

Quick summary of proposed changes to the Vocational Rehabilitation Act

Throughout: emphasis on *high expectations* and *competitive integrated employment* for individuals with disabilities, particularly for youth/students with significant disabilities.

Introductory section/definitions: new definitions for competitive integrated employment, supported employment, customized employment strategies, pre-employment transition services to reflect 21st Century workforce needs.

Title I: Vocational Rehabilitation:

Strengthen reporting requirements regarding individuals served and successes.¹

Extend supported employment availability to 24 months.

Increased opportunities for connection with other programs – educational (IDEA transition), eligibility for home and community based waiver programs, assistive technology, ticket to work.

Presumption of benefit: individual applicants presumed to be able to benefit from an employment outcome from VR. VR responsible for exploring individual's capacity through trial work experiences, including supported employment, and to become employed in competitive integrated employment. Individualized determination of ineligibility, based on data, rather than on presumptions or stereotypes.

Pre-employment transition services for students with disabilities including school based preparatory experiences, job exploration counseling, work based learning experiences and counseling in opportunities in transition or postsecondary program at an institution of higher education. Local pre-employment transition coordinator in each local VR office and national coordinators at Dept. of Education and Dept. of Labor.

Set aside 15% of a state's vocational rehabilitation funds to serve young people with disabilities who are transitioning from school to the workforce.

Rename the Rehabilitation Services Administration the Disability Employment Services and Supports Administration (DESSA) and moves the new DESSA from the Department of Education to the Department of Labor, to better align the disability workforce development system with the broader workforce development system.

Title II: Research and Training

Improve the National Institute on Disability and Rehabilitation Research's (NIDRR's) dissemination requirements.

¹ We have asked the Department of Education for technical assistance on the evaluation, data collection, formula changes, and reporting provisions to make sure that the draft provisions are achievable and not overly burdensome.

(S. 1356) Vocational Rehabilitation:

Importance of Maintaining RSA within the Department of Education

Background on the Rehabilitation Services Administration:

- The Rehabilitation Services Administration (RSA) oversees grant programs that help individuals with physical or mental disabilities obtain employment and live more independently.
- RSA supports counseling, medical and psychological services, job training and other individualized services.
- RSA funds state vocational rehabilitation (VR) agencies that provide employment-related services for individuals with disabilities, giving priority to individuals who are significantly disabled.
- State funding is also used for VR programs, with a match ratio of 21.3% state funds to 78.7% federal funds.

Current Administration of RSA within Department of Education:

- The RSA has operated within the Department of Education (DOE) under the Office of Special Education and Rehabilitative Services (OSERS) for 90 years.
- The OSERS works to improve results and outcomes for people with disabilities of all ages through a wide array of supports to parents and individuals, school districts and states in three main areas: special education, vocational rehabilitation and research. The RSA fits naturally within this broader office.

Proposal to Move RSA to the Department of Labor:

- Section 596 of the lengthy (900 page) *Workforce Investment Act of 2013* (S.1356) would transfer all functions of the RSA away from DOE and to the Department of Labor (DOL).
- Senate Health, Education, Labor and Pensions (HELP) Committee reported out S.1356 favorably on July 31, 2013.
- The related House bill, the *Supporting Knowledge and Investing in Lifelong Skills (SKILLS) Act* (H.R.803) also addressed the RSA but does not propose shifting the program to DOL.

Concerns with proposed restructuring of RSA from DOE to DOL:

- More than just a logistical change:
 - Proposed move to DOL being touted as “logistical,” to increase Vocational Rehabilitation (VR) visibility as an employment program, but VR services are not like typical employment programs.
 - VR services are prioritized for consumers with the most significant disabilities and are individualized, comprehensive, and focused on careers and career pathways – not just a first job/any job, which is the focus of the generic workforce system. VR also offers comprehensive services to business partners.
- Lack of data to support a benefit, despite real costs:
 - There is no data showing a benefit or likely desired outcome from moving the RSA to DOL.
 - The proposed move has not been scored for the federal or state governments, but could have significant financial and opportunity costs.
- Contrary to other goals of S.1356:
 - S.1356 proposes significant *increases* in the nature and scope of services to be provided to transition youth with disabilities. Given the high priority of serving this population, it is counterproductive to move VR away from the DOE and OSERS where linkages and collaborative relationships with public schools already exist that would be extremely beneficial in addressing new transition requirements in S 1356.
- Inability of generic DOL employment programs to serve VR population:
 - Generic system has shown a lack of physical and programmatic access to services for VR consumers; no performance data show the effectiveness of generic programs in serving this population.
 - One-stop center staff lack expertise in understanding the complexity of disability and disability-related issues and concerns as they relate to employment. Generic centers repeatedly *refer* any individuals who present with a significant disability to VR, as they are not capable of serving this population adequately.