STATE VOCATIONAL REHABILITATION SERVICES PROGRAM

FY 2003 MONITORING AND TECHNICAL ASSISTANCE GUIDE

U.S. DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
REHABILITATION SERVICES ADMINISTRATION

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND
REHABILITATIVE SERVICES
REHABILITATION SERVICES ADMINISTRATION
WASHINGTON, DC 20202

INFORMATION MEMORANDUM
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DATE: May 8, 2003

ADDRESSEES: STATE VOCATIONAL REHABILITATION AGENCIES (GENERAL)
STATE VOCATIONAL REHABILITATION AGENCIES (BLIND)
STATE REHABILITATION COUNCILS
CLIENT ASSISTANCE PROGRAMS
AMERICAN INDIAN VOCATIONAL REHABILITATION SERVICE GRANTS
REGIONAL REHABILITATION CONTINUING EDUCATION PROGRAMS
CONSUMER ADVOCACY ORGANIZATIONS
RSA SENIOR MANAGEMENT TEAM

SUBJECT: FY 2003 Monitoring and Technical Assistance Guide for the State Vocational Rehabilitation Services Program

CONTENT: Section 107 of the Rehabilitation Act, as amended in 1998 (the Act), requires the Rehabilitation Services Administration (RSA) Commissioner to conduct annual reviews and periodic on-site monitoring of programs under this title to determine whether a State vocational rehabilitation (VR) agency is complying substantially with the provisions of its State plan under section 101 of the Act and with the Evaluation Standards and Performance Indicators established under section 106. RSA has developed this FY 2003 Monitoring and Technical Assistance Guide (the Guide) to fulfill the requirements of section 107 of the Act. In addition, the Guide will be used when RSA staff provide technical assistance to State VR agencies on the quality of their service delivery and the employment outcomes achieved by individuals with disabilities served by the VR program.

The attached FY 2003 Guide will be used by RSA staff in planning and conducting the annual reviews in all State VR agencies. For FY

2003, the Guide includes four required programmatic focus areas: Transition from School to Work; Performance Monitoring Based on VR Program Evaluation Standards and Performance Indicators; the Workforce Investment Act and Its Impact on Participants in the VR Program; and Agreements between State VR Agencies and Public Institutions of Higher Education. In addition, a fiscal review of all State VR agencies is required.

The Guide can also be used effectively by State VR agencies as a self-assessment tool.

INQUIRIES: In order to obtain additional copies of the Guide or to obtain the Guide in alternate formats, contact your RSA Regional Office; contact information can be found at the end of the Guide. You may also reach the RSA Central Office Monitoring Unit at:

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The Guide, as well as the sub-regulatory guidance referenced in the Guide, are also available at the RSA website: http://www.ed.gov/about/offices/list/osers/rsa/index.html

Joanne Wilson
Commissioner

Attachment

cc: COUNCIL OF STATE ADMINISTRATORS OF VOCATIONAL REHABILITATION
NATIONAL ORGANIZATION OF REHABILITATION PARTNERS

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INTRODUCTION

Purpose of RSA's monitoring: During Fiscal Year (FY) 2003, RSA will continue to conduct annual reviews and periodic on-site monitoring as required by section 107 of the Rehabilitation Act, as amended in 1998 (the Act). The purpose of this monitoring is to assess State vocational rehabilitation (VR) agency performance in assisting eligible individuals with disabilities to achieve employment outcomes and to determine compliance with the assurances made in the VR agency's State plan and with the Evaluation Standards and Performance Indicators established under section 106 of the Act.

RSA uses the Monitoring and Technical Assistance Guide (Guide) as its uniform monitoring instrument. Each year, RSA selects monitoring focus areas to determine the level of implementation of certain requirements, to gather information about the status of specific National initiatives, and to assess the nature and scope of technical assistance needed by the public VR program. This information is used to report to Congress and the Commissioner and to make decisions regarding funding and training priorities.

The Guide can also be used effectively by State VR agencies as a self-assessment tool. Ideally, State agencies should conduct this self-assessment prior to the on-site visit of RSA staff.

Programmatic focus areas: This year, RSA will utilize the following four required programmatic focus areas during its annual reviews of all State VR agencies:

- A review of the State VR agency policies and practices regarding the provision of transition services to youth with disabilities, including a review of interagency agreements between the State VR agency and the State education agency and local education agencies and a review of service records of youth with disabilities;
- An examination of State VR agency performance on the Evaluation Standards and Performance Indicators required by section 106 of the Act;
- A review of the status of State VR agency implementation of the provisions of the Workforce Investment Act (WIA) and how the participation of the VR program in WIA benefits individuals with disabilities; and
- A review of the agreements developed by the State VR agency with public institutions of higher education as required by section 101(a)(8)(B) of the Act.

