



Title:	Self-Employment
Procedure #:	80-VR-16-01
Policy Reference:	80-VR-16 Self-Employment Services
Legal Reference:	ORC §3304.15, CFR 351.5(9)(i)(C), 361.48, 361.49, 361.81; OAC 3304-2-56 and 3304-2-66
Effective Date:	June 4, 2018
Approved:	Kevin L. Miller, Executive Director 
Origin:	Bureau of Vocational Rehabilitation and Bureau of Services for the Visually Impaired
Supersedes:	80-VR-16-01 (12/16/13)
History:	Self-Employment Planning – CS (12/31/06)
Review/ Implementation	Begin Review – 10/04/19 Implement Revisions By –6/4/20

I. PURPOSE

The purpose of this procedure is to provide direction for VR Staff and VR Contractors in providing Self-Employment Services to individuals in accordance with appropriate federal (e.g. Code of Federal Regulations [CFR]) and state law (i.e. Ohio Revised Code [ORC], Ohio Administrative Code [OAC]) Governor directives and executive orders, other governing agency (e.g. DAS, OBM) policy or guidance, and/or Executive Director expectations.

Refer to the AWARE Manual for more detailed instructions regarding the management of cases in AWARE.

II. APPLICABILITY

This procedure applies to VR Staff and VR Contractors.

III. DEFINITIONS

Refer to “Vocational Rehabilitation Definitions” (80-VR-99.A).

IV. PROCEDURES

A. General

1. OOD shall provide information to individuals and if applicable, their parent or legal guardian throughout the Vocational Rehabilitation (VR) process as required by law (e.g. rights and duties). This information shall be provided, in writing, and when appropriate, in the individual’s native language or through an appropriate mode of communication.

2. AWARE shall be updated with pertinent conversations, recommendations, justifications, approvals and/or other actions taken in relation to this procedure. If supervisory or management approval is required during the VR process, the supervisor or manager shall document their approval in AWARE.
 - a. If written approval from a supervisor or manager is required, it shall be requested, via an "Activity Due" in AWARE.
 - i. If written approval is received from a supervisor or manager it shall be added to AWARE.
3. If any OOD Staff or VR Contractor is a Certified Rehabilitation Counselor (CRC) and will be directly involved with an individual's case, he/she shall complete the "Professional Disclosure Statement" (80-VR-01.E).
 - a. VR Staff or VR Contractors who are not a Certified Rehabilitation Counselor (CRC) are exempt from this requirement.
 - b. Once completed, the "Professional Disclosure Statement" shall be reviewed and signed by the individual and, if applicable, his/her parent or legal guardian, and the CRC VR Staff or VR Contractor.
 - i. Once signed, the statement shall be scanned into the AWARE Participant Module, as a Case Note, with the category "Professional Disclosure Statement" and summary title "Signed."
4. When time extensions on the IPE are needed for individuals pursuing self-employment, VR Staff or VR Contractors shall follow the direction in "Individualized Plan for Employment" (80-VR-08-01).
5. VR Staff or VR Contractors working with an individual participating in the Business Enterprise Program (BEP) shall follow the direction in this procedure unless otherwise indicated.
6. If an individual chooses someone other than his/her legal guardian to take part in any area of the process for VR services, the individual shall be required to complete and sign a "Consent to Obtain and Release Information" (80-VR-01.G) form.
7. Maintenance services (e.g. uniforms, rent) shall not be authorized after the first 30 calendar days of self-employment.
8. VR Staff or VR Contractors shall not support self-employment services for an individual who has a legal guardian.
9. If at any time during the self-employment process the individual and/or VR Staff or VR Contractor determine that self-employment is no longer a feasible or viable option, VR Staff or VR Contractor shall:
 - a. document the reason(s) in an AWARE Case Note;
 - b. provide notification to the individual and if applicable, the business consultant; and
 - c. explore placement services and/or other employment options with the individual.

