# PART C, CHAPTER 12.3.a:WORK EXPERIENCE PLACEMENT SERVICES

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| **Policy Number** | **Authority** | **Scope**  | **Effective Date** |
| Part C, Chapter 12.3.a | 34 CFR [§361.48(b)(12)](https://www.ecfr.gov/current/title-34/part-361#p-361.48(b)(12)), and TWC Rule [§856.49](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=49) | 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 and these procedures is to ensure adherence to the provision of Work Experience Placement services.

## DEFINITIONS

Bilateral Contractor: A service contractor that agrees to specific duties or deliverables under the terms of a contract with TWC-VR.

Informed Choice: The means by which a customer chooses their rehabilitation path, from options based on their needs and circumstances and the TWC-VR rules, as it relates to choosing work experience placement services and the providers of those services.

Non-Traditional Provider: An individual who does not have a bilateral contract and who can help a customer achieve an employment goal.

Transition Educator: An individual who is not a provider with a bilateral contract, holds a master's or bachelor's degree in rehabilitation, psychology, education, or a related field (including certified Texas Educators), and is currently or has been employed by a school system, Texas Education Service Center, college, or university within the past fiscal year.

Trial Work Experience (TWE): Exploration of an individual's abilities, capabilities, and capacity to perform in realistic work situations in order to determine whether or not there is clear and convincing evidence to support a determination that an individual with a disability is incapable of benefiting from VR services in terms of an employment outcome.

## POLICY

### General Overview

Work Experience Placement (WEP) services are designed for a customer to be placed at a business to learn employment skills necessary to secure long-term, competitive integrated employment (CIE). These businesses are referred to as "Work Experience sites." While the goal is long-term employment, WEP Services are intended to be short-term (12 or fewer weeks/no more than 360 hours).

WEP services can be provided to students and youth with disabilities, adult customers and individuals receiving TWE.

### WEP Parameters

WEP services are used for temporary work, seasonal work, internships, and volunteer opportunities.

* Multiple WEP services can be purchased for the same customer when necessary to meet the customer's goals, when each work experience placement addresses a new industry, new skills, or skills that have not been mastered in a previous work experience placement. The justification for multiple WEP services must be justified in a case note.
* WEP services are purchased from a bilateral contractor or, when a bilateral contractor is not available, by a Transition Educator or Non-Traditional Provider.
* WEP services may be provided concurrently with Work Experience Training (WET) and Wage Services. Wages can be paid directly by the employer or by TWC-VR through Wage Services.
* WEP services are not intended to be used to secure a job in which a customer’s case will be closed successfully.
* WEP services cannot be provided concurrently with Supported Employment (SE), Job Skills Training, Job Placement, Project SEARCH, Work Adjustment Training (WAT), On-the-Job Training (OJT), or Registered Apprenticeships.
* TWC-VR will not pay a provider for Job Placement services, including SE services, if a customer is hired into permanent employment by the work site during or after WEP. Job Skills Training services can be purchased when the customer begins a permanent employment placement, if necessary.

### Standards for Providers Manual (SFP)

The SFP manual focuses on the business practices, processes, and policies that TWC-VR and the contracted provider must follow. This VRSM chapter includes services that are provided by a contractor. For additional information regarding contractor responsibilities, service descriptions and costs, please refer to the SFP Chapter 14: Work Experience Services.

### Additional Policy Considerations

* Comparable Services and Benefits: WEP services are exempt from the requirement to secure comparable services and benefits prior to TWC-VR expending funds.
* Customer Participation in the Cost of Services: WEP services are exempt from applying Basic Living Requirements (BLR) and, therefore, the customer is not required to participate in the cost of services.
* Recipients of Social Security Disability Benefits: Recipients of Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI), due to the customer's disability, are exempt from the requirement to participate in the cost of TWC-VR services regardless of income.
* Exceptions to Policy: When necessary to meet the VR needs of a customer, TWC-VR staff members may request exceptions to policies and procedures through their chain of management up to the Deputy Division Director of Field Services Delivery, or designee. However, exceptions to policies and procedures based on Federal and State laws, statutes, and rules or regulations are not allowable.