In addition, two optional programmatic focus areas are included in the Guide and may be used by RSA staff as circumstances within a State agency warrant:

- A review of the status and implementation of a State VR agency's order of selection, including its determination of the level of significance of a disability, or a review of the State VR agency's performance in cases where the State agency asserts that it can serve all eligible individuals; and
- A review of compliance with the legal requirements for a designated State VR unit.

Fiscal reviews: This year, as in the past, a fiscal review will also be conducted in all State VR agencies. These reviews will be tailored to follow up on monitoring findings from previous years and to address issues of concern in the State agency. To this end, reviewers may design their review strategy using a combination of any of the following materials:

- Select one or more sections from the SAFARI;
- Use the entire focus area on the WIA and its impact on participants in the VR program (both required and optional questions) to examine cost allocation issues; or
- Choose one or more of the following fiscal focus areas contained in this Guide: matching and earmarking; financial and statistical reports (close-out); and reallotment information.

Reports: RSA will develop a draft monitoring report that will include the findings from the four required programmatic focus areas and the fiscal reviews. At the conclusion of annual review activities and following the necessary reviews of that report within RSA, the RSA Regional Commissioner will then send the draft report to the State VR agency director for review and comment. The State VR agency will be afforded 30 days to comment on the draft report. The comments received will be reviewed and, where appropriate, the review team's responses to those comments will be integrated into the final monitoring report. This final report will be issued within 30 days of the receipt of comments. It will be provided to the State VR agency director with copies to the chairperson of the State Rehabilitation Council and RSA Central Office.

The following is a recommended outline for the report:

I. Executive Summary

Overview of the FY 2003 review process, including a brief summary of any important results, findings and/or recommendations arising from the monitoring review (1-3 pages).

II. Introduction

A description of the purpose of the review, including the statutory responsibility to conduct monitoring and provide technical assistance.

III. Description of Review Process

A. Summarize activities and findings, including information derived from materials prior to the on-site phase of the review.

B. Describe how this information, and any input from the State VR agency and the State Rehabilitation Council, was used to develop the monitoring plan for use during on-site monitoring.

C. Summarize the specific on-site activities and findings of the review team during the on-site monitoring.

IV. Report Discussion

For each FY 2003 focus area and any other area reviewed, describe:

A. Significant findings and compliance issues;

B. Technical assistance needed/provided; recommendations for additional technical assistance; the need for further follow-up by the State VR agency and RSA; and corrective action plans required.

C. Effective practices that may be replicated elsewhere.

V. Summary/Conclusions

Overarching themes found in monitoring and a description of the specific actions to be taken within proscribed timeframes by the State VR agency director.

Web-based national reporting system: RSA Regional office staff will once again enter the monitoring results for all required focus areas into the web-based national reporting system. Results obtained from any optional questions in required focus areas and results from any optional focus areas used during monitoring will also be entered into the system. This system will be updated to include all of the required focus areas for FY 2003. It will also contain all of the optional focus areas except the one on order of selection.

Focus Area I:
Transition from School to Work

TRANSITION FROM SCHOOL TO WORK

Introduction

The purpose of this monitoring focus area is to continue to assess State vocational rehabilitation (VR) agency performance in the implementation of transition services to youth with disabilities to achieve employment outcomes and to determine compliance with the assurances made in the State plan. This focus area is comprised of four activities: (1) reviewing transition focus area results obtained during FY 2002 monitoring; (2) identifying any changes to State agency policy and procedures and formal interagency agreements between the VR agency and the State educational agency (SEA) that have occurred since last year; (3) reviewing service records of transitioning students; and (4) interviewing students with disabilities, the State VR director/administrator, the transition coordinator, VR counselors and special education personnel (the number of these optional interviews to be conducted is at the discretion of the Regional Office).

Definition: The term "transition services" means a coordinated set of activities for a student, designed within an outcome-oriented process, that promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based upon the individual student's needs, taking into account the student's preferences and interests, and shall include instruction, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation. (Sec. 7(37) of the Rehabilitation Act)

Approach to Monitoring Transition During FY 2003

Required Questions (questions 1-9)

Please review the responses that the State agency made in FY 2002 in the area of transition. It is not expected that the reviewer will merely repeat the same questions asked during last year's review. Instead, this year the reviewer should revisit findings or recommendations made during FY 2002 that now require follow-up. Among the optional questions, numbered 10-60, there may be questions that will assist the reviewer in obtaining information on a particular area of concern. For example, questions 17-24 look at how the State VR agency utilizes third party agreements with local school districts to provide transition services. These questions may be helpful if the reviewer wishes to explore the State agency's use of such agreements. In addition, questions 39-45 look at how the State VR agency is identifying youth with disabilities not in special education that need transition services; the reviewer may wish to use these questions to explore this issue further.

