# PART C, CHAPTER 9.2: BUSINESS ENTERPRISE OF TEXAS

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| **Policy Number** | **Authority** | **Scope**  | **Effective Date** |
| Part C, Chapter 9.2 | [The Randolph-Sheppard Act](https://rsa.ed.gov/sites/default/files/programs/randolph-sheppard/Randolph-Sheppard%20Act.pdf), 34 CFR [Part 395](https://www.ecfr.gov/current/title-34/part-395), [Texas Labor Code, Chapter 355](https://statutes.capitol.texas.gov/Docs/LA/htm/LA.355.htm), and 34 CFR [§361.48(b)(16)](file:///C%3A/Users/Rachel%20Anderson/Dropbox/Family%20Room/TX/Phase%202/2.%20VRSM%20Rewrite%20%28Our%20Working%20Drafts%29/Part%20C%20VR%20Services/34%20CFR%20361.48%28b%29%2816%29) | 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 management of the Randolph Sheppard Act and provision of the Business Enterprises of Texas (BET) program.

## DEFINITIONS

Legally Blind: Having not more than 20/200 visual acuity in the better eye with best possible correction or visual acuity greater than 20/200 but with a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

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 to be self-employed and to receive BET services and the providers of those services.

## POLICY

### General Overview

The Randolph-Sheppard Act, also known as the Business Enterprise Program (BEP), is a landmark piece of legislation in the United States, enacted in 1936, that aims to empower blind customers through entrepreneurship and self-sufficiency.

The Business Enterprises of Texas (BET) program provides opportunities for TWC-VR customers who are legally blind to manage food service and vending facilities on Federal, State, and private properties throughout Texas. BET is Federally sponsored and State-administered. BET supports TWC's VR goals of independent living and employment.

### Mandatory Requirements

The VR Counselor and BET staff must verify that a customer is qualified to operate a vending facility.

To fulfill the mandatory prerequisites for BET certification, a customer must—

* Be legally blind;
* Reside or be physically present in Texas;
* Be a U.S. citizen;
* Successfully complete all BET assessment and training requirements to become a licensed BET manager;
* Have a High School diploma or GED; and
* Be at least 18 years of age.

### Curriculum

The BET curriculum includes coursework on college-level business practices, BET standard accounting procedures and forms, cost management practices, customer service practices, BET operations and procedures, and other business management training.

### Training

BET training for TWC-VR customers is provided by a BET Training Specialist at a training site in Austin.

### On-Site Training

On-site training to work at a BET facility is provided by the licensed manager of the BET facility.

### Recognized Credentials and Measurable Skill Gains (MSG)

BET includes training that results in MSGs (e.g., training progress) and a recognized credential (e.g., BET license). All credentials and MSGs achieved during participation in TWC-VR services must be entered in the Education History page in RHW.

### Additional Policy Considerations

* Comparable Services and Benefits: BET does not have comparable services and benefits; however, any additional TWC-VR services required for a customer must follow their respective policies and procedures.
* Customer Participation in the Cost of Services: A customer's eligibility for TWC-VR services does not depend on the customer's income or liquid assets; however, if the customer's net income or liquid assets exceed the Basic Living Requirements (BLR), the customer must participate in the cost of services unless an exception is granted.
* 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

### Role of the VR Counselor in the BET Process

* Determining Appropriate Candidates for BET: The food service and vending industry is a challenging environment. It is not a fitting occupation for every TWC-VR customer. Successful BET candidates will operate their own businesses, which can be much more challenging than other forms of employment.

BET candidates must demonstrate that they are—

* + Self-starters;
	+ Self-disciplined;
	+ Willing and capable of working at least 60 hours per week;
	+ Organized;
	+ Confident in their basic skills, as related to their blindness;
	+ Emotionally adjusted to blindness; and
	+ Able to be flexible and adapt to change, as needed.

BET candidates also must have—

* + Excellent problem-solving skills;
	+ Independent orientation and mobility skills;
	+ Demonstrated independent living skills;
	+ High school-level math and accounting skills (completed coursework);
	+ Effective money management skills;
	+ Demonstrated use of adaptive technology;
	+ Good oral communication skills;
	+ Good print or braille communication skills; and
	+ A general knowledge of customer service techniques.
* Diagnostics: The VR Counselor must obtain comprehensive diagnostics before referring a customer to the Criss Cole Rehabilitation Center's (CCRC) general training program with a BET focus. All diagnostic findings must indicate that the customer is capable of participating in the BET program.

