




Title:	<b>Self-Employment Services</b>
Policy #:	<b>80-VR-16</b>
Legal Reference:	ORC 3304.15, CFR 361.5, 361.46, 361.48, 361.49, , 361.81, and OAC 3304-2-66
Date:	December 16, 2013
Approved:	Kevin L. Miller, Executive Director 
Origin:	Bureau of Vocational Rehabilitation and Bureau of Services for the Visually Impaired
Supersedes:	Self-Employment Planning-CS (12/31/06)
History:	N/A
Review date:	Annually on or before December 16th

**I. AUTHORITY**

This policy is issued in compliance with Ohio Revised Code (ORC) §3304.15 which establishes the power and authority of the Opportunities for Ohioans with Disabilities (OOD) and its executive director to develop all necessary rules and policy in furtherance of its statutory duties.

This policy is also issued in compliance with OAC 3304-1, which identifies OOD as the sole state agency designated to administer the plan under the Rehabilitation Act of 1973, 87 Stat. 355.29.U.S.C.701, as amended.

**II. PURPOSE**

The purpose of this policy is to provide guidelines for providing self-employment services to vocational rehabilitation (VR) eligible individuals in accordance with appropriate federal (e.g. Code of Federal Regulations [CFR]) and state law (i.e. Ohio Revised Code, Ohio Administrative Code) governor directives and executive orders, other governing agency (e.g. DAS, OBM) policy or guidance, and/or executive director expectations.

**III. APPLICABILITY**

This policy applies to all VR staff and VR contractors who serve VR applicants and/or eligible individuals.

**IV. DEFINITIONS**

Business Ownership – the legal right to possess a for-profit business that is involved in the trade of goods, services, or both to the general public or other business entities.

Comprehensive assessment - the process used to determine the unique strengths, resources, priorities, concerns, abilities, capabilities, interest and informed choice, including the need for supported employment, of the eligible individual in the most integrated setting possible, consistent with the informed choice of the individual.

Eligible individual- an applicant for vocational rehabilitation services who meets the eligibility requirements under the 34 CFR 361.42(a).

Independent Contractor – a person, business, or corporation that contracts to do work for another person according to his or her own processes and methods; the contractor is not subject to another's control except for what is specified in a mutually binding agreement for a specific job.

Individualized Plan for Employment (IPE) – a written plan developed and implemented in a timely manner for an individual determined to be eligible for VR services and to whom OOD is able to provide services based on the order of selection (OOS). The IPE is developed from the comprehensive assessment process and identifies an employment goal and necessary VR services to obtain the employment goal.

Initial Stocks and Supplies – items necessary for the establishment of a new business enterprise for a VR eligible individual during the initial start-up period, not to exceed 6 months.

Self-Employment – an employment outcome in which the individual works for profit or fee in his or her own business, farm, shop, or office, including sharecroppers.

Self-Employment Review Committee - a group of individuals who shall review an eligible individual's business documentation packet for overall short term and long term viability. The committee shall include a VR Area Manager, a representative from the Division of Fiscal Management, the Business Relations Manager, other OOD staff and if possible, with proper consent from an eligible individual, an outside business entity (e.g. bank manager, member of SBDC, industry professional).

Timely Manner – for purposes of this policy, within 120 days after eligibility and order of selection decisions have been rendered or the individual is released from the waiting list.

Tools and equipment – items required to perform work tasks in the day-to-day operation of the business, not including those items needed to accommodate the individual to perform the essential business functions.

Vocational Rehabilitation contractors (VR contractors) – entities or individuals that OOD has contracted with to provide specific services to VR applicants or eligible individuals, primarily VRP3 coordinators.

Vocational Rehabilitation Staff (VR Staff) – for the purposes of this policy, VR staff includes: caseload assistants, counselors and VR supervisors from the Bureau of Vocational Rehabilitation and the Bureau of Services for the Visually Impaired.

## **V. POLICY**

OOD shall ensure that self-employment services are available to applicants and VR eligible individuals as an employment outcome that is consistent with an individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

A. Self-employment services may be provided to an eligible individual to assess and/or support an employment outcome related to:

1. business ownership; or
2. independent contracting.

B. Self-employment services include:

1. Technical assistance, consultation services and the provision of resources to:

- a. conduct market analysis;
- b. develop business plans; and
- c. implement the business.

2. Business start-up costs, which include:

- a. tools and equipment;
- b. initial stocks and supplies; and
- c. initial assistance with business related expenses (e.g. rent, utilities, accounting support).

C. OOD may provide services to implement a self-employment business plan only when all of the following are completed:

- 1. VR staff or VR contractor has determined that self-employment is a feasible employment outcome for the eligible individual;
- 2. VR supervisor or VR contractor supervisor has agreed that self-employment is a feasible employment outcome for the eligible individual;
- 3. the eligible individual presents a written business plan where he/she is the majority owner;
- 4. the VR staff or VR contractor support the business plan;
- 5. the comprehensive assessment (CA) has identified the necessary supports and VR services needed to obtain the employment outcome and is consistent with the business plan;
- 6. an IPE that details necessary VR and self-employment services has been developed and approved by the VR staff or VR contractor and is consistent with the approved business plan and the CA;
- 7. the VR Staff Supervisor or VR Contractor Supervisor supports the business plan, the CA and the IPE; and
- 8. the Self-Employment Review Committee determines that the business plan is viable and attainable, demonstrates fiscal sustainability and assistance from OOD is detailed and justified in the case record.

D. A legal and fiscal review for liens, litigation or other hidden costs shall be completed prior to OOD's financial contribution to the purchase of an existing business.

E. OOD shall not be the sole investor of the eligible individual's business.

F. Goods and equipment for start-up identified in the "Eligible Individual Inventory Agreement" (80-VR-17.A) shall be purchased solely with OOD funds.

G. OOD shall not participate as an ongoing investor in the business, therefore:

1. business start-up costs should not exceed six (6) months from the implementation of the IPE;  
and
2. the eligible individual shall have alternate plans for continued business funding which shall be addressed in the business plan and documented on the IPE.

H. Violation

An employee who violates this policy may be subject to disciplines up to and including removal.

## **FORMS AND ATTACHMENTS**

- N/A

## **RESOURCES**

- Subsequent procedures to this policy
- Comprehensive Assessment Policy and Procedure(80-VR-04 and 80-VR-04-01)
- Purchase, Issuance and Re-issuance of Equipment and Supplies for VR Eligible Individuals (80-VR-17)

## **REVIEW**

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