In addition to following up on findings and recommendations, this year's review should focus on areas of change in transition policy or service delivery. If the reviewer reports that no change has occurred, the information in the FY 2002 database will be tapped for purposes of

gaining a national aggregate picture of transition. However, if change has occurred, then information from the FY 2003 review should be added to the database to gain a complete and accurate national picture.

Finally, during FY 2003, in preparation for reauthorizing the Rehabilitation Act, some critical information about transition is needed. Questions 4-9 below are an attempt to gather information nationally about some of these important issues.

1. Were there findings/recommendations made in the FY 2002 Section 107 Report for the Transition Focus Area to which the State agency has not responded? ___YES ___NO

   If "YES," briefly describe the issues and their current status.
   **Comments

2. Were there changes in the transition area since the FY 2002 Section 107 report? For example, changes may have been made in policies and procedures regarding transition, the formal interagency agreement with the State education agency (SEA), third party agreements with local school districts, training activities, staffing patterns, etc. ___YES___NO

   If "YES," briefly describe the changes, the causes of the changes (if known), and the results of those changes.
   **Comments

3. Does the State agency collect specific data on youth with disabilities? ___YES ___NO

   If "YES," how many youth with disabilities are served by the State agency?
   **Comments

4. Does the State agency have plans to commit additional resources to meet the transition needs of students with disabilities? ___YES ___NO

   If "YES," describe the State agency's plans.
   **Comments

5. Do State agency staff believe they need additional resources ___YES___NO

to provide transition services to students with disabilities?

If "YES," briefly describe any solutions that the State agency has developed to address the need for additional resources for transition. If the State agency has not developed any solutions, enter "none developed."
**Comments

6. Does the State agency have a strategic (long-range) plan for transition? ___YES___NO

7. If the answer to question 6 is "YES," does the State agency have a methodology for evaluating its progress on the plan? If the answer to question 6 is "NO," mark "NA." ___YES___NO___NA

   If "YES," briefly describe the findings of the evaluation.
   **Comments

8. Are there any features of the State VR agency's methods of providing transition services that could serve as a model for other agencies to replicate? ___YES___NO

   If "YES," briefly describe these model features.
   **Comments

9. Briefly describe suggestions that State agency staff have for reauthorization of the Rehabilitation Act with regard to transition issues. If they have no suggestions, enter "none."
   **Comments

Optional Questions (questions 10-60)

The reviewer may use the following questions as appropriate during FY 2003 to help determine whether changes in policy or service delivery in the area of transition have occurred, and if changes have taken place, may then record comments, where necessary. The questions may also be used by State VR agency staff as a self-assessment tool.

Staffing Plan for Transition

Review the State VR agency's staffing plan for transition…

10. Does the State VR agency have a Transition Coordinator? ___YES___NO

11. Does the State VR agency use specialized transition counselors? ___YES___NO

12. Does the State VR agency use counselors who are generalists to provide transition services? ___YES___NO

13. Does the State VR agency use a combination of both specialized transition counselors and counselors who are generalists to provide transition services? ___YES___NO

14. Are VR counselors co-located in the schools? ___YES___NO

15. Do VR counselors service the schools on an itinerant basis? ___YES___NO

16. Does the State VR agency have plans to study its staffing pattern for the provision of transition services regarding its effectiveness in meeting the needs of students with disabilities? ___YES___NO

    If "YES," briefly describe those plans. If it has no plans, enter "none."
    **Comments

Third Party Agreements

17. Does the State VR agency use third party agreements with local school districts to provide transition services? (Review section 4.8 of the State plan regarding third-party cooperative arrangements for additional information that may pertain to this question.) ___YES___NO

    If "YES," answer questions 18-24. If "NO," mark "SKIP" for questions 18-24 and continue with question 25.

Review third party agreements the State VR agency has with local school districts for providing transition services…

If the State VR agency uses third party agreements, do they describe:

18. How vocational assessments will be provided? ___YES ___NO___SKIP

19. How supported employment services will be provided? ___YES ___NO___SKIP

20. How vocational training will be provided? ___YES ___NO___SKIP

21. How transportation services will be provided? ___YES ___NO___SKIP

22. How career exploration will be provided? ___YES ___NO___SKIP

23. How job placement will be provided? ___YES ___NO___SKIP

24. Describe: (1) the number of agreements the State VR agency has with local school districts (give specific number); (2) transition services that are <u>in addition to</u> those listed above; and (3) significant features of these agreements. ___SKIP___COMMENTS
**Comments

Policies and Procedures on Transition

Review the State VR agency's State plan attachment on transition and the policies and procedures regarding individualized plans for employment (IPEs) for students with disabilities transitioning from school…

25. Does the State VR agency have policies and procedures regarding transition services for students with disabilities? (Section 101(a)(11)(D) and 34 CFR 361.50(a)) ___YES ___NO

If "YES," answer questions 26-30. If "NO," mark "SKIP" for questions 26-30 and continue with question 31.

