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Revised May 2017



INTRODUCTION

Welcome to TSE, Inc. We are pleased you are considering our services and every effort will be made to insure that your interests and needs are met. This Services Handbook has been prepared to acquaint you with TSE and your rights and responsibilities as a consumer of services. You and your representative(s) should read its contents thoroughly and if you have any questions regarding any

item(s), please contact us. Additional information about TSE's services may be found on our website: www.tse-inc.org.

THE HISTORY

TSE, Inc. was one of the first organizations of its kind developed in 1961 in the State of Minnesota. At that time, there were less than a dozen persons receiving services and the activities were very socially and recreationally oriented. Today, approximately two hundred eighty people are served by TSE and a majority are working or training in the community. TSE is recognized as a leader in the industry with proven success to work with a wide range of individual interests and abilities.



The company name has changed over the years to reflect the change in industry terminology. The name TSE, Inc. was derived from the services provided: Training, Support and Employment.

THE MISSION AND VISION

Mission

The mission of TSE, Inc. is “Enriching lives through employment and community connections”

Vision

The vision of TSE, Inc. is “Every person TSE serves will achieve their career and life ambitions”

Purpose

The training shall be designed to increase physical and social interaction within the community, increase productivity, increase income level and improve employment status or job advancement. Community inclusion services shall be offered or provided and are designed to increase or enhance a person's physical and social interaction within the community.

Values

- Advocating for people with disabilities
- Creating and promoting opportunities for personal growth
- Embracing diversity
- Commitment to the integrity and quality of our services
- Providing innovative and responsive community services
- Being responsive to the needs, choices and desires of the people we serve

Guiding Principle

- All people with disabilities are assets to society
- People with disabilities enhance the work environment
- People excel when treated with respect and dignity
- People succeed in an environment committed to team work and open communication

- Collaboration with stakeholders, including elected officials, promotes effective partnerships and advances system change
- Quality services reflect an individual's preferences, goals, strengths and abilities

COMPANY PHILOSOPHY

TSE, Inc. strives to provide opportunities to actively involve you in your community and to create regular and meaningful interaction with peers who are non-disabled and are not paid service providers. Services are designed to enhance your level of independence, are intended to be age appropriate and functional, and provided in the least restrictive environment. You will be asked to identify service outcomes which become the basis for planning your training. TSE strives to employ best practices in not only the development and implementation of services, but also in the establishment of sound financial, personnel, legal, and organizational policies and procedures. Health and safety policies and procedures have been established to insure the rights, dignity and safety of all people served by TSE are protected.



ADVOCACY AND ACCESSIBILITY

Advocacy

TSE, Inc. advocates on behalf of the people served on several levels. The TSE Consumer Advisory Committee is made up of people served by TSE at each training site. They speak on behalf of their peers in advocating to TSE management regarding desired services. The TSE Board of Directors make the major decisions of the organization based upon the needs of the community, the mission of TSE, and the cumulative interests and needs of the people served. The TSE employees then carry out the major decisions of the Board. TSE will assist you in speaking on your own behalf. TSE will also assist with referrals to social, legal or economic advocacy resources as necessary. Additional resources are available at the Arc of Minnesota (www.arcmn.org) and at the Minnesota Disability Law Center (<http://www.mndlc.org>.)



Accessibility

TSE, Inc. promotes accessible services for you and other stakeholders. A self-evaluation is conducted regularly and a plan developed to include timelines and the actions for removal of identified barriers. The accessibility plan will address the following areas: architecture, environment, attitudes, finances, employment, communication, transportation and any other barrier identified by persons served or other stakeholders.

POPULATION SERVED

TSE, Inc. serves persons who are 18 years of age and older who are diagnosed with intellectual/cognitive disabilities or related conditions. Approximately twenty-five percent of those served have secondary diagnoses of mental illness. Approximately five percent of those served have a primary diagnosis of mental illness or traumatic brain injury. Approximately fifteen percent of individuals served have a physical disability which is significant enough to impair their mobility or ability to complete routine activities of daily living.

TSE has demonstrated the ability to provide quality services to individuals with a variety of interests and needs. This is indicated by the success experienced by the people served as well as the positive responses regarding services consistently received in Consumer Surveys.

THE ORGANIZATIONAL STRUCTURE

Board of Directors

There is no ownership of TSE, Inc. Instead, the business and affairs of TSE are managed under the direction of a board of directors. The TSE board is composed of consumers or their representatives, professionals in the field of developmental disabilities, and community members. The role of the TSE, Inc. Board of Directors is to establish the primary or topmost policies which will lead the organization to meet the needs of the community, the mission of the organization, and the interests and needs of the persons served.

The TSE Board meets on the third Tuesday in the months of February, May, August, and November. The Awards Celebration and Annual Meeting is held in July. The regular board meetings are at 5 pm at the McCarrons service site and they are open to the public.

President and Chief Executive Officer

The President and Chief Executive Officer is authorized to establish all secondary or subsidiary policies, make all decisions, take all actions and develop all activities which are consistent with the board's policies. They may work with the management team for these purposes which include representatives of service sites and other major areas of responsibility within the organization.

Employees

TSE, Inc. employs professional staff with varied backgrounds in the field of human services. Approximately two-thirds of training staff have a four-year degree and approximately one-quarter have a two-year degree or its equivalent. The remainder has a one-year degree or a high school background. All employees have previous employment experience related to their responsibilities at TSE. New employee orientation as well as on-going training is provided to ensure they remain current in their skills.

A specific employee will be assigned to work with you to plan activities that support your desired training outcomes. We will try to accommodate your wishes in determining who the assigned staff will be. Each training or direct service staff supervises approximately four to six people.

Legal and funding

TSE, Inc. is a private, nonprofit corporation. The State of Minnesota, Department of Human Services licenses each service site. Funding for services comes from the State of Minnesota, Ramsey and other counties through a purchase of services contract. TSE is reimbursed for 244 days of service per year per person even though the annual schedule of days identifies more days of service actually provided.

There is no cost to you for training services unless you have an extenuating financial circumstance. This is explored at the time of your referral for services. Fees for referrals are not accepted nor provided to a referral source.

Payment to TSE for your services may come from a variety of funding sources, including Federal (Medical Assistance), State (DD-Waiver, Brain Injury-Waiver or CADI-Waiver) or County (CCSA). The funding source is determined in large part by the type of residence you live in. Services available including Day Training and Habilitation (DTH), Pre-vocational, Supported Employment Services and Transportation. The rates for each of these services will be based largely on an assessment that will be completed by your social worker. TSE staff will inform you of your service rates, if you request this.

Effective October 1, 2008, Ramsey County will determine your maximum payment for TSE services based upon their screening document. This may limit the number of days or hours of services you may receive from TSE.

Accreditation

TSE, Inc. has been nationally accredited by the Commission on Accreditation of Rehabilitation Facilities, also known as CARF, since 1993. CARF-accredited service providers meet the highest national and international standards for quality, such as employing qualified professional staff. CARF accreditation demonstrates quality on a more personal level – your seal of satisfaction.

Quality Services

TSE strives to provide the highest quality of services for you. Defining what “quality” means is different for every person. Some commonly accepted values of quality for service providers include the following:

- The organization asks you, the customer, if you are satisfied with your services. TSE believes that only the customer can evaluate quality.
- Service planning is done by teams that include you and design your plan to meet your unique preferences and needs.
- TSE is responsive to your questions about your plan and services, and we make sure that you have and understand the information you need.
- Service plans are individualized to meet your needs as a unique person.
- You, the customer, should be delighted by TSE and the services we provide for you.

BUSINESS HOURS, SERVICE SITE ADDRESSES AND TELEPHONE NUMBERS

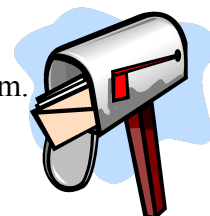
The TSE, Inc. main office hours are from 7:30 a.m. to 4:30 p.m. Monday through Friday. The business address is 2027 Rice Street, Roseville, MN 55113. The telephone number is 651-489-2595. All correspondence must be directed to this address and not to a service site. The service sites are open from 7:30 a.m. to 3:30 p.m. on the days identified in the annual calendar. The telephones are personally answered during non-program hours; (7:30 – 8:30 a.m. and 3:00 – 3:30 p.m.) At other times of the day, you may receive an answering machine. A message can be left and someone will return your call as soon as possible. Each service site also has an emergency pager.