B. Appropriateness of Self-Employment

1. Self-employment shall not be supported for individuals who:
 - a. are not intending to pursue self-employment in a manner that meets the definition of competitive integrated employment (i.e., making minimum wage or more);
 - b. does not have a disability related rehabilitation need (not eligible for VR services) associated with the request for financial support of the business;
 - c. are proposing to develop a non-profit business;
 - d. does not have the skills, abilities and stamina to operate their own business (i.e. needs assistance to complete the basic tasks necessary to operate and sustain the proposed business);
 - e. are not going to be the majority owner of the proposed business;
 - f. do not have demonstrated ongoing access to working capital to handle post start-up expenses, unforeseen circumstances, and/or slow periods within the business; and/or
 - g. are proposing a business where OOD is the sole supporter/investor.
2. OOD support for an existing business shall be contingent upon the satisfactory results of a fiscal and legal review which documents the existing business does not have liens, litigation, or other hidden costs.
 - a. VR Staff or VR Contractor shall work with his/her supervisor to consult with the OOD Legal and Fiscal Departments for assistance.
3. Self-employment may be supported for an individual to attain his/her employment goal when it is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. The determination of appropriateness for self-employment should include, but is not limited to the following:
 - a. the selection of an agreed upon employment goal and an expressed interest in self-employment;
 - b. counseling and guidance detailing the advantages and disadvantages of self-employment to ensure informed choice;
 - c. identifying potential barriers to self-employment; and
 - d. a review of the individual's financial status.
4. Once an employment goal has been established and an individual expresses an interest in self-employment, VR Staff or VR Contractor shall perform the steps below to ensure informed choice has been followed.
 - a. Provide counseling and guidance regarding the advantages and disadvantages of self-employment and complete the "Exploration of Self-Employment" (80-VR-16-01.A).

- i. The overview shall be signed and dated by the individual and the VR Staff or VR Contractor who provided the overview, then scanned into an AWARE Case Note.
 - a) The AWARE Case Note should also include pertinent VR Staff or VR Contractor observations made during the overview discussion.
- b. Determine if the individual understands the advantages and disadvantages of self-employment and if they are still interested in pursuing self-employment.
 - i. If the individual demonstrates continued interest, VR Staff or VR Contractor shall perform the tasks detailed below.
 - a) Provide the individual with the “Self-Employment Readiness Questionnaire” (80-VR-16-01.B) and the “Personal Finances Worksheet” (80-VR-16-01.C) which are to be completed independently (i.e. not with the VR Staff or VR Contractor’s assistance).
 - 1) The Self-Employment Readiness Questionnaire is not applicable for individuals pursuing Business Enterprise Program (BEP).
 - b) Schedule a meeting with the individual to review and discuss the forms no later than four (4) weeks from the date the questionnaire and worksheet are given.
 - c) Once complete, VR Staff or VR Contractor shall scan both documents into an AWARE Case Note.
 - 1) The AWARE Case Note should include pertinent observations and/or concerns regarding the individual’s responses on the forms.
- c. At the follow-up meeting, review the Self-Employment Readiness Questionnaire” (80-VR-16-01.B) and the “Personal Finances Worksheet” (80-VR-16-01.C) to determine if self-employment is still a viable option for the individual.
 - i. If it is and he/she shows continued interest, VR Staff or VR Contractor shall require the individual to complete the items listed below and schedule an additional follow-up meeting within two (2) weeks.
 - a) Require that the individual conduct a minimum of (3) three informational interviews with individuals who operate their own businesses, selling and/or producing a product similar to the individual’s proposed self-employment.
 - 1) If BEP is being considered, VR Staff or VR Contractor shall contact the BEP Training Manager to obtain BEP Operator/Employer interview contacts.
 - 1.1 Informational interviews, for individuals considering the BEP, shall be conducted utilizing the “Business Enterprise Program Informational Interview Questionnaire” (80-VR-16-01.F).
 - b) Require that the individual obtain a copy of his/her personal credit report or assist him/her with obtaining one (may be authorized if a cost is involved).
 - 1) Free credit reports are easily accessible (e.g. <http://www.consumer.ftc.gov/articles/0155-free-credit-reports>)