26. Do the policies and procedures describe the development and approval of IPEs for students with disabilities transitioning from school? (34 CFR 361.22(a)(2)) ___YES___NO___SKIP

27. Do the policies and procedures require that the IPE be developed for students determined eligible for VR as early as possible during the transition planning process or, at the latest, by the time each student leaves school? (34 CFR 361.22(a)(2)) ___YES ___NO ___SKIP

28. Do the policies and procedures facilitate the achievement of the employment outcome identified in the IPEs? (Section 103(a)(15) and 34 CFR 361.5(b)(55) and 361.50(a) ___YES ___NO ___SKIP

29. Do the policies and procedures provide for the coordination of the IPE with the IEP? ___YES ___NO ___SKIP

(34 CFR 361.46(d)

30. Is technical assistance needed to meet the statutory and regulatory requirements regarding transition policy? ___YES ___NO ___SKIP

If "YES," briefly describe the technical assistance needed.
**Comments

Referral of Youth with Disabilities

31. Are specific criteria used by the educational agencies to refer students to the VR program? ___YES___NO

If "YES," answer questions 32-38. If "NO," mark "SKIP" for questions 32-38 and continue with question 39.

If education agencies use specific criteria, do those criteria include…

32. Assessments by special education personnel? ___YES ___NO ___SKIP

33. Age? ___YES ___NO ___SKIP

34. Grade in school? ___YES ___NO ___SKIP

35. Ability to participate in general education curriculum? ___YES ___NO ___SKIP

36. Need for career exploration? ___YES ___NO ___SKIP

37. Need for work readiness? ___YES ___NO ___SKIP

38. Need for work experiences? ___YES ___NO ___SKIP

Review the State VR agency's policies and procedures for serving youth with disabilities who are NOT attending school or otherwise receiving services from the school system…

39. Does the State VR agency have procedures for identifying youth with disabilities who need transition services but who may not be enrolled in school or who are not receiving special education services from the school system? ___YES___NO

If "YES," answer questions 40-45. If "NO," mark "SKIP" for questions 40-44 and continue with question 45.

Answer the following questions for State VR agencies that have procedures for identifying youth with disabilities who are not attending school or otherwise receiving special education services from the school system…

Do those procedures identify:

40. Out-of-school youth with disabilities? ___YES___NO___SKIP

41. Students with disabilities not served in special education (students served under section 504)? ___YES___NO___SKIP

42. Youth with disabilities served by community rehabilitation programs? ___YES___NO___SKIP

43. Youth with disabilities referred by the State's correctional system? ___YES___NO___SKIP

44. Youth with disabilities served by Projects with Industry? ___YES___NO___SKIP

45. If the State VR agency does not have procedures for identifying youth with disabilities who are not enrolled in school or receiving services from the school system, is technical assistance needed to meet the requirements of Section 101(a)(11)(D)(iv)? Answer "N/A" if the answer to question 39 was "YES." ___YES___NO___N/A

    If "YES," briefly describe the technical assistance needed.
    **Comments

Comprehensive System of Personnel Development

Review the Comprehensive System of Personnel Development (CSPD) in the State plan to answer the following questions…

46. Does the CSPD contain, where appropriate, a description of the manner in which activities will be undertaken to coordinate the system with personnel development activities under the Individuals with Disabilities Education Act? (Section 101(a)(7)(A)) ___YES___NO

47. Does the CSPD address joint training or other ___YES___NO

activities between the SEA and the State VR agency?

48. Is technical assistance needed regarding the CSPD to meet the requirements of Section 101(a)(7)(A)? ___YES___NO

If "YES," briefly describe the technical assistance needed.
**Comments

State Formal Interagency Agreement

Review the formal interagency agreement that the State VR agency has with the SEA…

49. Does the State VR agency have a signed formal interagency agreement with the SEA? (Section 101(a)(11)(D) and 34 CFR 361.22(b)) ___YES ___NO

If "YES," answer questions 50-56. If "NO," mark "SKIP" for questions 50-56 and continue with question 57.