The name, address, telephone number and hours of service for each service site are:

Lakeridge
103-105 W. Vadnais Boulevard

651-484-6230

8:30 a.m. – 3:15 p.m.



Vadnais Heights, MN 55127

Roselawn
1983 Sloan Place, Suites 13 & 14
Maplewood, MN 55117

651-793-0373

8:30 a.m. – 3:15 p.m.

McCarrons
2027 Rice Street
Roseville, MN 55113



651-489-2595
Ext. 217 - 220

8:30 a.m. – 3:15 p.m.

Work Ahead
1919 University Avenue W.
Suite 116
St. Paul, MN 55104

651-379-5290

8:00 a.m. – 2:00 p.m.

The address and telephone number for a community jobsite can be obtained from the Employment Specialist assigned to the jobsite or from the main office. You may also contact us through our “electronic mailbox” at suggestionbox@tse-inc.org. This is checked on a regular basis and staff respond promptly to all suggestions.



TRAINING SCHEDULE AND DAYS OFF

You will receive a TSE, Inc. annual calendar of service days for the year. The calendar identifies days off for holidays and other purposes. We ask that you try to schedule your vacations, doctor appointments and other time off as much as you can during the days the training sites are closed or after service hours. This is important as TSE is reimbursed only for the days you are here. (The calendar is also available on the TSE website at www.tse-inc.org.) We do encourage each person to plan for two weeks off during the year, for rest and relaxation.

If you are working at a community jobsite, your schedule will be based on the schedule of the business. This means you would follow the policies and procedures of the business for any time off you may need. You will have this information before starting a community job. If your employer does not have a set policy on this, we suggest giving two weeks' notice prior to a planned vacation. This should be coordinated with your employer as well as your TSE Employment Specialist.



WEATHER CLOSING

In the event of threatening weather whereby the service sites cannot open, you will receive a telephone call to this effect. In addition, WCCO-AM radio, 830 on the dial, will carry a closing announcement by 6:00 a.m. If weather becomes a concern during the day and a decision is made to close, you and your residence will be notified in advance.

A community jobsite closing is handled on an individual basis and you will be given the closing information that pertains to your jobsite.

LUNCH AND BREAKS

A lunch time is included in your training schedule. You must provide your own lunch and beverage. Your particular schedule will determine if there are other breaks during the day.

Microwaves are available at all sites. In order to ensure that each person has time to prepare their lunch in a reasonable time, we ask that you limit cold/frozen items to those that require no more than 3 minutes to re-heat. If you require food to be cut up in advance, we ask that your family/residential staff pre-cut as many items as possible without affecting food safety and taste.

This assists our staff in being able to manage lunch preparations as quickly as possible for all people.



TRANSPORTATION

TSE, Inc is responsible for providing or making arrangements for your transportation. Please review the TSE Passenger Handbook for the details.

GUIDELINES FOR DRESS, HYGIENE AND PERSONAL ITEMS

TSE, Inc. has developed guidelines for clothing and personal hygiene to promote positive experiences in your interactions with others in the community. Community activities include employment sites.

For TSE service sites:

10. Shorts and skirts must be mid-thigh length or longer.
11. No bare midriff-blouses/shirts must be tucked in or long enough that the stomach and back are covered when bending, stretching, reaching, etc.
12. No tank tops, spaghetti straps, basketball jerseys or similar sleeveless shirts.
13. No low cut blouses/shirts (no cleavage); no shirts/blouses unbuttoned past the second button.
14. No tight shirts/blouses, e.g. Lycra, Spandex or other similarly clinging fabrics; no pants of similar material unless with shirt length at the top of the thigh or lower.
15. No excessively baggy clothes, e.g. pants falling off the waist or dragging on the floor, shirt sleeves hanging to the knuckles, etc.
16. No holes, tears, frays, or stains in any item of clothing.
17. No t-shirts with political, partisan, suggestive, obscene, racial, sexual, ethnic or religious content. This also includes t-shirts associated with drugs, alcohol, or tobacco.
18. Footwear requirements are comfortable, well-fitting shoes that provide adequate traction and that do not interfere with the ability to move safely while participating in usual physical activities. No sandals, no high heels.

Personal hygiene includes:

1. body to be clean and free from odor; and
2. hair to be clean and groomed.

For community jobsites: Guidelines will be based upon the policies of the employer. If the employer's guidelines are unclear, the TSE guidelines will be followed.

These guidelines are not all-inclusive; the job site supervisor or TSE Services Coordinator has the discretion to require a change of attire that is clearly inappropriate for the setting.

If these guidelines are not followed:

1. your residence will be informed of the situation and a change of clothing will be requested;
2. you will not be able to participate in a community activity on the specific day;
3. if this situation occurs more than 3 times in a month, TSE will inform the IDT of the situation;
4. if the situation has not been addressed and/or corrected within a reasonable amount of time

- and it affects your training, TSE may be required to file a vulnerable adult report; and
5. suspension from work may result.

In order to maintain security and professionalism, TSE limits the size and number of personal bags, purses and other items that will be allowed at employment sites and TSE training sites. We encourage you to leave all such items at home. However, if you feel that you must carry such an item, it needs to be limited to a purse, a small (school-size) backpack or bag of a similar size. This can only be brought to the employment site if there is an identified storage area that is out of the person's work area. This may include a locker, a breakroom if not part of the work area, or other such private and secured areas. TSE training sites will have identified storage areas. An employment site may have more restrictive requirements, including a complete prohibition of such items, if it is deemed to be warranted by the employer or the TSE staff.

LOSS OR DESTRUCTION OF PERSONAL ITEMS

TSE, Inc. is not responsible for personal items that become lost, stolen or damaged unless directly the result of mismanagement on the part of a TSE employee. TSE staff will document a report of alleged theft of personal items and will investigate to the best of their ability and resources available to do so.

FUND MANAGEMENT POLICY

TSE, Inc. does not manage funds for persons served. TSE will provide supports for you if you carry money or other valuables on your person, and your plan identifies a need for support to keep these items safe. Typically, program activities costs are paid for by TSE. If there is an unusual circumstance where you are asked to cover some or all of the cost of an activity or event, TSE will notify you and/or your support team.

DESCRIPTION OF SERVICES

The services TSE, Inc. provides must meet the requirements of the State of Minnesota Department of Human Services, CARF accreditation standards and the TSE Mission Statement. At the time you enter TSE, your interests and needs will be discussed and these will become the basis for the training activities. This includes the service site you choose.

TSE provides training and support to individuals in the following areas: community employment, employment planning, site-based work, community inclusion, behavior management, communication, self-care, leisure/recreation, and/or other area(s) identified by you or your representative.

TSE has assisted individuals to become successfully employed in many different types of businesses. The following list is a small sampling of the types of employment you may choose. TSE is committed to honoring your request.

Animal Care	Cleaning services	Grocery stores	Health care facilities
Mailing services	Manufacturers	Office services	Restaurants
Retail stores	Salon services	Schools	

SERVICE SITES

Lakeridge

This facility is located at 103-105 W. Vadnais Boulevard, Vadnais Heights. The building is shared with a retail business on the upper level and nearby businesses includes a strip mall. There are 60 persons based at this site. This site is located near a North Suburban Lines bus route.

Roselawn

This facility is located at 1983 Sloan Place, Suites 13 & 14, Maplewood. This single level suite is one of several comprising the St. Paul Business Center East. There are 80 persons based at this site with a majority employed in the community. This site is on a MTC bus route.



McCarrons

This facility is located at 2027 Rice Street, Roseville, within the Rice Street Business Center. The location is a commercial business area. There are 85 persons based at this site. The site is located on a North Suburban Lines bus route.

Work Ahead

This facility is located at 1919 University Avenue W., Suite 116, St. Paul. The site is located in a multi-level office building in a retail and commercial area. There are 50 persons based at this site. The site is located on a MTC bus route.

COMMUNITY RESOURCES

TSE provides opportunities for you to access generic community resources, based on your interests and needs. Transportation to community based activities is typically provided by TSE Transportation vehicles although other options may be used, including the city bus, Metro Mobility, or staff vehicles. One of the main purposes of these activities is to provide you the opportunity to interact with others in the community who are not paid caregivers. This may include participating in volunteer opportunities if you choose to do so. Volunteer opportunities will be developed in areas of your choosing. You will not be replacing a paid position, and you and/or your legal representative will be notified of the

volunteer position prior to your start.

Staff will ensure that your support plan includes community integration goals, if integration is a service outcome that you have identified as important to you. You have the right to choose how often you would like to participate in community activities, and the types of community activities you would like. TSE staff will support you in implementing your integration goals.