The required diagnostics are as follows:

* + A consultation with an employment assistance specialist;
	+ An assessment made by the Vocational Diagnostic Unit (VDU);
	+ A minimum of two informational interviews with successful, licensed BET managers (The VR counselor contacts the BET Training Specialist in Austin for a list of BET managers available for interviewing in the VR Counselor's area.); and
	+ An orientation and mobility (O&M) assessment.

All VDU recommendations must be addressed before BET training begins.

In addition to the comprehensive diagnostics listed above, the following assessments are recommended:

* + An assessment by the Assistive Technology Unit (ATU);
	+ An assessment by a VR Teacher;
	+ A low-vision evaluation, if applicable; and
	+ An assessment of the customer's physical capability.

If these assessments cannot be completed in the field, the VR Counselor must make appropriate arrangements to have the assessments completed at CCRC.

* Referring the Customer to CCRC: If the VR Counselor and the customer agree that the individual has the potential to be an appropriate BET candidate, but the customer requires comprehensive blindness training, the TWC-VR Counselor must refer the customer to CCRC for evaluation and training through CCRC's Basic Blindness Skills program, a general training program with a BET focus.

### Role of the CCRC VR Counselor in the BET Process

The first benchmark of the BET program is to pass the BET math test with a score of 80% or higher.

The BET candidate must attend orientation and work as a trainee in the CCRC cafeteria for at least two weeks, depending on the customer's training needs.

After the customer completes the orientation and training, the CCRC VR Counselor arranges for the customer to attend a two-week work evaluation at a BET facility with a licensed BET manager.

* BET Facility Evaluation: The CCRC VR Counselor must ensure that the customer's general training program with a BET focus includes a two-week work experience at a BET facility. The facility evaluation allows the customer to experience the work environment of a licensed manager and decide whether to participate in the program.

The licensed BET manager selected to conduct the customer's evaluation—

* + Instructs, assists, and observes the customer in all phases of the facility's operation;
	+ Forwards an assessment of the customer's performance to the CCRC VR counselor; and
	+ Reviews with the customer the results of the two-week assessment.

The BET manager is paid for providing the instruction and evaluation after—

* + The CCRC VR Counselor encumbers the funds; and
	+ The BET manager submits the assessment to the CCRC VR counselor.

If necessary, more than one location and more than one licensed manager is used for the customer's evaluation at the BET facility.

The evaluation may be terminated or extended after consultation with the CCRC VR Counselor and approval from the BET Training Specialist.

It is the responsibility of the CCRC VR Counselor to review the application and determine if the applicant should be recommended for the BET program.

Once the customer has passed the final BET assessment and has successfully passed the selection panel interview, the CCRC VR Counselor must ensure that the BET candidate has the appropriate equipment to participate in the BET training program prior to the training start date.

### Applying for the BET Program

The determination to allow a customer to apply for the BET program is based on the following:

* The customer's successful completion of BET-focused training at CCRC;
* The customer's evaluation score, earned over the course of the BET-facility evaluation (a score of three or better on a scale of five is required); and
* The recommendation of the CCRC VR counselor for BET training.

The CCRC VR Counselor helps qualified candidates who are participating in BET-focused training complete a *Business Enterprises of Texas Application for Training (VR2201)*.

The following must be attached to each customer's application:

* The results of an ophthalmologic exam (Interagency Eye Examination Report), completed by a medical doctor no later than 12 months before the application deadline;
* The results of a physical exam (General Physical Examination Report), completed by a medical doctor no later than 12 months before the application deadline;
* The results of a facility BET assessment;
* Proof of successful completion of BET skills training at CCRC;
* A birth certificate or other appropriate proof of U.S. citizenship;
* Information on the customer's work experience and goals;
* A high school diploma, General Educational Development (GED) credential, or college transcript; and
* The results of a VDU evaluation completed no later than 12 months before the application deadline.

The CCRC VR Counselor delivers the customer's application packet to the BET Training Specialist in Austin.

