# **Vocational Rehabilitation Services Manual C-100: Counseling and Guidance**

Revised May 15, 2023

…

## C-101: Legal Authorization

C&G is recognized in federal law as an integral component to the delivery of VR services. Federal law requires that, as appropriate to the VR needs of each individual, and consistent with the customer's individualized plan for employment (IPE), TWC-VR must ensure that certain VR services are available to assist the individual with a disability in preparing for, securing, retaining, advancing in, or regaining an employment outcome that must be consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. C&G is one of these required VR services. (34 CFR §361.48(b)(3))

Federal regulations also establish a number of points during the life of a VR case at which C&G must be provided. For example, §§361.48(a)(2)(i) and 361.48(a)(2)(iii) of Title 34 of the Code of Federal Regulations (CFR) designate job exploration counseling and counseling on transition or postsecondary educational programs as required activities that must be provided as part of Pre-ETS:

"Scope of vocational rehabilitation services for individuals with disabilities.

(a) Pre-employment transition services. Each State must ensure that the designated State unit, in collaboration with the local educational agencies involved, provide, or arrange for the provision of, pre-employment transition services for all students with disabilities, as defined in §361.5(c)(51), in need of such services, without regard to the type of disability, from Federal funds reserved in accordance with §361.65, and any funds made available from State, local, or private funding sources. Funds reserved and made available may be used for the required, authorized, and pre-employment transition coordination activities under paragraphs (2), (3) and (4) of this section.

…

(2) Required activities. The designated State unit must provide the following pre-employment transition services:

(i) Job exploration counseling;

…

(iii) Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education"

As a specifically required service that must be made available to VR customers, 34 CFR §361.53(b)(2) makes C&G exempt from a determination of the availability of comparable services and benefits applicable to other types of VR services:

"(ii) The following vocational rehabilitation services described in CFR §361.48(b) are exempt from a determination of the availability of comparable services and benefits under paragraph (a) of this section:

…

(2) Counseling and guidance, including information and support services to assist an individual in exercising informed choice."

TWC-VR's C&G is provided only by a VR counselor who is an employee of TWC-VR. C&G is recognized under federal law as a staff skill directly relevant to the VR counselor's obligation to "ensure that personnel have a 21st-century understanding of the evolving labor force and the needs of individuals with disabilities." Specifically, 34 CFR §361.18(c)(2)(ii) explains:

"Ensuring that personnel have a 21st-century understanding of the evolving labor force and the needs of individuals with disabilities means that personnel have specialized training and experience that enables them to work effectively with individuals with disabilities to assist them to achieve competitive integrated employment and with employers who hire such individuals. Relevant personnel skills include, but are not limited to—

…

(C) Counseling and guidance skills, including individual and group counseling and career guidance; §361.18."

For more information about the required qualifications of VR counselors who work for TWC-VR and about the Comprehensive System of Personnel Development (CSPD), see TWC rules at 40 Texas Administrative Code Chapter 850, Subchapter A, §850.11, Qualified Vocational Rehabilitation Counselor.

As described in the Commission on Rehabilitation Counselor Certification (CRCC) [Code of Professional Ethics for Rehabilitation Counselors,](https://crccertification.com/wp-content/uploads/2023/04/2023-Code-of-Ethics.pdf) VR counselors "practice only within the boundaries of their competence, based on their education, training, supervised experience, professional credentials, and appropriate professional experience." C&G within TWC-VR is not viewed as psychological therapy or treatment; customers who need more intensive therapy or treatment must be referred to an appropriate resource, such as the local mental health authority.

### **C-105-1: Counseling and Guidance Techniques and Modalities**

The [Code of Professional Ethics for Rehabilitation Counselors](https://crccertification.com/wp-content/uploads/2023/04/2023-Code-of-Ethics.pdf) offers the following information about C&G techniques and modalities.

The specific techniques and modalities utilized within the rehabilitation counseling process may include, but are not limited to:

* assessment and appraisal;
* diagnosis and treatment planning;
* career (vocational) counseling;
* individual and group counseling treatment interventions focused on facilitating adjustments to the medical and psychosocial impact of disability;
* case management, referral, and service coordination;
* program evaluation and research;
* interventions to remove environmental, employment, and attitudinal barriers;
* consultation services among multiple parties and regulatory systems;
* job analysis, job development, and placement services, including assistance with employment and job accommodations; and
* provision of consultation about and access to rehabilitation technology.

### **C-105-3: Counseling and Guidance Ethics**

For more information about C&G ethics and the role of the VR counselor, refer to the [Code of Professional Ethics for Rehabilitation Counselors.](https://crccertification.com/wp-content/uploads/2023/04/2023-Code-of-Ethics.pdf)

…