If you need to secure community-based resources typically not provided by a day training agency such as TSE, we will work with you and your county case manager to identify the available resources.

ADMISSION, EXCLUSION, SUSPENSION AND DISCHARGE POLICIES

TSE, Inc. has developed admission, exclusion, suspension and discharge policies based upon federal, state and county laws, rules and/or regulations. These policies assure that you receive fair and equal treatment while you receive services from TSE.

There are several documents that you will need to provide TSE before you begin receiving services. These include:



1. application letter from the county case manager requesting services;
2. current medical exam (including tetanus and mantoux if available);
3. Coordinated Service and Support Plan which is completed by your county case manager;
4. psychological exam;
5. IEP/CSSP-A from your previous school or day program;
6. picture identification and social security card or birth certificate for those interested in community employment services; and
8. Service Agreement for those receiving Waivered Services.

ADMISSION

An individual with a developmental disability is eligible to receive services from TSE, Inc. A person with a mental health diagnosis or a traumatic brain injury is eligible if they have a CADI- or TBI-Waiver. You will not be refused admission based on the type of residential services you receive or solely on the basis of the severity of your disability, orthopedic or neurological handicaps, sight or hearing impairments, communication skills, physical disabilities, self care needs, behavioral disorders, or past failure to make progress. If it is determined that TSE will not be able to provide services to you, for example due to support needs that exceed TSE's resources, TSE will provide a list of potential resources for services.

These eligibility requirements apply to all services provided by TSE, including Community Integration, Employment Planning and Community Employment Services.

The steps for admission are as follows:

5. a referral must originate from a county human services agency and shall include an Coordinated Service and Support Plan (CSSP) and other materials describing your need for services;
6. the Vice President and Services Coordinators shall review the referral materials to determine if services can meet the needs specified in your CSSP. We will act on your referral within 30

- calendar days upon its receipt;
7. if the training capacity is at a maximum, a waiting list will be established based upon the chronological receipt of referrals. Final determination for placement in the event of a waiting list will be made by the Vice President and will be based on your numerical order on the waiting list, the your need(s), the staff training ratio needed and/or other criteria as may be deemed necessary; and
 8. a mutually acceptable starting date will be set.

Suspension

The use of temporary service suspension by TSE is restricted to situations in which your conduct poses an imminent risk of physical harm to yourself or others and less restrictive or positive support strategies would not achieve safety.

6. TSE will notify you or your legal representative and the case manager in writing of the intended temporary service suspension.
7. TSE will provide information requested by you or your legal representative or case manager when services are temporarily suspended.
8. Prior to giving notice of temporary service suspension, TSE will document the actions taken by TSE to minimize or eliminate the need for temporary service suspension. For example:
 - a. Your behavior that is prompting the temporary service suspension, including the frequency, intensity and the duration of the behavior.
 - b. The events leading up to the temporary service suspension.
 - c. Consultations with others on methods to minimize or eliminate the need for temporary service suspension, including identifying potential resources to meet your needs
9. During the period of temporary service suspension, TSE will work with the appropriate county agency to develop reasonable alternatives to protect you and others.
10. TSE will maintain information about the temporary service suspension in your record.

Discharge

Involuntary discharge by TSE is restricted to situations in which your conduct poses an imminent risk of physical harm to yourself or others and less restrictive or positive support strategies would not achieve safety. TSE is committed to working with you and your support team to identify the resources and services needed to maintain your participation in TSE services.

8. TSE will notify you or your legal representative and the case manager in writing of the intended service termination and your right to seek a temporary order staying the termination of service according to the procedures in Minnesota Statutes, section 256.045, subdivision 4a or 6, paragraph (c).
9. The written notice of a proposed service termination, including those situations which began with a temporary service suspension, will be given 60 days before the proposed effective date of service termination.
10. TSE will provide information requested by you or your legal representative or case manager upon notice of service termination.
11. Prior to giving the written notice of service termination, TSE will document the actions taken by TSE to minimize or eliminate the need for service termination.
12. During the service termination notice period, TSE will work with the appropriate county agency to develop reasonable alternatives to protect you and others.
13. TSE will maintain information about the service termination including the written termination notice in your record.
14. TSE will provide a copy of this policy to you and your legal representative and case manager within five working days of service initiation.

Regardless of the reason for discharge, TSE will work with other providers, with your consent, to ensure a smooth transition to new services. This may include reviewing work history and other service-related documents.



THE DEVELOPMENT OF YOUR TRAINING PROGRAM

TSE strongly supports the philosophy that competitive integrated employment should be the first option to be considered for each person. Based on your decision as to the services you want from TSE, a service plan will be developed with you. The development of your training program consists of several steps. You will participate in each of them to assure your interests and needs are clearly understood. It is important for you to understand that you are participating in a training program and you are not considered to be a TSE employee.

Coordinated Service and Support Plan

When you are referred for training, your county case manager will provide a Coordinated Service and Support Plan (CSSP) which will state the services requested of TSE, Inc. The CSSP will become the basis for development of specific training outcome goals.

Assessment

TSE, Inc. will complete an initial assessment of your interests and skills within 45 days after you begin services. You and your interdisciplinary team will determine the assessment areas.

45-Day Meeting

Your interdisciplinary team will meet within 45 days after you have begun to receive services. The purpose of the meeting is to review the results of the assessments and to develop training outcome goals. Your expressed interests and needs will be the focus of the goals.

Community Service and Support Plan Addendum (CSSP-A)

At your 45-day meeting, and at your annual planning meeting thereafter, a CSSP-A will be developed which will identify the goals and objectives to work on your behalf. The goals and objectives will be established based upon completed assessments, the needs identified in your CSSP, a review of the previous year's training, and most importantly, the feedback provided by you as to your interests. This plan is all about you and what you want and need from TSE's services. Your staff will meet with you prior to the 45-day or annual meeting to discuss proposed goals and objectives to ensure that your interests are presented. You may transition from one TSE service (such as Community Employment) to another by simply indicating to your TSE case manager a desire to change your Training Outcome.

Health and Safety Assessment and Planning

An Individual Abuse Prevention Plan (IAPP), an Intensive Supports Services Assessment (ISSP) will be completed at your intake meeting and at each subsequent annual meeting. These assessments will identify areas of vulnerability and measures to reduce and/or eliminate potential abuse, neglect or financial exploitation, as well as support needs identified to meet your health and safety needs. A Program Abuse Prevention Plan has been developed for each TSE service site to identify potential risk factors and measures to address those risks.

Psychological Reports

You are required to have a psychological evaluation done every six years. An updated psychological is not required if your county case manager confirms, in writing, that the most current evaluation continues to be accurate.

Data Collection, Progress Reports and Annual Review

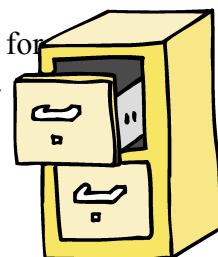
Data is collected regularly on the status of your training outcome goals. Your interdisciplinary team (which includes you and all of the support professional who work with you) will review the training outcome goals, and determine if changes are necessary. Your interdisciplinary team will determine the frequency of verbal and written progress reports. Your staff will meet with you to review your progress on your objectives when these reports have been completed.

Follow-up

A follow-up is completed 90 days after you no longer receive services from TSE, Inc. for. The purpose of the follow-up is to determine if you may need future support or services.

ACCESS TO RECORDS

A file is created on your behalf which contains referral and admission materials and any plans and reports related to your training program. If you want to gain access to the file, you must submit a written request to the TSE, Inc. Financial Administrator. The file will be available to you as soon as possible to review at the TSE office.



Grievance and appeals procedure

The purpose of this procedure is to secure a fair and timely resolution of a grievance. You may be represented at any step of this procedure by any person(s) designated to act on your behalf.

Definition of “formal complaint” or “formal grievance”: A formal complaint or grievance is communication, whether written or oral, from you or someone on your behalf, that identifies an issue relating to TSE services that has not been provided according to your service plan and for which a formal response is expected.

How to File a Grievance

4. You or your authorized or legal representative:
 - a. should talk to a staff person that you feel comfortable with about your complaint or problem;
 - b. clearly inform the staff person that you are filing a formal grievance and not just an informal complaint or problem; and
 - c. may request staff assistance in filing a grievance.