- c) Recommend online resources that the individual may review (e.g. Small Business Learning Center at www.sba.gov/tools/sba-learning-center/search/training).
 - d) Require the individual sign “Consent to Obtain and Release” form (80-VR-01.G) and authorize for a criminal background check on the individual if the proposed area of self-employment warrants a check to be completed (e.g. child/adult day-care, financial planner, professions that require bonding).
- d. At the subsequent meeting, review, with the individual, all of the required information obtained, any additional information submitted and make a determination whether the individual should continue to pursue self-employment.
- e. If it is determined that there are barriers that need to be addressed before moving forward, those concerns should be discussed with the individual and documented in an AWARE Case Note.
- f. If it is determined there are no barriers to self-employment, the individual shall be referred to a business consultant, approved by OOD and listed in the Provider Management Program (PMP), to conduct a feasibility study as discussed below. (If the individual is being referred to the BEP proceed to section B.5).
- i. Authorize, as detailed in “VR Purchases” (40-FIN-01-06) for the business consultant services.
 - ii. Direct the business consultant to include all elements listed in the “Feasibility Study Requirements for Self-Employment” (80-VR-16-01.D) in his/her report to OOD.
 - iii. Inform the business consultant that the feasibility study is due no more than 45 calendar days from the date of the authorization for their service.
 - iv. Once the feasibility study has been completed, schedule a meeting, within 30 calendar days of receipt of the study, with the individual and business consultant to discuss the findings.
5. Individuals who are legally blind, have an employment goal of food services worker or manager and are interested in self-employment may be appropriate for the Business Enterprise Program (BEP).
- a. To determine appropriateness for the BEP, VR Staff or VR Contractor shall:
- i. administer the National Council on Economic Education’s “How Entrepreneurial Are You?”
 - ii. discuss the program with the individual by reviewing the “Business Enterprise Program Operator Position Description” (80-VR-16-01.G); and
 - iii. document any pertinent observations during the overview discussion, in the AWARE Case Note.

- b. If after scoring the assessment and taking into consideration the “Business Enterprise Program Operator Position Description” (80-VR-16-01.G), VR Staff or VR Contractor determines that the BEP may be appropriate for the individual, he/she shall schedule a meeting with the individual and the BEP Training Manager.
 - i. The BEP Training Manager will conduct an interview, via conference call with the individual and VR Staff or VR Contractor to aid in determining if the individual is a good fit for the BEP.
- c. If after completion of the interview, it is determined that the BEP is not a good fit for the individual or the individual indicates they are no longer interested in the BEP, VR Staff or VR Contractor may explore other types of self-employment by continuing to Section C. of this procedure.
- d. If after completion of the interview, VR Staff or VR Contractor and the BEP Training Manager determine the BEP is appropriate for the individual (e.g. he/she meets the criteria) and he/she is still interested, VR Staff or VR Contractor and the BEP Training Manager shall proceed as detailed below.
 - i. The BEP Training Manager shall:
 - a) explain the “Business Enterprise Program Acknowledgement” (80-VR-16-01.H) via teleconference with the individual and VR Staff or VR Contractor; and
 - b) schedule a math test for the individual.
 - ii. VR Staff or VR Contractor shall schedule the individual for a computer assessment to determine if there is a need for specific adaptive technology, the ability to use a web browser, electronic mail, and Microsoft Word.
 - iii. VR Staff or VR Contractor shall submit all of the following information to the BEP Training Manager:
 - a) “Business Enterprise Training Program Application” (80-VR-16-01.I) completed by the individual;
 - b) proof of legal blindness;
 - c) criminal background check;
 - d) proof of citizenship;
 - e) drug testing;
 - f) proof of GED or High School Diploma;
 - g) birth certificate or state ID;
 - h) credit report;
 - i) results of computer assessment, if applicable; and
 - j) signed “Business Enterprise Program Acknowledgement Form” (80-VR-16-01.H).
 - iv. If after review of all assessments and documents the individual meets the eligibility for the BEP and he/she is still interested, VR Staff or VR Contractor shall:
 - a) Forward a copy of the completed “Comprehensive Assessment” (80-VR-04-01.A) to the VR Supervisor (VRS) for approval.

- 1) VRS shall document his/her decision in an AWARE case note.
 - 2) If not approved, VR Staff or VR Contractor may consider other employment outcomes for the individual.
- v. After approval, VR Staff or VR Contractor shall work with the BEP training manager to facilitate the individual's completion of a basic business fundamentals course (i.e. Hadley's on-line free internet course at hadley.edu/ShowCourseDetail.asp?courseid=BUS-101)
- a) The business course shall be completed within 45 calendar days from the date of the assignment.
 - 1) If the business course is not completed within 45 calendar days, VR Staff or VR Contractor may obtain supervisory approval to extend the deadline for up to an additional fourteen (14) additional calendar days.
 - b) If the course is not successfully completed, VR Staff or VR Contractor may consider other employment outcomes for the individual.
- vi. Once the business course is successfully completed, VR Staff or VR Contractor shall:
- a) work with the BEP Training Manager to facilitate the scheduling of a Community Based Assessment (CBA) with two (2) BEP operators and a Job Coach;
 - b) forward the CBA findings to the BEP Training Manager;
 - c) request VRS approval for the individual to pursue participation in the BEP training and proceed to Section D. of this procedure.
 - 1) If not approved, VR Staff or VR Contractor may consider other employment outcomes for the individual.

