authority (Federal and State) listed above, this policy is issued by the Texas Workforce Commission Vocational Rehabilitation Division (TWC-VR). Adherence to these rules and regulations issued under the Rehabilitation Act of 1973, as amended by Title IV of the Workforce Innovation and Opportunity Act (WIOA), supports Texans with disabilities in gaining, maintaining, and advancing in competitive integrated employment (CIE).

Specifically, the purpose of this policy is to ensure adherence to invoking, implementing, and managing an Order of Selection (OOS) waitlist for TWC-VR services should an OOS become available.

## DEFINITIONS

There are no specific definitions for this policy and these procedures.

## POLICY

### General Overview

TWC-VR must be able to provide the full range of services listed in section 103(a) of the Rehabilitation Act and Part C of the VRSM, as appropriate, to all eligible individuals. In the event that TWC-VR services cannot be provided to all eligible individuals in the State of Texas who apply, TWC-VR must implement an OOS waiting list, including the order of selecting eligible individuals to be provided TWC-VR services.

### OOS Status

TWC-VR is not currently operating with an OOS waitlist and, therefore, is able to provide services to all eligible individuals with disabilities. In a scenario in which resources and funding are no longer available for all eligible individuals, TWC-VR will develop and implement, through public comment and State plan requirements, policy and procedures around an OOS.

TWC-VR must reevaluate the need for an OOS if/when circumstances change during the course of a fiscal year (e.g., decrease in fiscal or personnel resources, increase in program costs) and these circumstances indicate that TWC-VR may no longer be able to provide the full range of services, as appropriate, to all eligible individuals.

## PROCEDURES

There are currently no procedures requirements for this policy.

## APPROVALS & CONSULTATIONS

There are no approvals or consultations for this policy and these procedures.

**REVIEW**

The Policy Planning and Statewide Initiatives Team, or designee, is responsible for reviewing this policy and these procedures and will update the Document History log if necessary.

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| **Date** | **Type** | **Change Description** |
| 9/3/2024 | New | VRSM Policy and Procedure Rewrite |