5. If you or your authorized or legal representative does not believe that your grievance has been resolved you may bring the complaint to the highest level of authority TSE:

Jamison Randall, TSE Board of Directors Chairperson
880 University Ave.
St. Paul, MN 55104
651-224-2828 or jrandall@latuffbrothers.com

6. You may file a grievance anonymously if you are not comfortable identifying yourself. This will, however, prevent TSE from notifying you of the outcome of the grievance.

Response by TSE

9. Upon request, staff will provide assistance with the complaint process to you and your authorized representative. This assistance will include:
 - a. the name, address, and telephone number of outside agencies to assist you; and
 - b. responding to the complaint in such a manner that yours or your authorized representative's concerns are resolved.
10. TSE will respond promptly to grievances that affect your health and safety.
11. All other complaints will be responded to within 14 calendar days of the receipt of the complaint.
12. All complaints will be resolved within 30 calendar days of the receipt.
13. If the complaint is not resolved within 30 calendar days, TSE will document the reason for the delay and a plan for resolution.
14. Once a complaint is received, TSE is required to complete a complaint review. The complaint review will include an evaluation of whether:
 - a. related policy and procedures were followed;
 - b. related policy and procedures were adequate;
 - c. there is a need for additional staff training;
 - d. the complaint is similar to past complaints with the persons, staff, or services involved; and
 - e. there is a need for corrective action by the license holder to protect the health and safety of persons receiving services.
15. Based on this review, TSE must develop, document, and implement a corrective action plan designed to correct current lapses and prevent future lapses in performance by staff or the license holder, if any.
16. TSE will provide a written summary of the complaint and a notice of the complaint resolution to you and your case manager that:
 - a. identifies the nature of the complaint and the date it was received;
 - b. includes the results of the complaint review; and
 - c. identifies the complaint resolution, including any corrective action.

The complaint summary and resolution notice must be maintained in your record.

Retaliation against a person who files a grievance is strictly forbidden. If you feel that a TSE staff has retaliated against you for filing a grievance or making a complaint, you may immediately contact the Vice President at 651-489-2595 x214. Steps will be taken to resolve the situation promptly and fairly to ensure that your rights are protected.

CONFIDENTIALITY, RIGHTS, HEALTH AND SAFETY

Confidentiality

It is the policy of TSE, Inc. to protect and safeguard the privacy of protected health information that it

has created, acquired or maintains on behalf of the individuals served in accordance with the Federal Health Insurance Portability and Accounting Act of 1996 (HIPAA) and state data privacy laws. This includes all protected health information regardless of the form in which it is created or maintained, including but not limited to oral, written and electronic information used for the planning, implementation and evaluation of services a person receives. All private information gathered is disseminated by TSE only with the consent of you or your legal representative.

TSE accomplishes this by: establishing policies and procedures for the use and disclosure of protected health information; clarifying the rights of individuals who are the subject of protected health information; specifying procedures to ensure individuals are fully able to exercise the rights afforded them under HIPAA and other state laws; ensuring that staff share information about a person privately and only with those who need to know; and establishing administrative procedures to assist individuals and TSE personnel to effectuate these policies and procedures.

Questions or complaints regarding TSE's privacy practices should be directed to the Vice President.



Rights

TSE, Inc. has the responsibility to protect and promote your rights. If any restrictions are placed on you, they will be evaluated and methods established to reinstate those rights as appropriate. These methods will include the education of employees to consumer rights and the use of the TSE Human Rights Committee. The Individual Abuse Prevention Plan, completed in conjunction with the individual planning process, will address particular issues. You also have the right to prompt conflict resolution. This means that if there are disagreements about how to best meet your interests and needs, the staff at TSE will provide support for you, including the arranging for a mediator or an outside advocate to speak on your behalf, if necessary. TSE staff will insure that you or your legal representative is made aware of any potential conflicts of interests in the provision of your services. You have the right to confidentiality regarding personal information gathered by TSE in the development of your service plan. All private information gathered is disseminated by TSE only with the consent of you or your legal representative.

The following are further rights you have as a consumer of TSE:

32. to know about the limits to services provided by TSE, including TSE staff's knowledge, skill and ability to meet your service and support needs;
33. to participate in the development and evaluation of your service goals and to make choices that appropriately balance your needs for safety and autonomy;
34. to know about the conditions and terms governing the provision of services, including admission criteria and policies/procedures related to temporary service suspension and service termination;
35. to have services and supports identified in your CSSP and CSSP-addendum provided in a manner that respects and takes into consideration your preferences (see "Developing Your Plan").
36. to have personal care supports, if needed or requested, done in a manner that respects your dignity and privacy;
37. to know the charges for services, regardless of who is paying, and to be notified when they

- change;
38. to know, in advance, whether services are covered by insurance, government funding, or other resources, and be told of any charges you or another private party will have to pay;
 39. to receive services from staff who are competent and trained, who have professional certification or licensure, as required, and who meets additional qualifications identified in your CSSP-addendum.
 40. to participate in concurrent services (means you can receive more than one service from TSE);
 41. to have input on the composition of your service team (help decide who your TSE contact person will be);
 42. to access records and recorded information in accordance with applicable state and federal law, regulation or rule, and in a sufficient amount of time to help you make a decision;
 43. to have personal, financial, service, health and medical information kept private, and be advised of disclosure of this information by TSE;
 44. to have communications about you and your peers done in private and only with those who have a need to know;
 45. to be free from maltreatment (verbal, physical or sexual abuse, neglect or financial exploitation), restraint, time out, seclusion, restrictive intervention or other prohibited procedures identified in 245D, except for emergency restraint to protect you from imminent danger to yourself or others according to Minnesota statutes or the use of safety interventions as part of a positive support transition plan;
 46. to an investigation and resolution of any alleged infringement of your rights;
 47. to receive services in a clean and safe environment;
 48. to have access to all public areas of a TSE building unless deemed unsafe in your personal safety plan;
 49. to be treated with courtesy and respect in all interactions, including the use of your preferred name, and to receive respectful treatment of your personal property;
 50. to reasonable observance of cultural and ethnic practice and religion;
 51. to be free from bias and harassment regarding race, gender, age, disability, spirituality or sexual orientation;
 52. to know of and use TSE's procedures for grievance or complaint resolution, including how knowing how to contact staff responsible for addressing problems and the right to appeal under section 256.045;
 53. to know the name, telephone number, website, email and street address of protection and advocacy services, including the appropriate state-appointed ombudsman, and a brief description of how to file a complaint;
 54. to have access or referral to legal representation, if needed, including assistance related to ADA, EEOC or other disability rights issues;
 55. to be informed about securing and retaining public assistance for which you are eligible;
 56. to refuse or terminate services or know the consequences of refusing or terminating services;
 57. to a coordinated transfer to ensure continuity of care when there will be a change in provider;
 58. to give or withhold consent to participate in research projects done or experimental treatment by TSE or outside organizations. (TSE has not historically been involved in any research projects. If TSE were to become involved in such a project, you can be assured that research guidelines and ethics will be followed completely.)
 59. to assert these rights personally, or on your behalf by your family, authorized representative or legal representative, without retaliation;
 60. to associated with other people of your choice;
 61. to personal privacy, including privacy of your personal communications; and
 62. to engage in chosen activities.

HEALTH

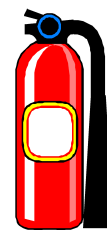
TSE, Inc. employs a nurse consultant who is responsible for reviewing and monitoring all health matters. The health-related responsibilities you need to be aware of include:



8. a physical exam (including tetanus and mantoux, if available) is required at the time of admission and an update may be requested by TSE thereafter;
9. if you have a contagious infection or disease, you must notify the TSE office and you will be required to remain at your residence until you are no longer contagious. See Appendix for the Guideline of Medical Conditions;
10. if you need assistance with taking medication during training hours, a copy of the physician's orders must be provided and the container for the medication must have the proper label identifying its contents and dosage;
11. if you are sick and will be gone you must call your supervisor prior to your start time;
12. you must provide TSE with certain specific emergency information;
13. smoking and the use of other tobacco-related products are not allowed in training sites, jobsites or company vehicles; and
14. being under the influence of alcohol or illegal drugs while at TSE or any TSE supported job site is prohibited.