Does the agreement provide for:

50. Technical assistance to assist educational agencies in transition planning? (Section 101(a)(11)(D) and 34 CFR 361.22(b)) ___YES ___NO___SKIP

51. Transition planning by the State VR agency and SEA personnel that facilitates the completion of the student's IEP? (Section 101(a)(11)(D)(ii)) ___YES___NO___SKIP

52. Description of the roles and responsibilities, including financial responsibilities, of qualified personnel in each agency responsible for transition services? (Section 101(a)(11)D)(iii)) ___YES___NO___SKIP

If "NO," briefly describe what information the agreement lacks.
**Comments

53. Procedures for outreach to students with disabilities who need transition services? (Section 101(a)(11)(D)(iv)) ___YES___NO ___SKIP

54. Briefly describe the significant features or terms of the formal interagency agreement that the State ___SKIP___COMMENTS

VR agency has with the SEA.
**Comments

55. Is the formal interagency agreement with the SEA up-to-date? (Section 101(a)(11)(D) ___YES ___NO___SKIP

56. Is technical assistance needed to meet the requirements of Section 101(a)(11)(D) and 34 CFR 361.22? ___YES ___NO ___SKIP

    If "YES," briefly describe the technical assistance needed.
    **Comments

Local Interagency Agreements

57. Does the State VR agency have an interagency agreement with any local educational agency(ies) (LEAs)? ___YES___NO

    If "YES," answer questions 58-60. If "NO," mark "SKIP" for questions 58-60.

If the State VR agency has entered into agreements with any LEAs…

58. Are the agreements with the LEAs patterned after the State formal interagency agreement? ___YES___NO___SKIP

    If "NO," briefly describe.
    **Comments

59. Are the agreements tailored to meet the unique circumstances of each LEA? ___YES ___NO ___SKIP

    If "NO," briefly describe.
    **Comments

60. Briefly describe the significant features or terms of the agreement(s) that the State VR agency may have with the LEA(s). ___SKIP ___Comments
    **Comments

OPTIONAL QUESTIONS FOR STUDENTS WITH DISABILITIES

1. Did you attend your Individualized Educational Program (IEP) meeting? ____YES____NO

2. Did you participate in your IEP meeting? ____YES____NO

3. If yes, did a Vocational Rehabilitation Counselor participate in the IEP meeting? ____YES____NO

4. Please check the transition services below that were provided to you prior to leaving the school:

   ___ Career exploration

   ___ Assessments

   ___ Transportation

   ___ Supported Employment

   ___ Job seeking skills training

   ___ Paid work experiences

   ___ Post-secondary educational guidance

   ___ Provision of auxiliary aids and services

   ___ Other. Please specify _____

5. Do you have an Individualized Plan for Employment (IPE)? ____YES____NO___NA

6. Was your IPE coordinated with your Individualized Educational Program in terms of the goals, objectives, and services identified in the IEP? ____YES____NO___NA

7. Was your IPE developed and approved prior to you leaving school? ____YES____NO___NA

8. Please check the most appropriate response below. What supports and services are you receiving from the VR services program?

___ Career exploration

___ Job seeking skills training

___ Vocational training

___ Supported employment

___ Unpaid work experience

___ Job placement

___ Post-secondary educational guidance

___ Tuition assistance

___ Transportation

___ Provision of auxiliary aids and services

___ Other. Please specify_____

9. What was the most challenging aspect of your transition from school to the VR services program? Please describe below.

10. What was the most helpful support or service(s) in your transition from school to the VR services program? Please describe below.

11. Are you employed now? ____YES____NO___NA

OPTIONAL QUESTIONS FOR STATE VR DIRECTORS/ADMINISTRATORS

1. Does the State VR agency have a formal interagency agreement with the SEA? ____YES____NO

2. Did you participate in the development of the interagency agreement? ____YES____NO

3. Does the formal interagency agreement need to be revised with new terms or updated with new parties in order to be in compliance with statute? ____YES____NO

4. Does the formal interagency agreement describe how joint training and other activities will occur between the SEA and the State VR agency? ____YES____NO

5. Does the interagency agreement describe the transition services and costs to be charged to the State VR agency? ____YES____NO

6. Has the State VR agency chosen to enter into agreements with LEAs? ____YES____NO

7. If the State VR agency has agreements with LEAs, are those agreements patterned after the State formal interagency agreement? ____YES____NO___NA

8. Has the State VR agency entered into any third-party cooperative agreements for providing transition services? ____YES____NO

9. If the State VR agency has such third-party cooperative agreements, have they improved the provision of transition services? ____YES____NO___NA

10. If the State VR agency uses third-party cooperative agreements for transition services, would it continue to use those kinds of agreements in the event that additional Federal funds for transition services were made available? ____YES____NO___NA

11. Do VR counselors provide outreach activities for students with disabilities both receiving special education and not receiving special education? ____YES____NO

12. Do VR counselors provide technical assistance to schools to prepare students with disabilities for career opportunities? ____YES____NO