C. Business Plan Development, Review and Approval Process

1. Development and Review

- a. If all previous requirements have been met and the VR Staff or VR Contractor and the individual agree to move forward with self-employment the steps outlined below shall be completed.
 - i. VR Staff or VR Contractor shall provide the individual a copy of the "Business Plan Development Guide for Self-Employment" (80-VR-16-01.E).
 - ii. VR Staff or VR Contractor shall authorize for business plan development with an OOD approved business consultant listed in PMP.
 - a) VR Staff or VR Contractor shall provide the selected business consultant with a copy of the "Business Plan Development Guide for Self-Employment" (80-VR-16-01.E).

- b. The individual, with the assistance of the business consultant, shall be responsible for completing the Business Plan and submitting to the VR Staff or VR Contractor within 60 calendar days of receipt of the authorization for the business consultant's services.
 - i. If unable to meet the 60-day timeline, VR Staff or VR Contractor shall meet with the individual and business consultant to discuss the circumstances around the delay and if appropriate, set a date when the plan will be finalized and submitted.
 - a) If the delay is due to a lack of participation or follow through by the individual, VR Staff or VR Contractor shall give the individual 30 additional calendar days to work with the business consultant to complete the business plan.
 - ii. If after the additional 30 calendar days, the report is still not complete, due to a lack of participation or follow through by the individual, VR Staff or VR Contractor shall request a copy of the unfinished business plan and shall document barriers and indicate why self-employment is not a feasible option in an AWARE Case Note.
 - a) VR Staff or VR Contractor, shall meet with the individual, and if necessary the business consultant, to discuss why self-employment is no longer a viable option. The individual should be provided with other opportunities to explore placement services or other employment options.
- c. Upon receipt of the Business Plan, VR Staff or VR Contractor shall review the plan and then, within 30 calendar days of receipt, schedule a meeting with all parties (i.e. individual, business consultant, VR Staff or VR Contractor and the VR Staff or VR Contractor's supervisor) to review and discuss.
 - i. At the close of the meeting, the individual and business consultant shall be informed that they shall be notified within 10 business days of OOD's decision on whether the Business Plan is approved, denied or needs modifications.

2. Business Plan – Required Modifications, Approval, or Denial

- a. If a Business Plan has total business-related costs of \$10,000 or more, the appropriate Area Manager (AM) shall be involved in the approval process. If the result of the meeting held with the individual (refer to Section C.1.c.) is that modifications are required prior to consideration of approval, the AM shall also review prior to returning to the individual to make those modifications.
- b. Modifications Required
 - i. If after OOD's initial review is complete, it is determined that there is a reasonable expectation that, with modifications, the Business Plan could be approved, VR Staff or VR Contractor may refer the individual to the business consultant, if assistance is needed, to revise the plan.
 - a) Prior to notifying the individual, forward to the appropriate AM for review.
 - ii. The revised Business Plan shall be re-submitted to VR Staff or VR Contractor within 30 calendar days of the initial decision to request modifications.

- iii. Within 10 business days of receipt of the modified Business Plan, VR Staff or VR Contractor and his/her Supervisor shall review to ensure the modifications were made.

c. Approval

- i. Upon approval of VR Staff or VR Contractor and his/her Supervisor, the individual and business consultant shall be notified of approval of the Business Plan within 10 business days of receipt which includes, if necessary, approval by the AM.
 - a) If necessary (i.e. the Business Plan has total business-related costs of \$10,000 or more) the appropriate OOD Area Manager (AM) shall be the final approver as outlined below.
 - b) If the AM approves the Business Plan, he/she shall document the approval in an AWARE Case Note.
 - c) If the AM has a reasonable expectation that the Business Plan may be viable with modifications, the individual may be referred to the business consultant, if assistance is needed, to revise the plan.
 - 1) Proceed as detailed in Section C.2.b.ii
 - d) Changes to a Business Plan, once it has already received final approval, shall be resubmitted to VR Staff or VR Contractor. If the changes are supported by VR Staff or VR Contractor, it shall be submitted to the VRS or AM, as appropriate, for final approval. After final approval, the VRS or AM shall document the approval in an AWARE Case Note.
 - 1) If approved changes to the Business Plan occur after IPE development, VR Staff or VR Contractor shall amend the IPE and follow the direction in "Individualized Plan for Employment" (80-VR-08-01).

