

877—33.4(84H) Definitions. For the purpose of this chapter, the indicated terms are defined as follows:

“*Act*” means the federal Rehabilitation Act of 1973 as codified at 29 U.S.C. Section 701, et seq.

“*Aggregate data*” means information about one or more aspects of division job candidates, or from some specific subgroup of division job candidates, but from which personally identifiable information on any individual cannot be discerned.

“*Applicant*” means an individual or the individual’s representative, as appropriate, who has completed the Iowa vocational rehabilitation services (IVRS) Application for Services (R-412), a common intake application form through a one-stop center requesting IVRS services, or has otherwise requested services from IVRS; has provided to IVRS information necessary to initiate an assessment to determine eligibility and priority for services; is available to complete the assessment process; and has reviewed and signed the Rights and Responsibilities (IPE-1).

“*Appropriate modes of communication*” means the same as defined in 34 CFR Section 361.5(4).

“*Assessment for determining eligibility or in the development of an IPE*” means a review of existing data and, to the extent necessary, the provision of appropriate assessment activities to obtain additional information to make a determination and to assign the priority for services or development of an IPE.

“*Assistive technology device*” means the same as defined in Section 3 of the Assistive Technology Act of 1998.

“*Assistive technology service*” means the same as defined in Section 3 of the Assistive Technology Act of 1998.

“*Benefits planning*” means assistance provided to an individual who is interested in becoming employed, but is uncertain of the impact work income may have on any disability benefits and entitlements being received, and is or is not aware of benefits, such as access to health care, that might be available to support employment efforts.

“*Case record*” means the file of personally identifiable information, whether written or electronic in form, on an individual that is collected to carry out the purposes of the division as defined in the Act. This information remains a part of the case record and is subject to these rules even when temporarily physically removed, either in whole or in part, from the file folder in which it is normally kept.

“*Community rehabilitation program*” or “*CRP*” means the same as defined in 34 CFR Section 361.5(7).

“*Comparable services and benefits*” means the same as defined in 34 CFR Section 361.5(8).

“*Competitive integrated employment*” means the same as defined in 34 CFR Section 361.5(9).

“*Competitive integrated work setting,*” with respect to the provision of services, means a setting, typically found in the community, in which applicants or eligible individuals interact with nondisabled individuals, other than nondisabled individuals who are providing services to those applicants or eligible individuals, and said interaction is consistent with the quality of interaction that would normally occur in the performance of work by the nondisabled coworkers.

“*Customized employment*” means the same as defined in 34 CFR Section 361.5(11).

“*Department*” means the department of workforce development.

“*Designated representative*” means any representative chosen by an applicant or eligible individual, as appropriate, including a parent, guardian, other family member, or advocate, unless a representative has been appointed by a court to represent the individual, in which case the court-appointed representative is the designated representative.

“*Designated state unit*” or “*DSU*” means Iowa vocational rehabilitation services.

“*Division*” or “*IVRS*” means Iowa vocational rehabilitation services.

“*Eligible individual*” means an applicant for services from the division who meets the eligibility requirements.

“*Employment outcome*” means the same as defined in 34 CFR Section 361.5(15).

“*Extended employment*” means the same as defined in 34 CFR Section 361.5(18).

“*Extended services*” means the same as defined in 34 CFR Section 361.5(19).

“*Family income,*” for purposes of calculating the financial participation rate for services, means those who are financially responsible for the support of the job candidate and may involve individuals who live in the same or separate households including partners and spouses.

“Family member,” for purposes of vocational rehabilitation services, means any individual who lives with the individual with a disability and has a vested interest in the welfare of that individual whether by marriage, birth, or choice. A family member is an individual who either (1) is a relative or guardian of an applicant or job candidate, or (2) lives in the same household as an applicant or job candidate, who has a substantial interest in the well-being of the applicant or job candidate, and whose receipt of vocational rehabilitation services is necessary to enable the applicant or job candidate to achieve an employment outcome.

“IDEA” means the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

“Impartial hearing officer” or *“IHO”* means the same as defined in 34 CFR Section 361.5(24).

“Independent living services” or *“IL services”* means services authorized under Title VII, Chapter 1, Part B, of the Rehabilitation Act of 1973.

“Individualized plan for employment” or *“IPE”* means a plan that specifies the services needed by an eligible individual and the responsibilities of the individual with a disability and other payers. An IPE contains the matter set forth in or permitted by 34 CFR Section 361.46.

“Individual with a disability” means the same as defined in 34 CFR Section 361.5(28).

“Individual with a most significant disability” means the same as defined in 34 CFR Section 361.5(29).

“Individual with a significant disability” means the same as defined in 34 CFR Section 361.5(30).

“Institution of higher education” or *“IHE”* means the same as defined in Section 102(a) of the Higher Education Act of 1965.

“Job candidate” means an applicant or eligible individual applying for or receiving benefits or services from any part of the division and includes former job candidates of the division whose files or records are retained by the division.

“Job retention waiting list release” means the mechanism used to remove a job candidate from the division waiting list when the individual is at immediate risk of losing the job and requires vocational rehabilitation service(s) or good(s) in order to maintain employment. This applies only for those service(s) or good(s) that will allow the individual to maintain employment. After the individual receives said service(s) or good(s), the individual’s file will be closed if the individual is satisfied with the services provided and requires no further services. If there are additional services needed, the individual will return to the waiting list, if necessary, until that point where the individual’s priority of service is being served.