13. Does the State VR agency have plans to commit resources to meet the transition needs of students with disabilities? ____YES____NO

14. Does the State VR agency have policies and procedures describing how IPEs should be signed and approved as early as possible during the transition planning process or, at the latest, prior to students with disabilities exiting school? ____YES____NO

15. Describe significant features of this State VR agency's methods of providing transition services requiring special consideration or those that may serve as a model for other agencies to replicate. Also include information, if applicable, regarding the agency's experiences with using third-party cooperative agreements for providing transition services.
**Comments

OPTIONAL QUESTIONS FOR VR TRANSITION COORDINATOR(S)

1. Do you participate in the development of the formal interagency agreement between the VR agency and the SEA? ____YES____NO

2. Do you participate in the development of agreements the State VR agency may have with LEAs? ____YES____NO____NA

3. Is the percentage of individuals served by the State VR agency who are students with disabilities more than 30%? ____YES____NO

4. Is the percentage of individuals served by the State VR agency who are students with disabilities more than 20% but not more than 30%? ____YES____NO

5. Is the percentage of individuals served by the State VR agency who are students with disabilities more than 10% but not more than 20%? ____YES____NO

6. Is the percentage of individuals served by the State VR agency who are students with disabilities more than 5% but not more than 10%? ____YES____NO

7. Does the State VR agency have policies and procedures regarding the provision of services to students with disabilities transitioning from school? ____YES____NO

8. If the State VR agency has policies and procedures regarding transition services, do those policies describe when schools should refer students with disabilities to the VR agency? ____YES____NO____NA

9. If the State VR agency has policies and procedures regarding transition services, do those policies require IPEs to be signed and approved as early as possible during the transition planning process and, at the latest, prior to students with disabilities exiting school? ____YES____NO____NA

10. If the State VR agency is operating under an order of selection, does the agency have policies and procedures regarding transition services that describe how IPEs will be developed for eligible students able to be served under the order before they leave school? ____YES____NO____NA

11. Do the State VR agency and SEA personnel participate in joint training activities to improve the delivery of transition services for students with disabilities? ____YES____NO____NA

12. Do you have the necessary resources to assist students with disabilities to achieve their employment outcomes? Please provide additional comments regarding resources in question 18. ____YES____NO

13. Does the State VR agency conduct outreach to students with disabilities who are not involved in special education? ____YES____NO

Do the kinds of transition services provided by the State VR agency include…

14. Career exploration? ____YES____NO

15. Assessments for vocational interests and capacities? ____YES____NO

16. Job readiness training? ____YES____NO

17. Supported Employment? ____YES____NO

18. Describe here significant features of this State VR agency's methods of providing transition services that require special consideration or that could serve as a model for other agencies to replicate. **Comments

OPTIONAL QUESTIONS FOR THE VR COUNSELOR SERVING TRANSITIONING STUDENTS

1. Are VR counselors providing outreach activities for students with disabilities? ____YES____NO

2. Are VR counselors providing technical assistance to the school to prepare students with disabilities for post-school activities? ____YES____NO

3. Do VR counselors participate in the development of the individualized educational program (IEP)? ____YES____NO

4. Are individualized plans for employment (IPEs) of eligible students with disabilities signed and approved as early as possible during the transition planning process and, at the latest, prior to the time they leave school? ____YES____NO

5. Do schools use specific criteria to refer students with disabilities to the VR agency? ____YES____NO

6. Do you participate in transition planning with schools to facilitate the development of IEPs for students with disabilities? ____YES____NO

7. Are the goals, objectives and services identified in the IPEs of eligible students with disabilities receiving special education services coordinated with the goals, objectives and services of their IEPs? ____YES____NO

8. Are IPEs of eligible students with disabilities receiving special education services developed according to the State VR agency's policies and procedures? ____YES____NO

9. Are IPEs of eligible students with disabilities ____YES____NO

developed jointly with the student and/or student's parents or representative(s)?

10. Are IPEs of eligible students with disabilities developed according to the student's informed choice with their interests, abilities and capacities? ____YES____NO

Do the kinds of transition services provided by the State VR agency include…

11. Career exploration? ____YES____NO

12. Assessments for vocational interests and capacities? ____YES____NO

13. Job readiness training? ____YES____NO

14. Supported Employment? ____YES____NO

15. Vocational training? ____YES____NO

16. Do you conduct outreach in schools to locate students with disabilities who are not in special education but may need transition services? ____YES____NO

17. Do personnel from the VR agency and SEA participate in joint training activities to improve the delivery of transition services for students with disabilities? ____YES____NO

18. Do you have the necessary resources to assist students with disabilities to achieve their employment outcomes? Please provide any additional information regarding resources in question 21. ____YES____NO