Based on the customer's individualized needs, the equipment listed below may be required. The CCRC VR Counselor should note that some customers will already have some of the listed items. The CCRC VR Counselor carefully reviews the following list with each BET candidate to be sure that the customer has the equipment and supplies needed to successfully complete the BET training:

* A TWC-VR standard computer with adaptive software and a removable USB drive, as recommended based on the customer's evaluation by the ATU;
* Closed-circuit television, if applicable;
* Low-vision devices appropriate to the customer's needs, such as reading glasses, low-vision aids, and magnifiers;
* An accessible calculator (large-print display or talking), with an ear piece;
* An accessible thermometer;
* Note-taking equipment and supplies appropriate to the customer's needs, such as a Perkins brailler, a slate and stylus, electronic notetaking device, paper for a Perkins brailler or large-line paper, and 20/20 bold-writing pens;
* Appropriate training attire (The required uniform for the customer's on-site training is black pants, a white shirt, and black nonslip shoes.); and
* Other items needed by the customer for training, mobility, or health maintenance while participating in BET training, such as a bill reader, a white cane, or talking scales.

### Other Required Training

In addition to the BET-facility evaluation, the CCRC VR Counselor must ensure that the customer successfully completes the following training:

* BET-focused technology training, including training in Microsoft's Windows operating system, Microsoft Word, and Microsoft Excel;
* A course in BET-preparatory career guidance, including training in budgeting assessments, finance, interviewing, business plan writing, résumé development, and related business skills;
* Additional training in notetaking; and
* Calculation.

### BET Panel Interview

Upon receiving a complete application packet and proof of completed CCRC training, a BET staff member schedules and conducts an assessment to determine the skill level of the applicant.

The assessment may include computer navigation, math proficiency, note-taking, reading and comprehension, and/or assessments of other skills necessary for successful participation in the BET program.

* All skills assessments are timed.
* Candidates must score 80% or higher on each assessment to proceed.

If the customer successfully completes the skills assessment, the VR Counselor schedules a panel interview to assess the customer's personal interview skills, appearance, interests, and applicable business knowledge.

The CCRC VR Counselor must arrange the customer's round-trip transportation to the panel interview.

### Acceptance into the BET Program

The BET Training Specialist closely monitors all aspects of the customer's training and considers all recommendations from the CCRC VR Counselor to confirm that the customer has met all criteria to enter the BET program.

If the customer meets the criteria to enter the program, the customer participates in the BET assessment process.

If the customer passes all sections of the assessment, the customer proceeds to the selection part of the process.

### When a Customer Is Accepted

Once a customer is accepted into the BET Training Program, the customer's VR Counselor must arrange transportation, with the exception of Austin residents.

For customers who live outside of Austin, the CCRC VR Counselor must schedule transportation—

* To and from BET training; and
* For incidental needs relating to the customer's BET training.

The Regional VR Counselor then encumbers funds for—

* Transportation to and from BET training sites;
* Fees for BET on-site training; and
* Incidental needs relating to the customer's BET training.

### When a Customer Is Not Accepted

If a customer is not accepted into BET training, the customer, the CCRC VR Counselor, and the VR Counselor must discuss other employment opportunities.

### Upon Completion of Training

After a customer completes BET training, the CCRC VR Counselor will assist the customer with transportation arrangements back to the customer's region.

### Once the Applicant Has Been Licensed

Customers who successfully complete the BET training program and receive a BET license remain on the TWC-VR rolls until 90 days after the customer has been assigned a BET facility to manage.

VR Counselors and customers must be aware that immediate assignment to a BET facility is not always possible.

### Reasons for Justifiable Termination of BET Training

A customer's participation in BET training may be terminated because of the following:

* Medical reason, if it is deemed in the best interest of the trainees to terminate training because of health concerns;
* Behavior deemed inappropriate for training, such as but not limited to belligerent behavior, shouting, use of foul language, dishonesty, fighting, rudeness toward the instruction or training manager, etc.;
* Failing to attain a score of 3.0 or higher on any one On-site Training (OST) performance review;
* Refusal to acknowledge (sign) an OST evaluation;
* Inability to comprehend and/or show proficiency of materials, or skills required for the training;
* Inability to remain actively involved either in the classroom or in the facility during OST (e.g., sleeping in class, not being able to work a full day’s schedule);
* Rudeness, refusal to cooperate or refusal or inability to complete assignments;
* Missing five or more days of training, from either class or OST;
* Consumption of alcohol or illegal controlled substances on State property, during a class function, or while on OST;
* Failing to inform the training manager and the BET Training Specialist about missing assigned training;
* Failing to maintain a Grade Point Average (GPA) of 85.0 or higher after the first four weeks of class; and/or
* Any other behavior deemed harmful or potentially harmful, either physically or otherwise, to the trainee, other trainees, the instructor, TWC-VR staff, or to the program in general.

## 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 |