



*California's Protection & Advocacy System
Toll-Free (800) 776-5746*

Informed Choice: A Critical Component of the Vocational Rehabilitation Process Fact Sheet

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1. What is “informed choice” and why is it important?

Federal law requires that all programs, projects and activities funded under the Rehabilitation Act, including state vocational rehabilitation programs, to be “carried out in manner consistent with the principal of respect for individual dignity, personal responsibility, self-determination, and pursuit of meaningful careers, based on informed choice, of individuals with disabilities.” Title 29 of the United States Code (29 USC) §701(c)(1). Congress states that the goal of these services should include “providing individuals with disabilities with the tools necessary to... make informed choices and decisions; and achieve equality of opportunity, full inclusion and integration in society, employment, independent living, and economic and social self-sufficiency, for such individuals.” 29 USC § 701(a)(6).

Department of Rehabilitation (DOR) applicants and clients must be provided information and support services to assist them in exercising informed choice - making meaningful decisions - throughout the rehabilitation process. Title 9 of the California Code of Regulations (CCR) §7029.6(a). Informed choice must be provided by DOR in the development of your Individualized Plan for Employment (IPE) and employment goal; to determine specific DOR services needed to achieve your employment goal; the entity that will provide the services; the settings where services will be provided; and the methods available for getting the services. 9 CCR § 7029.6(b)(4). Informed choice may include providing information to the client or applicant in a language or mode of communication the person

understands or providing support services to individuals with cognitive disabilities. 9 CCR §7029.6(b)(1).

2. How do I exercise my informed choice in selecting an employment outcome?

As a client of DOR, you have the right to be an active and full partner in, and to exercise informed choice throughout, the vocational rehabilitation process, including choosing your employment goal and developing your IPE. 9 CCR § 7029.7(b)(1) and Rehab. Act § 120(b)(2)(B). An IPE must be designed to achieve a specific employment outcome in an integrated setting that is *selected by the individual* and is consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. 9 CCR § 7128(d); Title 34 of the Code of Federal Regulation (CFR) § 361.45. To evaluate your goal, DOR may need performance-based information obtained through a comprehensive assessment, or DOR may establish discrete short-term objectives in the IPE. See Rehabilitation Services Administration (RSA) Policy Directive No. 97-04.

3. Can I obtain information to help me choose the entity that will provide the services?

Yes. DOR must assist you in acquiring information that enables you to select the entity that will provide the services. 9 CCR § 7029.6(b)(4)(C). DOR must provide or assist clients in obtaining information including, but not limited to: the cost, accessibility, and duration of potential services; consumer satisfaction with those services (to the extent that this information is available); qualifications of potential service providers; types of services offered by the potential providers; degree to which services are provided in integrated settings; and outcomes achieved by individuals working with service providers, to the extent that this information is available. 9 CCR §7029.6(d).

You should request the above information about the vendor or provider that DOR recommends. You should also request that DOR provide you with several options of service providers to choose from.

4. Can I choose the employment setting and the setting in which the services will be provided?

Yes. DOR can assist clients in obtaining employment in a variety of settings. Your IPE must be designed to achieve a specific employment outcome in an integrated setting. 9 CCR § 7128(d). Integrated settings are typically found in the community, and are where people with disabilities interact with non-disabled individuals other than non-disabled individuals who are providing services to them. 9 CCR § 7018.4(a).

In some instances, DOR may also assist an individual in obtaining extended employment where the client works in a non-integrated or sheltered setting as an interim and transitional step in the rehabilitation process to prepare the individual for employment in an integrated setting. Extended employment is not an end-point in the rehabilitation process and is not considered an employment outcome. 9 CCR § 7013.6. If DOR fails to provide other employment opportunities, services, and outcomes in an integrated setting, you should call the Client Assistance Program (CAP).

In addition to integrated public or private employer work places, employment settings can include supported employment, self-employment, or business ownership. You may also choose to work on a full-time or part-time basis. Employment outcomes of homemaker and unpaid family worker are available in the community, are considered to occur in integrated settings, and meet the definition of employment outcome in certain situations. 9 CCR § 7011. If you select an employment setting of homemaker, there must be anticipation of both social and economic benefits, among other criteria. 9 CCR § 7136. If you disagree with or have not chosen homemaker/unpaid family worker as a vocational goal, you should tell your rehabilitation counselor that you want to change your goal, and call CAP if DOR will not agree to change your goal.

5. What if I feel I have not been provided with informed choice in the vocational rehabilitation process?

If you feel you have not been provided with informed choice at any point in the vocational rehabilitation process, you should speak with your DOR counselor and/or supervisor to try to resolve the dispute or obtain

information to assist you in making meaningful decisions about your rehabilitation services and program. You also have the right to, request an Administrative Review with the District Administrator, and request a Mediation and/or Fair Hearing.

If you need assistance in resolving disputes with DOR, you may contact the Client Assistance Program at (800) 776-5746.

Disability Rights California is funded by a variety of sources, for a complete list of funders, go to <http://www.disabilityrightsca.org/Documents/ListofGrantsAndContracts.html>.