Safety

There are safety procedures established by TSE, Inc. and they include:



8. fire, tornado, gas leak and other emergency drills are conducted periodically on an unannounced basis;
9. all TSE service site employees have first aid and CPR training;
10. each training site has a Program Abuse Prevention Plan which identifies measures to eliminate the risk of potential abuse and neglect of persons served;
11. TSE and residential providers have an agreement to work cooperatively with one another for the purpose of assuring your health and safety as it relates to common issues and concerns; and
12. all TSE employees are mandated reporters, which mean they are legally responsible for protecting you from abuse and neglect, and for reporting abuse and neglect if they become aware of its occurrence. You should report any abuse or neglect to your TSE staff, home staff, family or social worker. You can also call the Ramsey County Adult Protection office directly at (651) 266-4012.
13. TSE staff are trained to assist you if you need help de-escalating in a stressful situation. TSE is committed to treating you with dignity and respect at all times, and to avoiding any physical contact without your permission. If staff determine that there is a need to provide physical assistance, up to and including an emergency manual restraint for the purpose of keeping you and others safe from physical harm, that they will do so in a safe manner, following licensing requirements and TSE policies (provided to you at your intake and available at your site.)
14. TSE prohibits staff or persons served from use or possession of alcohol, illicit drugs or firearms at any time during service hours, regardless of location.

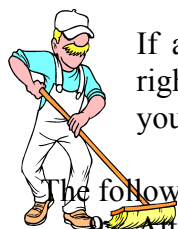
WORK POLICIES



Working Conditions, Pay and Benefits

Employment at a community jobsite will require you to follow the policies and procedures of the business. They will establish the rate and frequency of pay and if benefits are provided. In addition, TSE, Inc. may specify additional work rules for reasons of health, safety and for learning work responsibilities. All of this information will be provided to you before starting work at a jobsite. We encourage the business to treat you as any other employee of theirs, including paying you directly and providing you the opportunity for interactions with co-workers including after-hour activities. All are critical to making a positive difference in your life

If you work at a competitive rate, you will be paid the same wage as non-disabled individuals completing like work. If your rate of work is less than the employer standards, you may be paid at less than minimum wage. This will be determined as a result of periodic time studies which compare your productivity with that of qualified, competent worker. The percentage of your productivity as determined by the time study is applied to the hourly wage of the qualified, competent worker to determine your wage. The time study process meets all applicable standards, including the Fair Labor Standards Act, and has been approved by the Department of Labor as of February 20, 1997.



If a job you are applying for is a union position, TSE will assist you in understanding the rights and responsibilities of union membership. If you choose to join a union, TSE will assist you in this process.

The following are expectations of you to maintain your TSE-supported job:

9. Attendance according to your work schedule
10. Following TSE and Employer work rules, including dress code and hygiene
11. Respectful and professional interaction with TSE staff, job site supervisor and co-workers
12. Arriving to work on time (failure due to missing the TSE van or public transportation is not an excused late arrival)
13. Meeting productivity and quality expectations of the job
14. Completing assigned tasks as requested
15. Following TSE or Employer vacation policy (see below)

It is important that you follow all business policies and procedures regarding time off for illness and vacations. You must talk to the Employment Specialist about vacations as TSE needs to work out details with the employer to determine how the job will get done while you are away. This is particularly important if you share a job with someone. You need to give the TSE Employment Specialist at least 2 weeks notice for a vacation and plan no more than two weeks of vacation during the first year of employment.

If you work part time at a community job, have lost a job or are temporarily laid off from work, you may attend a TSE training site. This includes the opportunity to work and/or become involved in community inclusion activities or other available services. If you are receiving site-based employment services and you choose to discontinue these services, other services will be available to you based on your interests. No formal transfer process will be required as these services are not mutually exclusive or independent of one another.

You may request time off from your community job with two week's notice to your supervisor and/or to your TSE Employment Specialist (Your Employment Specialist will review the contact protocol for

your particular job). If you request time off with less than 2 week's notice, it will be at the discretion of the supervisor or the TSE Employment Specialist to determine if adequate back-up is available. Time off requests of less than 2 working days will not be approved. More notice will be required if your employer has more stringent time-off policies. The number of available days off from your job will vary based on the needs of your jobsite. Your Employment Specialist will review the policy for your jobsite with you. If you fail to follow these procedures (taking time off without the proper notice or taking too many days off), you will be subject to disciplinary action, such as a written warning, a suspension without pay, or for repeated violations, termination from your position. It will also trigger a contact with your Support Team to determine if it is appropriate for you to continue the job.

Work that is completed at a TSE training site will be paid at a rate of pay that is based upon U.S. Department of Labor Wage and Hour Standards. Pay may be on a piece-rate basis or at an hourly rate. Pay is provided by check and the pay periods are bi-weekly. Benefits are not provided for work completed at a training site. TSE will post job openings within the company for which you may be eligible, including the educational and experience required for the position. TSE is an Equal Opportunity Employer (EOE), and follows all necessary regulations from OSHA, the Department of Labor, and other federal, state and local agencies. You may continue to participate in TSE site-based work as long as you have an interest in doing so, and as long as your support needs are within the resources of TSE.

Some individuals may benefit from the use of simulated work to maintain their skills when paid work of a similar nature is unavailable. Since it is used for rehabilitation training purposes, a person would not be paid for completing simulated work. This is in accordance with the U.S. Department of Labor Rules as of March 20, 1996.



Community Vocational Assessments

If you receive services from the Division of Rehabilitation Services, you may be eligible for a Community Vocational Assessment (CVA). TSE has established partnerships with local businesses to offer paid, on-site work assessments to determine a person's skills and interests in particular areas. The evaluation is useful in assuring an effective process of job development. This can be explored at the time of your intake, or at any point that you express an interest in completing a CVA.

FEDERAL, STATE AND FICA TAXES AND WORKERS COMPENSATION INSURANCE

Federal and State withholding taxes and FICA taxes are usually not deducted if you are paid by TSE. This will be explored at the time you begin receiving services at TSE. Workers compensation insurance will be provided by TSE unless you are hired directly by a company.

Struck Work

If a community jobsite goes on strike while you are working there, the usual schedule of work will be followed unless you have a concern for your safety, or you have become a member of the organization on strike, or if you choose to honor the strike. The appropriate TSE, Inc. staff will evaluate the situation with you and an informed decision will be made regarding continued work. TSE will not place a person at a community jobsite that is on strike or has announced they will be going on strike. If

a company with which TSE has an agreement to complete contract work goes on strike, you will be notified of this situation. You will also be given the choice to work on this job at this time.

TSE Contacts

TSE, Inc. is organized to provide you access to key people committed to your employment success. You will be assigned an Employment Specialist from your service site. They can be reached through the site you are assigned.

Lakeridge: (651) 484-6230, ext. 202-204

Roselawn: (651) 793-0373

McCarrons: (651) 489-2595, ext. 217 - 222

Work Ahead: (651) 379-5290



The other key people you may contact include:

Dan Rietz, Vice President: (651) 489-2595, ext. 214, (cell) (651) 353-9620

Shirley Orth, Employment Manager: (651) 489-2595, ext. 213; pager: (612) 680-1565

Julie Zietlow, Transportation Coordinator: (651) 209-3474, (cell) (612) 965-0471

Jeff Myhre, Employment Advisor: (651) 489-2595, ext. 210

Marilee Larson, Director of Employment Services: (651) 489-2595, ext. 211

Shirley Halgrimson, Financial Administrator: (651) 489-2595, ext. 216

We request you primarily communicate with your assigned Employment Specialist. You are welcome to contact others listed above if you cannot reach the Employment Specialist and your matter is urgent, or you cannot resolve your matter with the Employment Specialist, or you do not feel adequately served by TSE.

You may also contact us through our “electronic mailbox” as well at suggestionbox@tse-inc.org and via our website www.tse-inc.org. This is checked on a daily basis and staff responds promptly to all suggestions.

APPENDIX

GUIDELINE OF MEDICAL CONDITIONS

If any of the following medical conditions exist on a given day, you should remain at home. These guidelines have been developed by the TSE, Inc. nurse consultant.

1. Oral temperature greater than 100°F.
2. Rectal temperature (12 hours prior to work) greater than 101°F or temperature less than 100°F but with cold symptoms such as coughing, nasal drainage, watery eyes.
3. Hypothermic temperature less than 94°F.
4. Vomiting 4 hours prior to work.
5. Diarrhea.
6. 24 hours after hospital discharge (may need more, depending on condition).
7. Person complaining of not feeling well.
8. Asthma flare-up including wheezing or feeling unstable.
9. Appointment after sedation is needed.
10. Obvious injury such as wounds or broken bones.
11. Unstable seizure activity.
12. Diabetic reaction.
13. Group A streptococcal infection within 24 hours of beginning antibiotic treatment.
14. Throat culture and awaiting results.
15. Upper respiratory infection first 24-48 hours of illness.
16. Diet changes; necessity for clear liquids or 1/2 strength diet; anything out of the normal.
17. Pressure sores needing air or no pressure to area.



