



Disability Rights New Jersey Rights to Vocational Rehabilitation Services

**DISABILITY
RIGHTS**
NEW  JERSEY

ADVANCING JUSTICE. ADVOCATING INCLUSION.



Introduction to the speaker



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About Disability Rights New Jersey

- Disability Rights New Jersey is the designated Protection and Advocacy agency for New Jersey
 - Each state was to designate an agency to receive federal funds to investigate and monitor facilities where individuals with developmental disabilities were located to ensure that they were not the subject of abuse and neglect
- We advocate for and advance the human, civil and legal rights of residents of New Jersey with disabilities



Client Assistance Program (CAP)

- CAP is a federally funded program designed to assist individuals seeking or receiving Vocational Rehabilitation, or VR, services who need assistance
- If you have questions or concerns about your rights to VR services, or you disagree with VR service decisions you may contact Disability Rights New Jersey



Agenda

- Rights to Employment Assistance
- Rehabilitation Act of 1973
- Workforce Innovation Opportunity Act
- New Jersey as an Employment First State
- State VR Agencies



Rights to Employment

- **Rehabilitation Act of 1973**
- **Workforce Innovation Opportunity Act (WIOA)**
- **Employment First**



Vocational Rehabilitation Laws

- The Rehabilitation Act of 1973, as Amended (Rehab Act) prohibits discrimination on the basis of disability
- The Workforce Innovation and Opportunity Act (WIOA), is a United States public law codified at 29 U.S.C. 3101 et seq.

Workforce Innovation Opportunity Act

The Workforce Innovation and Opportunity Act (WIOA) permits state VR agencies “to encourage eligible individuals to pursue advance training in the fields of science, technology, engineering, or mathematics (including computer science), law, medicine, or business.” 34 CFR 361.48(b)(6).



NJ is an Employment First State

Employment First State:

- means that employment in the general workforce should be the first and preferred option for individuals with disabilities receiving assistance from publicly funded systems.

Simply put, Employment First means real jobs, real wages



State VR Programs

The State Vocational Rehabilitation (VR) Services Program is authorized by the Rehabilitation Act of 1973, as amended by Title IV of the Workforce Innovation and Opportunity Act (WIOA).



NJ's Vocational Rehabilitation Agencies

- Two VR agencies in New Jersey:
 - Division of Vocational Rehabilitation Services (DVRS) and,
 - Commission for the Blind and Visually-Impaired (CBVI).



NJ's Vocational Rehabilitation Agencies

- The goal of Vocational Rehabilitation Agencies is to maximize:
 - 1) employment
 - 2) self-sufficiency
 - 3) independence, and
 - 4) inclusion and integration into society.
- CBVI provides services to those who are blind, visually-impaired or deaf-blind
- DVRS provides services to those persons with physical, mental, or other forms of disability.



Vocational Rehabilitation Services

- Services available through DVRS/CBVI
 - Job coaching
 - Job accommodations
 - Transportation
 - College and vocational training
 - Physical and mental restoration services
 - Assistive technology
 - Other goods and services determined necessary for the individual with a disability to achieve an employment outcome. 34 C.F.R. § 361.48(b)(21)



Eligibility for VR Services

DVRS

Individuals with physical, mental, cognitive, or other forms of disability who have a substantial impediment to employment may be eligible for DVRS services.

CBVI

Individuals who are blind, visually-impaired or deaf-blind Individuals who have a visual impairment and who need services to work may be eligible for CBVI VR services.



Eligibility for DVRS Services

- To be eligible for individualized VR services, an individual must meet the following criteria:
- “Have a physical or mental impairment that constitutes or results in a substantial impediment to employment; and
- Require VR services to prepare for, secure, retain, advance in, or regain employment.”



Commission for the Blind and Visually Impaired (CBVI)

- New Jersey Designated Agency to help those who are Visually Impaired or Legally Blind
 - **VISUALLY IMPAIRED** means that with the best correction an individual's vision is 20/70 or less in the better eye. (The person sees at 20 feet what a person without a vision impairment sees at 70 feet.)
 - **LEGALLY BLIND** means that with the best correction an individual's vision is 20/200 or less in the better eye. (The person sees at 20 feet what a person without a visual impairment sees at 200 feet.) Also, an individual is considered legally blind if he or she has a restricted visual field limitation of 20 degrees or less. (The person sees 20 degrees of all the objects in their field of vision when a person without a vision impairment would see 180 degrees.)
- CBVI works with the School Districts to help transition visually impaired and legally blind school aged children ages 14-21



Presumption of Eligibility – SSI and SSDI Recipients

- Presumed to have a physical or mental impairment which is a substantial impediment to employment; and
- Presumed to need vocational rehabilitation services to prepare for, secure, retain, advance in or regain employment; and
- An individual who receives SSI or SSDI is considered to have a “significant disability” as defined by 34 CFR 361.5(c)(29).



Provision of VR Services to Eligible Individuals

Individualized - consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. 34 C.F.R. 361.48(b).

Informed choice - individuals must be able to exercise informed choice throughout the VR process – including in the selection of their employment goal. 34 C.F.R. 361.52.



Questions?

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Contact Us for More Information:

We are located at:

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