“Maintenance” means the same as defined in 34 CFR Section 361.5(34).

“Mediation” means the same as defined in 34 CFR Section 361.5(35).

“Menu of services” means the services provided by community partners to assist an individual with a disability in achieving an employment outcome. Menu of services refers to various services that the division is able to purchase from an approved CRP or other approved provider on behalf of a job candidate. The services are selected and jointly agreed upon by the counselor and job candidate of the division. Payments for services are made based on a fee structure that is published and updated annually, and there is no financial needs assessment applied toward the costs of these purchased services from the community partner.

“Ongoing support services” means the same as defined in 34 CFR Section 361.5(37).

“Personal assistance services” means the same as defined in 34 CFR Section 361.5(38).

“Physical or mental impairment” means the same as defined in 34 CFR Section 361.5(40).

“Physical or mental restoration services” means the same as defined in 34 CFR Section 361.5(39).

“Plan for natural supports” means a plan initiated prior to the implementation of the supported employment program that describes the natural supports to be used on the job; the training provided to the supervisor and mentor on the job site; the technology used in the performance of the work; the rehabilitation strategies and trainings that will be taught to the mentor in order to support and direct the job candidate on the job; the supports needed outside of work for the job candidate to be successful; and the methods by which the employer can connect with the job candidate’s job coach/IVRS staff member, or the training program when the need arises.

“Postemployment services” means the same as defined in 34 CFR Section 361.5(41).

“Potentially eligible” for the purposes of preemployment transition services means all students with disabilities. A student is considered potentially eligible until the student has applied for services and an eligibility decision has been determined.

“Preemployment transition services” or *“pre-ETS”* means those services specified in 34 CFR Section 361.48(a).

“Recognized educational program” includes secondary education programs, nontraditional or alternative secondary education programs (including homeschooling), postsecondary education programs, and other recognized educational programs such as those offered through the juvenile justice system.

“Rehabilitation technology” means the same as defined in 34 CFR Section 361.5(45).

“Satisfactory employment” means stable employment in a competitive integrated employment setting that is consistent with the individual’s IPE and acceptable to both the individual and the employer.

“Self-employment services” means services to assist individuals with disabilities to achieve a self-employment outcome consistent with the individual’s abilities, preferences and needs. Self-employment is a vocational option through the division that is available only to for-profit businesses intended for operation within the state of Iowa. The division provides two options within the program, which include the full self-employment program and micro-enterprise development. These services provide information, strategies and resources to help the business become self-sustaining while assisting the individual in assuring all necessary supports are in place for long-term success.

“Status” means the existing condition or position of a case. The specific case statuses are as follows:

1. 00-0 Referral for services.
2. 01-0 Potentially eligible student.
3. 01-1 Closed from potentially eligible.
4. 02-0 Applicant.
5. 04-0 Waiting list.
6. 08-0 Closed before acceptance (from Status 02-0).
7. 10-0 Accepted for services (plan development) adults.
8. 10-1 Accepted for services (plan development) high school students.
9. 14-0 Counseling and guidance.
10. 16-0 Physical and mental restoration.
11. 18-__ Training.
 - 18-1 Work adjustment training/assessment.
 - 18-2 On-the-job training.
 - 18-3 Vocational-technical training.
 - 18-4 Academic training.
 - 18-5 Secondary education.
 - 18-6 Supported employment.
 - 18-7 Other types of training (including nonsupported employment job coaching, job development, ISE).
12. 20-0 Ready for employment.
13. 22-0 Employed.
14. 24-0 Services interrupted.
15. 26-0 Closed rehabilitated.
16. 28-0 Closed after IPE initiated (from Status 14-0 through 24-0).
17. 30-0 Closed before IPE initiated (from Status 10-__).
18. 32-0 Postemployment services (from Status 26-0).
19. 33-__ Closed after postemployment services (from Status 32-0).
 - 33-1 Individual is returned to suitable employment or the employment situation is stabilized.
 - 33-2 The case has been reopened for comprehensive vocational rehabilitation services.
 - 33-3 The postemployment services are no longer assisting the individual and further services would be of no assistance.

20. 38-0 Closed from Status 04-0 (individual does not meet one of the waiting list categories, and the individual no longer wants to remain on the waiting list or fails to respond when contacted because individual's name is at the top of the waiting list).

"Student with a disability" means an individual with a disability in a secondary, postsecondary, or other recognized education program who is not younger than 14 years of age and not older than 21 years of age; and is eligible for, and receiving, special education or related services under Part B of the Individuals with Disabilities Education Act or is a student who is an individual with a disability, for purposes of Section 504.

"Substantial impediment to employment" means the same as defined in 34 CFR Section 361.5(52).

"Supported employment" means the same as defined in 34 CFR Section 361.5(53).

"Supported employment services" means the same as defined in 34 CFR Section 361.5(54).

"Transition services" means the same as defined in 34 CFR Section 361.5(55).

"Transportation" means the same as defined in 34 CFR Section 361.5(56).

"Vocational rehabilitation services" means the same as defined in 34 CFR Section 361.5(57).

"Waiting list" means the listings of eligible individuals for vocational rehabilitation services who are not in a category being served, otherwise known as "order of selection" under the Workforce Innovation and Opportunity Act of 2014.

"Youth with a disability" means the same as defined in 34 CFR Section 361.5(58).

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