If you have a specifically diagnosed infection, you should remain at home. You may return to TSE after necessary timelines have been met. Examples of infections and the timelines to return are:

- urinary tract infection - after treatment started
- otitis media (ear infection) - when irritability has resolved
- pneumonia - when well
- impetigo - when healed
- conjunctivitis (pink eye) - after 24 hours of treatment
- lice/scabies - after adequate treatment
- cold sores - when treatment has started
- ringworm - after 24 hours of treatment
- Hepatitis B carriers - must have any open wounds or lesion covered
- rashes that are draining should be covered after treatment has been started.

COMMUNITY EMPLOYMENT SERVICES POLICY

TSE, Inc. provides community employment services to assist you in obtaining jobs which meet your interests and needs, aid in the quality of your life and provide the opportunity to be a contributing member of your community. The jobs will pay a competitive wage or meet the United States Department of Labor requirements for a special minimum wage certificate. You will also be provided the opportunities to interact naturally with co-workers on the jobsite who are not-disabled. Should you decide at any point in the future to change jobs, TSE will support you in this as well. A request made to your primary support staff is all that is required to begin the process of looking for new employment.

TSE's Employment Philosophy can be summarized as follows:

- Everyone can work with the right supports.
- Each person is an asset to the work environment.
- Employment services must be guided by the job seeker's choices.
- Job development efforts must be individualized.
- Commitment from both TSE and the job seeker are needed for employment success.
- Partnerships among TSE, local businesses and job seekers' Support Teams are critical.

The following steps will be followed by TSE in securing employment.

Intake Process

The background information needed for you includes:

8. a work history including types of jobs worked, your job preference and the reasons for leaving a job(s) in the past;
9. if an individual job placement or enclave is desired and why;
10. the number of days per week and hours per day that are desired;
11. if you can use public transportation to and from work or if supervised transportation is needed;
12. if there are restrictions on physical activities;
13. if there are limits on how much money can be earned before a reduction in benefits occurs; and
14. if you will participate in facility-based training before a job is found.

When you choose TSE for services, a starting date will be established. A meeting with you will be held prior to the date to finalize the services to be provided, to review the Services Handbook and any other procedural or logistical information. The Employment Advisor will meet you at this time to confirm information relative to your employment interests and needs.

Job Development

TSE staff will support you, in your individual job development plan, to identify a job that meets your interests and skills in an environment that maximizes your opportunity for success. Using Discovery process, staff will work with you, and with your permission, those who know you well, to determine the ideal employment environment for you. You will have the opportunity to choose from among employment experiences, including competitive employment.

In order to make the best use of limited resources, TSE expects each job seeker to meet the following expectations:

9. Attendance at TSE based on your scheduled enrollment
10. Active participation in TSE activities, including skills groups
11. Following TSE/site work rules, including dress code and hygiene
12. Respectful and professional interaction with staff and peers
13. Demonstrated follow-through on current expectations and agreed upon assignments
14. Maintaining honest communications among Support Team members
15. Demonstrating realistic expectations regarding career choices (e.g. considerations of personal time availability, stamina, educational requirements as needed in a chosen employment field) or willingness to consider related opportunities
16. History of positive attempts to actively maintain work opportunities – subbing in areas of your interest when offered, not sabotaging past employment.

Staff will support you in any reasonable way to meet these expectations. Failing to consistently meet each of these expectations will not automatically exclude you from Job Development services. Significant lapses might indicate that you are not fully committed to employment, and will trigger a contact with you and your Support Team to determine if it is appropriate to continue these services. If it is decided to discontinue Job Development Services, the Team may explore other options for services at TSE.

The Employment Advisor will identify, discuss and/or negotiate the following points with each potential employer on your behalf and will include:

15. the duties and responsibilities of the job;
16. the days and hours of employment;
17. the pay to be at minimum wage or better or compliance must exist with sub-minimum wage regulations;
18. union membership rights and responsibilities, if applicable;
19. the payment of wages directly to you or if sub-minimum wage is to be paid, a time study will be conducted every six months and the results will specify the percentage of productivity wage;
20. a schedule of performance reviews and future salary increases;
21. the role and relationship of the TSE, Inc. Employment Specialist and the company supervisor;
22. employee benefits, time off policy and holiday schedules;
23. natural contact with co-workers throughout the day including breaks and lunch times;
24. the fading by the TSE Employment Specialist;
25. targeted job tax credits that may be available;
26. if TSE needs to provide a replacement person for sick days and/or vacation times;
27. maintaining a field file on the jobsite that is kept in a locked area; and
28. any other terms applicable to your placement.

If you are interested in a particular job, you will be given an opportunity to visit the business, see the job being completed and interview with the appropriate company personnel. If the business decides to hire you, you will be asked if you want the job (if you are not under guardianship). If you are under guardianship, permission will be secured from your legal representative and both need to agree to the placement. If everyone is in concurrence, a starting date will be established.

Opening of a Jobsite

Transportation to and from the jobsite will be arranged to facilitate your greatest level of independence. If you have the ability to use or already uses regular route bus service, the exact route(s) will be determined and training provided if necessary. If you cannot use regular route bus service, the

Transportation Coordinator will arrange transportation to and from the business and inform your residence of the schedule.

The assigned Employment Specialist will review your job before the person begins work to understand the job and job standards. They are responsible for training you to complete the job based upon the standards as well. The Services Coordinator is responsible for training other Employment Specialists to work at the jobsite should the assigned Employment Specialist be absent.

Termination of a Jobsite and/or Re-entry

If you decide you no longer want to work or lose your job (layoff, firing, end of seasonal work, etc.) and choose not to participate in one of TSE, Inc.'s facility-based training programs, you will be placed on an inactive status for up to 60 days. During this time your interdisciplinary team will decide if TSE should look for another job and/or refer you for other services. If you indicate that you want TSE to seek other employment, TSE will contract with the Department of Rehabilitation Services for job placement service, if possible, to facilitate re-employment. If other services are preferred, TSE will provide the county case manager with a final report. If you want to re-enter TSE's training services after this change or after 60 days, you must follow all the procedures beginning with the intake process.

Review and Revise Employment Plans

The Employment Advisor will develop an Employment Plan for you if you are seeking employment. The plan will integrate information from all available planning sources, including interviews, previous work history, job samplings and interest assessments, and determine a plan of action for job development.

The Employment Advisor will meet weekly with the Services Coordinators to review new requests for community employment, past months' job employment requests and existing jobsites to identify any issues.

If you are receiving community employment services but not placed into a job, you will have your plan revised, if necessary. The Services Coordinators will contact your interdisciplinary team members regarding any proposed revisions. The results of any of these meetings will be recorded on the TSE, Inc. Meeting Minutes form and the contacts with appropriate people on the Quarterly Contact form.

Jobsite Supervision

Each jobsite will be assigned an Employment Specialist and they are responsible for training you on a job with or without adaptations, cues, etc., and to facilitate a positive working relationship with the company. Each Employment Specialist has a supervisor who is responsible for insuring that the following responsibilities are met:

6. effective training is provided to you;
7. skills are developed to successfully enable you to interact with supervisors, co-workers, other management, customers, etc.;
8. opportunities are developed for interaction with non-disabled co-workers during breaks, lunch times and other social activities that go on during and after work hours;
9. the Employment Specialist acts as a liaison between the designated contact person, your interdisciplinary team and TSE, Inc.; and
10. fading of supervision is transferred to the designated supervisor in the business.

The TSE supervisor is also responsible for monitoring the Employment Specialist's performance, the development of the Employment Specialist's personal training plan and reviewing your status reports. In addition, the Employment Manager and/or the Employment Advisor will communicate regularly with each employer to insure the job is completed to the standards of the business. The Employment Advisor will survey each employer annually giving them the opportunity to evaluate TSE's services. The survey is part of a quality management system at TSE.

QUALITY ASSURANCE PRACTICES



The following practices are used to monitor the quality of services provided by TSE.

Consumer Survey

A Consumer Survey is given to each person at the time of their annual planning meeting. Your interdisciplinary team is asked to jointly complete the survey along with you. A summary report is completed every 6 months and distributed to all those persons associated with TSE. A summary is also posted on the TSE website.

Program Evaluation

A Program Evaluation is completed annually. Measures are established for the Community-employment Services and Employment Planning Services. A summary of the information is provided to all those persons associated with TSE. A summary is posted on the TSE website.