D. Individualized Plan for Employment (IPE) Development

1. VR Staff or VR Contractor shall draft the IPE following the direction in "Individualized Plan for Employment" (80-VR-08-01).
2. In addition, at a minimum, the IPE shall also address the items listed below.
 - a. Indicate "yes" in the section about self-employment that the individual is pursuing an employment goal that is part of a self-employment plan.
 - b. Include an employment goal (self-employment is not considered an employment goal).
 - c. Ensure that the individual's list of responsibilities includes the requirement to follow the approved Business Plan.
 - d. Include all services required to reach the employment goal, including any associated business start-up services.

- e. Include business start-up expenses (i.e. goods, equipment, supplies [for BEP start up costs may include certifications, trainings, transportation, etc.]) which, as stated in OAC 3304-2-59, shall not include:
 - i. working capital (funds for day to day operation);
 - ii. weapons (i.e. firearms, ammunition, explosives);
 - iii. alcohol tobacco products;
 - iv. buildings, land or other structures; and/or
 - v. reinstatement of licensure.
- f. Include plans for continued funding addressed in the Business Plan.
 - i. OOD's business support shall not exceed six (6) months.

E. IPE Implementation and Monitoring

1. VR Staff or VR Contractor shall work with the individual and business consultant to implement the IPE, following the approved Business Plan.
2. VR Staff or VR Contractor shall follow the direction in "VR Purchases" (40-FIN-01-06) when authorizing supplies or equipment included in the IPE.
 - a. The business consultant should assist VR Staff or VR Contractor to coordinate the acquisition of the equipment and supplies for the business as well as assisting with the marketing strategies outlined in the approved Business Plan.
3. VR Staff or VR Contractor shall request that business consultants provide monthly progress reports regarding the implementation of the business plan and the continued feasibility/viability of the business. (This is not applicable for participants in BEP).
 - a. VR Staff or VR Contractor shall request that the business consultant report any issues so they can be addressed immediately.
4. VR Staff or VR Contractor and the business consultant should provide ongoing support to the individual through case closure.

F. Self-Employment Case Closure

1. When closing a self-employment case, VR Staff or VR Contractor shall follow the direction in "Case Closure Procedure" (80-VR-02-01) including identifying community resources and supports.
2. VR Staff or VR Contractor and the individual should work together to calculate the wage and hours and both shall sign the Job Development – Placement Verification form.
 - a. The hourly wage for self-employed individuals is calculated by taking the business' gross income minus the business expenses, then dividing by the actual hours worked (i.e. Hourly Wage = [Gross Business Income-Expenses]/Actual Hours Worked).

- b. The hourly wage shall be comparable to a wage received by other individuals who are not individuals with a disabilities and who are self-employed in similar occupations or on similar tasks and who have similar training experience and skills.

G. Violation

An employee who violates this procedure may be subject to discipline up to and including removal.

FORMS AND ATTACHMENTS

- 80-VR-16-01.A – Exploration of Self-Employment
- 80-VR-16-01.B – Self-Employment Readiness Questionnaire
- 80-VR-16-01.C – Personal Finances Worksheet for Self-Employment
- 80-VR-16-01.D – Feasibility Study Requirements for Self-Employment
- 80-VR-16-01.E – Business Plan Development Guide for Self-Employment
- 80-VR-16-01.F – Business Enterprise Program Informational Interview Questionnaire
- 80-VR-16-01.G – Business Enterprise Program Operator Position Description
- 80-VR-16-01.H – Business Enterprise Program Acknowledgement
- 80-VR-16-01.I - Business Enterprise Training Program Application

RESOURCES

- 80-VR-99.A - Vocational Rehabilitation Definitions
- OOD AWARE Manual
- 80-VR-08-01 - Individualized Plan for Employment
- 80-VR-04-01.A - Comprehensive Assessment
- 80-VR-04-02 - Purchase, Issuance and Re-issuance of Inventory Items for VR Eligible Individuals
- Job Development – Placement Verification form
- 80-VR-12Consumer Appeals
- 80-VR-02-01Case Closure Procedure
- National Council on Economic Education’s, “How Entrepreneurial Are You?”

REVIEW

It is the responsibility of the Deputy Director, or designee, to review this procedure, on or before, the date listed in the header and if applicable, make any necessary revisions. The Deputy Director, or designee, shall document the review as required in “Policy and Procedure Development, Review, Dissemination and Acknowledgement” (10-ADM-01).