19. Are you familiar with what has been agreed upon by the State VR agency with the SEA in the formal interagency agreement? ____YES____NO

20. If you are familiar with the terms of the interagency agreement, are the IPEs of eligible students with disabilities receiving special education services developed according to the terms of that agreement? ____YES____NO____NA

21. Has there been any agreement(s) developed on the local level between the State VR agency and the LEA(s)? ____YES____NO

22. If the State VR agency has a local agreement with the LEA, are students with disabilities transitioning from school provided services according to the terms of that agreement? ____YES____NO___NA

23. Describe here significant features of this State VR agency's methods of providing transition services that require special consideration or that could serve as a model for other agencies to replicate. **Comments

OPTIONAL QUESTIONS FOR SPECIAL EDUCATION PERSONNEL

1. Have the State VR agency and SEA implemented a formal interagency agreement? ____YES____NO

2. Have any LEAs chosen to enter into interagency agreements with the State VR agency on the local level? ____YES____NO

3. Has a process been developed for determining the transition services and costs to be charged to the SEA? ____YES____NO

4. Are VR counselors providing outreach activities for students with disabilities and technical assistance to the school to prepare students with disabilities for career opportunities? ____YES____NO

5. Are VR counselors providing technical assistance to the school to prepare students with disabilities for career opportunities? ____YES____NO

6. Do schools use specific criteria to refer students with disabilities to the State VR agency? ____YES____NO

7. Are students with disabilities who are not Receiving special education services referred to the State VR agency? ____YES____NO

8. Do VR counselors participate in transition planning with schools to facilitate the development of IEPs for students with disabilities? ____YES____NO

9. Are individualized plans for employment (IPEs) signed and approved as early as possible during the transition planning process and, at the latest, prior to students with disabilities exiting the school? ____YES____NO

10. Do the VR agency and the SEA personnel participate in joint training activities to improve the delivery of transition services for students with disabilities? ____YES____NO

Do the kinds of transition services coordinated with the State VR agency include…

11. Career exploration? ____YES____NO

12. Assessments for vocational interests and capacities? ____YES____NO

13. Job readiness training ____YES____NO

14. Supported Employment? ____YES____NO

15. Describe here significant features of this State VR agency's methods of providing transition services that require special consideration or that could serve as a model for other agencies to replicate. **Comments ____YES____NO

Service Record Review Guide

SERVICE RECORD REVIEW GUIDE INSTRUCTIONS

PURPOSE OF THE SERVICE RECORD REVIEW

During FY 2003, RSA staff will use the service record review guide to examine service records of youth with disabilities who are current or former recipients of transition services. This service record review guide examines five aspects of vocational rehabilitation (VR) policy and practice: (1) eligibility determination; (2) timeliness of services; (3) substantiality of services; (4) quality of employment outcomes; and (5) services that youth with disabilities receive to help them transition from school to adult life. Most of the questions in this service record review are designed to determine whether the State agency is in compliance with specific statutory and/or regulatory provisions. However, in order to review these five components of the VR process thoroughly, the reviewer must ask some questions that go beyond compliance with the statute and regulations and instead examine the State agency's performance, focusing specifically on the quality of rehabilitation practice and service provision.

Many of the complaints filed with the Client Assistance Program by individuals with disabilities concern the lack of timeliness and substantiality of VR services. During FY 2003, RSA will continue the work begun in FY 2002 and will once again gather information regarding State agency practices in the areas of timeliness and substantiality of services in order to determine the feasibility of establishing nationally accepted standards for good practice. Where standards exist within a State agency, or where standards have been recently established in line with FY 2002 reviews, RSA will also monitor to determine that the State agency is adhering to those standards. In addition, this year, RSA will gather information about the quality of transition services being provided to youth with disabilities and how such services may be improved to help youth achieve quality employment outcomes. As in the past, teams of reviewers may include State agency staff as well as RSA personnel.

Eligibility: The first component of the service record review examines eligibility for VR services. As is traditional in service record reviews, RSA will continue the practice of reviewing whether the documentation in the service record supports the determination of eligibility made by the VR counselor using the basic eligibility criteria for the VR program.

Timeliness of Services: The timeliness with which individuals with disabilities gain access to the VR process and to needed services is critical in determining the quality of the VR program. Therefore, RSA will be examining the issue of timeliness during the service record review. It is important that State VR agencies respond to individuals in a timely way at each stage of the VR process--expediting the application of an individual referred to the program, determining the eligibility of the individual once an application is made, developing the individualized plan for employment (IPE), and delivering services as expeditiously as possible.