Transportation Survey

A Transportation Survey is distributed annually to each residence. A summary report is provided the TSE board, employees and people served.

Employer Survey

An Employer Survey is distributed to all businesses that employ TSE workers. This includes Community-based employment and in-house production work. A summary report is provided to TSE board, employees and people served.

TSE, INC.

BEHAVIOR MANAGEMENT POLICY

I. Purpose

The Purpose of this policy is to identify the necessary components of behavior management programs to be implemented which plan for the elimination, decrease or redirection of maladaptive behaviors. The policy also identifies the procedural safeguards that are to be observed at TSE, Inc. in the design, implementation and review of emergency manual restraint procedures. It is the policy of TSE to promote the rights of persons served by TSE and to protect their health and safety during the emergency use of manual restraints.

II. Application

This policy protects all persons served, and directs all agency staff, substitute staff, consultants and volunteers and all other individuals providing services through TSE.

III. Policy Statements

- A. Behavior management procedures will be used as only one element of an IHP that focuses on developing adaptive behaviors.
- B. Behavior management plans will include an assessment of environmental and communication factors which may influence the person's behavior.
- C. The Human Rights Committee will review any emergency use of manual restraint, as documented on the Behavior Intervention Report, to ensure that necessary documentation and follow-up actions have been completed.

IV. Definitions

- A. Aversive procedure: the application of an aversive stimulus contingent upon the occurrence of a behavior for the purposes of reducing or eliminating the behavior.
- B. Chemical restraint: the administration of a drug or medication to control the person's behavior or restrict the person's freedom of movement and is not a standard treatment or dosage for the person's medical or psychological condition.
- C. Deprivation: the removal of a positive reinforcer following a response resulting in, or intended to result in, a decrease in the frequency, duration, or intensity of that response. Oftentimes, the positive reinforcer available is goods, services, or activities to which the person is normally entitled. The removal is often in the form of a delay or postponement of the positive reinforcer.
- D. Manual restraint: physical intervention intended to hold a person immobile or limit a person's voluntary movement by using body contact as the only source of physical restraint.
- E. Mechanical restraint: the use of devices, materials, or equipment attached or adjacent to the person's body, or the use of practices that are intended to restrict freedom of movement or normal access to one's body or body parts, or limits a person's voluntary movement or holds a person immobile as an intervention precipitated by a person's behavior. The term does not apply to the use of adaptive aids or equipment or orthotic devices ordered by a health care professional used to treat or manage a medical condition.
- F. Seclusion: the placement of a person alone in a room from which exit is prohibited by a staff person or a mechanism such as a lock, a device, or an object positioned to hold the door closed or otherwise prevent the person from leaving the room.

- G. Time out: removing a person involuntarily from an ongoing activity to a room, either locked or unlocked, or otherwise separating a person from others in a way that prevents social contact and prevents the person from leaving the situation if the person chooses. For the purpose of this policy, "time out" does not mean voluntary removal or self-removal for the purpose of calming, prevention of escalation, or de-escalation of behavior for a period of up to 15 minutes. "Time out" does not include a person voluntarily moving from an ongoing activity to an unlocked room or otherwise separating from a situation or social contact with others if the person chooses. For the purposes of this definition, "voluntarily" means without being forced, compelled, or coerced.

V. Positive support strategies and techniques required

- A. Positive support strategies and techniques must be used to attempt to de-escalate a person's behavior before it poses an imminent risk of physical harm to self or others. The following strategies and techniques are to be used, based on the professional knowledge of the TSE staff involved in an escalating situation as to the most effective and appropriate for the person served and the circumstances:
- Follow individualized strategies in a person's CSSP and CSSP-addendum;
 - Shift the focus by verbally redirect the person to a desired alternative activity;
 - Model desired behavior;
 - Reinforce appropriate behavior;
 - Offer choices, including activities that are relaxing and enjoyable to the person;
 - Use positive verbal guidance and feedback;
 - Actively listen to a person and validate their feelings;
 - Create a calm environment by reducing sound, lights, other factors that may agitate a person;
 - Speak calmly with reassuring words, consider volume, tone, and non-verbal communication;
 - Simplify a task or routine or discontinue until the person is calm and agrees to participate; or
 - Respect the person's need for physical space and/or privacy.
- B. TSE will develop a positive support transition plan on the forms and in manner prescribed by the Commissioner and within the required timelines for each person served when required in order to avoid the emergency use of manual restraint as identified in section I of this policy or to prevent the person from physically harming self or others.

VI. Permitted actions and procedures

Use of the following instructional techniques and intervention procedures used on an intermittent or continuous basis are permitted by this program. When used on a continuous basis, it must be addressed in a person's coordinated service and support plan addendum.

- A. Physical contact or instructional techniques used must be the least restrictive alternative possible to meet the needs of the person and may be used to:
1. calm or comfort a person by holding that persons with no resistance from that person;
 2. protect a person known to be at risk or injury due to frequent falls as a result of a medical condition;
 3. facilitate the person's completion of a task or response when the person does not resist or the person's resistance is minimal in intensity and duration; or
 4. briefly block or redirect a person's limbs or body without holding the person or limiting the person's movement to interrupt the person's behavior that may result in injury to self or others.
- B. Restraint may be used as an intervention procedure to:
1. allow a licensed health care professional to safely conduct a medical examination or to provide medical treatment ordered by a licensed health care professional to a person necessary to promote healing or recovery from an acute, meaning short-term, medical condition; or
 2. assist in the safe evacuation or redirection of a person in the event of an emergency and the person is at imminent risk of harm.

VII. Prohibited Procedures

Use of the following procedures is prohibited by TSE:

1. Chemical restraint;
2. Mechanical restraint;
3. Manual restraint used as a substitute for adequate staffing, for a behavioral or therapeutic program to reduce or eliminate behavior, as punishment, or for staff convenience;
4. Time out;
5. Seclusion;
6. Denying or restricting access to equipment and devices that facilitate the person's functioning, except when the person is using them as a weapon.
7. Presentation of intense sounds, lights, noxious smell, taste, substance, or spray, including water mist, or other sensory stimuli, intended as an aversive; or
8. Any aversive or deprivation procedure.

VIII. Manual Restraints Allowed in Emergencies

- A. This program allows the following manual restraint procedures to be used on an emergency basis when a person's conduct poses an imminent risk of physical harm to self or others and less restrictive strategies have not achieved safety:
 - One person, one-arm Mandt standing restraint;
 - One person, two-arm Mandt standing restraint;
 - Two person, two-arm Mandt standing restraint;
 - Holding a person's hand or arm against their body or object to prevent movement; or
 - Holding a person's leg above and/or below a joint to prevent movement of the leg
- B. TSE will not allow the use of a manual restraint procedure with a person when it has been determined by the person's physician or mental health provider to be medically or psychologically contraindicated. TSE will complete an assessment of whether the allowed procedures are contraindicated for each person receiving services as part of the service planning required under section 245D.071, subdivision 2, for recipients of basic support services; or the assessment and initial service planning required under section 245D.071, subdivision 3, for recipients of intensive support services.

IX. Conditions for Emergency Use of Manual Restraint

- A. Emergency use of manual restraint must meet the following conditions:
 1. immediate intervention must be needed to protect the person or others from imminent risk of physical harm;
 2. the type of manual restraint used must be the least restrictive intervention to eliminate the immediate risk of harm and effectively achieve safety; and
 3. the manual restraint must end when the threat of harm ends.
- B. The following conditions, on their own, are not conditions for emergency use of manual restraint:
 1. the person is engaging in property destruction that does not cause imminent risk of physical harm;
 2. the person is engaging in verbal aggression with staff or others; or
 3. a person's refusal to receive or participate in treatment or programming.

X. Restrictions When Implementing Emergency Use of Manual Restraint

Emergency use of manual restraint must not:

1. be implemented with a child in a manner that constitutes sexual abuse, neglect, physical abuse, or mental injury;
2. be implemented with an adult in a manner that constitutes abuse or neglect;
3. be implemented in a manner that violates a person's rights and protection;
4. be implemented in a manner that is medically or psychologically contraindicated for a person;
5. restrict a person's normal access to a nutritious diet, drinking water, adequate ventilation, necessary medical care, ordinary hygiene facilities, normal sleeping conditions, or necessary clothing;

6. restrict a person's normal access to any protection required by state licensing standards and federal regulations governing this program;
7. deny a person visitation or ordinary contact with legal counsel, a legal representative, or next of kin;
8. be used as a substitute for adequate staffing, for the convenience of staff, as punishment, or as a consequence if the person refuses to participate in the treatment or services provided by this program;
9. use prone, supine or side-lying restraint. "Prone restraint" means use of manual restraint that places a person in a face-down position. "Supine restraint" means use of manual restraint that places a person in a face-up position. "Side-lying restraint" means use of manual restraint that places a person on their side. These do not include brief physical holding of a person who, during an emergency use of manual restraint, rolls into a prone, supine or side-lying position, and the person is restored to a standing position as quickly as possible;
10. apply back or chest pressure or otherwise inhibit a person's breathing.