## PROCEDURES

### Determining the Need for WEP Services

WEP services are intended to be part-time to provide customers the opportunity to explore various types of work, gain soft skills required for a work environment, and gain skills required for a particular industry. The work experience placement meets the unique needs of the customer, including their strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

WEP services can be provided to customers to—

* Determine if a customer can benefit from TWC-VR services in terms of an employment outcome during a TWE;
* Explore a customer's career options;
* Develop skills to increase a customer's employability;
* Provide the customer additional experience related to the employment goal and/or education or training in a particular field; and/or
* Evaluate the customer’s abilities and determine if newly acquired vocational barriers will impact the customer’s capacity to return to work in a particular field.

### WEP Referral and Service Provision

When the VR Counselor and customer agree to the receipt of WEP services, it must be included in the Individualized Plan for Employment (IPE), TWE plan, IPE amendment, or a Service Justification for potentially eligible students with disabilities.

The VR Counselor must—

* Complete the *Work Experience Referral (VR1600)*, including the date, time, and location for the work experience planning meeting. Planning meetings may be conducted remotely when agreed upon by the team.
* When a customer receives both WEP and WET services, only one *VR1600* is required;
* Include the premiums available for WEP services (i.e., Blind Premium, Brain Injury Premium, Mileage Premium) in the *Work Experience Plan and Placement Report* (*VR1601)*. Service authorizations (SA) for premiums must be issued at the time the base service is issued;
* Provide documentation (only when relevant), such as case notes; psychological, vocational, or medical evaluations; and the Career Planning Assessment (CPA) and Environmental Work Assessment (EWA) to assist the provider in working with the customer to secure a Work Experience Placement site.
* Ensure TWC-VR staff sends the SA and *VR1601*;
* Ensure the *Worksite Agreement for Wage Services – WorkQuest (VR3142)* is completed and signed when wages are paid by TWC-VR;
* Monitor the customer's progress;
* Provide any needed instruction or intervention necessary to foster the customer's success;
* Review and approve the *VR1601*, completed by the contractor, ensuring that all outcomes required for payment are achieved and that the staff qualifications were held by the individual providing the service to the customer; and
* Ensure that the invoice is paid.

The contractor must—

* Assist the customer in locating and obtaining a Work Experience Placement site that meets the criteria outlined in the *VR1601;*
* Ensure the *VR1601* is signed by the customer and WEP Specialist.
* Complete the required information in the *VR1601*, including—
	+ Description of the Work Experience Placement site;
	+ Description of how the Work Experience Placement site was secured;
	+ One six-digit SOC code listed in the Work Experience Goals section;
	+ 100% of the nonnegotiable WEP conditions;
	+ 50% or more of the negotiable WEP conditions; and
	+ Services delivered as indicated in the Service Delivery section or as indicated on the SA.
* Provide evidence that the customer has participated in the Work Experience Placement, (i.e., been on-site working for a minimum of 5 days or shifts);
* Provide evidence that the WEP Specialist assisted the customer in securing the Work Experience Placement site;
* Provide evidence that the Work Experience specialist accompanied the customer to the Work Experience Placement site during the first day(s), for no more five hours, to provide assistance, training, and support to both the customer and the Work Experience Placement site. If additional support is needed, the VR Counselor will need to provide Work Experience Training services.;
* Provide evidence that the Work Experience specialist identified and requested additional support from TWC-VR, such as Work Experience Training services, as necessary to ensure the customer's success; and
* If applicable, include a signed *Worksite Agreement for Wage Service provided – WorkQuest (VR3142)* was obtained from the Work Experience Placement site.

### Customer's Satisfaction

The customer's satisfaction and service delivery is verified by the customer's signature on the *VR1601* or by TWC-VR staff member’s contact with the customer, documented in a case note.

### WEP Payment

Payment is made to the contractor when the VR Counselor approves a complete, accurate, signed, and dated:

* *VR1601*;
* *VR3142*, when applicable; and
* The invoice.

## APPROVALS & CONSULTATIONS

TWC-VR staff must follow the following approvals and consultations:

* *VR Supervisor approval is required when a Work Experience Placement must exceed 12 weeks to meet the customer's individualized needs. The VR Counselor must document the reason for the extension in a case note including the goals to be achieved and the number of additional weeks that are needed to meet the customer's needs in order to gain approval.*
* *VR Director approval is required for any request to change requirements for Work Experience Placement services, using the Contracted Service Modification Request form (VR3472) prior to changes being implemented.*

## 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 |