XI. Monitoring Emergency Use of Manual Restraint

- A. A TSE staff will monitor a person's health and safety throughout an emergency use of a manual restraint. The purpose of the monitoring is to ensure the following:
 1. only manual restraints allowed in this policy are implemented;
 2. manual restraints that have been determined to be contraindicated for a person are not implemented with that person;
 3. allowed manual restraints are implemented only by staff trained in their use;
 4. the restraint is being implemented properly as required; and
 5. the mental, physical, and emotional condition of the person who is being manually restrained is being assessed and intervention is provided when necessary to maintain the person's health and safety and prevent injury to the person, staff involved, or others involved.
- B. Only a staff trained in this policy may act as a monitor. When possible, a staff person who is not implementing the emergency use of a manual restraint must monitor the procedure.
- C. The documentation of monitoring will be completed for each incident involving the emergency use of a manual restraint, and will be done on the Behavior Intervention Report, section 3.

XII. Reporting Emergency Use of Manual Restraint

- A. Within 24 hours of an emergency use of manual restraint, the legal representative and the case manager must receive verbal notification of the occurrence as required under the incident response and reporting requirements in the 245D HCBS Standards, section 245D.06, subdivision 1.

When the emergency use of manual restraint involves more than one person receiving services, the incident report made to the legal representative and the case manager must not disclose personally identifiable information about any other person unless the program has the consent of the person.

- B. Within 3 calendar days after an emergency use of a manual restraint, the staff person who implemented the emergency use must report in writing to the program's designated coordinator the following information about the emergency use:
 1. who was involved in the incident leading up to the emergency use of a manual restraint; including the names of staff and persons receiving services who were involved;
 2. a description of the physical and social environment, including who was present before and during the incident leading up to the emergency use of a manual restraint;
 3. a description of what less restrictive alternative measures were attempted to de-escalate the incident and maintain safety before the emergency use of a manual restraint was implement. This description must identify when, how, and how long the alternative measures were attempted before the manual restraint was implemented;

4. a description of the mental, physical, and emotional condition of the person who was manually restrained, leading up to, during, and following the manual restraint;
 5. a description of the mental, physical, and emotional condition of the other persons involved leading up to, during, and following the manual restraint;
 6. whether there was any injury to the person who was restrained before or as a result of the use of a manual restraint;
 7. whether there was any injury to other persons, including staff, before or as a result of the use of a manual restraint; and
 8. whether there was a debriefing with the staff and, if not contraindicated, with the person who was restrained and other persons who were involved in or who witnessed the restraint, following the incident. Include the outcome of the debriefing. If the debriefing was not conducted at the time the incident report was made, the report should identify whether a debriefing is planned.
- C. A copy of this report must be maintained in the person's service recipient record. The record must be uniform and legible.
- D. Each single incident of emergency use of manual restraint must be reported separately. A single incident is when the following conditions have been met:
1. after implementing the manual restraint, staff attempt to release the person at the moment staff believe the person's conduct no longer poses an imminent risk of physical harm to self or others and less restrictive strategies can be implemented to maintain safety;
 2. upon the attempt to release the restraint, the person's behavior immediately re-escalates; and
 3. staff must immediately re-implement the manual restraint in order to maintain safety.

XIII. Internal Review of Emergency Use of Manual Restraint

- A. Within 5 business days after the date of the emergency use of a manual restraint, the program must complete and document an internal review of the report prepared by the staff member who implemented the emergency procedure.
- B. The internal review must include an evaluation of whether:
1. the person's service and support strategies need to be revised;
 2. related policies and procedures were followed;
 3. the policies and procedures were adequate;
 4. there is need for additional staff training;
 5. the reported event is similar to past events with the persons, staff, or the services involved; and
 6. there is a need for corrective action by the program to protect the health and safety of persons.
- The elements of the internal review will be documented on the Behavior Intervention Report, section 5.
- C. Based on the results of the internal review, the program must develop, document, and implement a corrective action plan for the program designed to correct current lapses and prevent future lapses in performance by individuals or the program.
- D. The corrective action plan, if any, must be implemented within 30 days of the internal review being completed.
- E. The Services Coordinator or Vice President are responsible for conducting the internal review and for ensuring that corrective action is taken, when determined necessary: Services Coordinator, Vice President.

XIV. Expanded Support Team Review of Emergency Use of Manual Restraint

- A. Within 5 working days after the completion of the internal review, the program must consult with the expanded support team to:
1. Discuss the incident to:

- a. define the antecedent or event that gave rise to the behavior resulting in the manual restraint; and
 - b. identify the perceived function the behavior served.
- 2. Determine whether the person's coordinated service and support plan addendum needs to be revised to:
 - a. positively and effectively help the person maintain stability; and
 - b. reduce or eliminate future occurrences of manual restraint.
- B. The program must maintain a written summary of the expanded support team's discussion and decisions in the person's service recipient record. The elements of the expanded support team review will be documented on the Behavior Intervention Report, section 6.
- C. The Services Coordinator or their designees are responsible for conducting the expanded support team review and for ensuring that the person's coordinated service and support plan addendum is revised, when determined necessary.

XV. External Review and Reporting of Emergency Use of Manual Restraint

Within 5 working days after the completion of the expanded support team review, the program must submit the following to the Department of Human Services using the online behavior intervention reporting form which automatically routes the report to the Office of the Ombudsman for Mental Health and Developmental Disabilities:

- 1. report of the emergency use of a manual restraint;
- 2. the internal review and corrective action plan; and
- 3. the expanded support team review written summary.

XVI. Flow Chart for Review and Reporting of Emergency Use of Manual Restraint

Day 1 – Day of incident.
 Day 2 – (24 hours) Verbal report of incident to legal representative and county case manager.
 Day 3 – Staff submit preliminary copy of Behavior Intervention Report to Services Coordinator.
 Day 5 – Completed internal review of Behavior Intervention Report by Services Coordinator.
 Day 10 – Consultation with Expanded Support Team.
 Day 15 – Behavior Intervention Report submitted to DHS; hard copy to TSE front office.
 Day 17 – hard copy to Expanded Support Team, TSE Human Rights Committee
 Day 35 – Corrective actions, if any, implemented.

XVII. Staff Training

Before staff may implement manual restraints on an emergency basis, TSE will provide the training required in this section.

- A. TSE will provide staff with orientation and annual training as required in Minnesota Statutes, section 245D.09.
 - 1. Before having unsupervised direct contact with persons served, TSE will provide instruction on prohibited procedures that address the following:
 - a. what constitutes the use of restraint, time out, seclusion, and chemical restraint;
 - b. staff responsibilities related to ensuring prohibited procedures are not used;
 - c. why such prohibited procedures are not effective for reducing or eliminating symptoms or undesired behavior;
 - d. why prohibited procedures are not safe; and
 - e. the safe and correct use of manual restraint on an emergency basis according to the requirements in the 245D HCBS Standards, section 245D.061 and this policy.
 - 2. Within 60 days of hire, TSE will provide instruction on the following topics:

- a. alternatives to manual restraint procedures, including techniques to identify events and environmental factors that may escalate conduct that poses an imminent risk of physical harm to self or others;
 - b. de-escalation methods, positive support strategies, and how to avoid power struggles;
 - c. simulated experiences of administering and receiving manual restraint procedures allowed by the program on an emergency basis;
 - d. how to properly identify thresholds for implementing and ceasing restrictive procedures;
 - e. how to recognize, monitor, and respond to the person's physical signs of distress, including positional asphyxia;
 - f. the physiological and psychological impact on the person and the staff when restrictive procedures are used;
 - g. the communicative intent of behaviors; and
 - h. relationship building.
- B. Training on these topics received from other sources may count toward these requirements if received in the 12-month period before the staff person's date of hire or in the 12-month period before TSE's 245D-HCBS license became effective on Jan. 1, 2014.
- C. TSE will maintain documentation of the training received and of each staff person's competency in each staff person's personnel record.