Substantiality of Services: An important measure of a program's effectiveness is whether the activities carried out by program staff contribute substantially to the outcomes the

program is mandated to achieve. In the case of the VR program, State VR agency staff are to provide services necessary for individuals with disabilities to achieve employment that is consistent with their strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. During the service record review, RSA will be examining on a National basis whether the VR services being provided to individuals with disabilities contribute substantially to the employment outcomes achieved by such individuals.

Employment Outcomes: The fourth section of the service record review focuses on the employment outcomes, specifically competitive employment outcomes, achieved by individuals with disabilities. The 1992 and 1998 Amendments to the Rehabilitation Act placed increased emphasis on competitive employment outcomes, i.e., employment in the competitive labor market that is performed on a full-time or part-time basis in an integrated setting and for which the individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled. The regulations that promulgated the evaluation standards and performance indicators for the VR program in June, 2000, also placed priority on this type of employment outcome in the VR program. In this context, this section of the service record review is designed to assess the degree to which the competitive employment outcomes reported by the State VR agency meet the criteria of 34 CFR 361.56.

Services to Transitioning Youth: During FY 2003, RSA is particularly interested in examining the quality of VR services being provided to youth transitioning from school to adult life. To this end, one focus area of the Monitoring and Technical Assistance Guide requires a review of interagency agreements, policies, procedures, and practices pertinent to transitioning youth. In addition, this focus area requires that service records of these youth be reviewed; Section VII of the Service Record Review Guide contains questions that are to be asked to assess the quality of transition services being provided to youth with disabilities. When looking at services to youth with disabilities, RSA should review service records of individuals who entered the system before the age of 22. RSA is not interested in looking only at students with disabilities who come to the VR program from the special education system. It is important to review services being provided to a broader sample of youth represented in the VR system. Specific instructions on sampling can be found below.

SELECTING THE SAMPLE OF SERVICE RECORDS

There are three elements to sampling service records. These include selecting (1) the variable categories from which service records will be selected for review and comparisons made (the population); (2) the number of service records to be reviewed in each category (sample size); and (3) the actual service records to be reviewed (sample selection).

The Population: Determining the population(s) from which to select service records for review is primarily dependent upon the information desired by the organization initiating the review. In the case of the current service record review, RSA is interested in selecting service records that demonstrate all aspects of the rehabilitation process (meaning service

records for individuals who have exited the VR program after receiving services under an IPE). These service records will be particularly helpful in allowing RSA to examine issues around timeliness and substantiality of services--issues that may be more apparent after the individual exits the VR system rather than while the individual is still receiving services.

During this year's review, RSA is interested in sampling service records of youth with disabilities transitioning from school to adult life. To sample service records of transitioning-age youth, it is recommended that reviewers choose service records for individuals whose age at application was between 14 and 21. Such youth should be selected only if they applied for VR services after the State agency provided counselors training on the 1998 Rehabilitation Act Amendments. It would also be best to sample youth whose service records were closed during FY 2002 or the first half of FY 2003; however, if an insufficiently large population of youth meeting these criteria is found, it may be necessary to review service records closed during FY 2001. In order to obtain service records of students who received special education services, individuals who have been coded as receiving special education on the PD-95-04 version of the RSA-911 or coded as having had an individualized education program (IEP) on the PD-00-06 version of the RSA-911 should be sampled.

Sample Size: The determination of the size of sample to be drawn from a population of service records has been the subject of much investigation. If the sample is too small, it will not be representative of the population. If the sample contains more service records than are needed, the review process will be time-consuming, tedious, and expensive. In the past, tables have been generated presenting population percentages to be selected based on population size. For example, if the population of service records ranges between 250 and 500, the reviewer might reasonably choose a sample of ten to twenty-five percent; between 500 and 1,000, five to ten percent; between 1,000 and 5,000, one to two percent. Given the substantial commitment of resources involved in reviewing service records, even when both RSA staff and State agency personnel participate in the service record review process, it is recommended that a maximum of 100 service records be reviewed in one State agency.

In order to examine the five aspects of the VR process covered by this service record review (eligibility, timeliness of services, substantiality of services, quality of employment outcomes, and services to transitioning youth) and in order to be certain that individuals of transitioning age at application comprise the sample, the following recommended break-down of a sample of 100 service records might be helpful. Approximately three-quarters of the service records would be for youth with disabilities who have exited the VR program after obtaining employment, and approximately one-quarter would be for youth with disabilities who received services but who exited the VR program without employment. Reviewers should make an effort to sample service records of students with disabilities who received special education, and in order to do this, at least half of the service records reviewed should be records with the special education code in the PD-95-04 version of the RSA-911 (for service records closed prior to September 30, 2001) or the IEP code on the PD-00-06 version of the RSA-911 (for service records closed after October 1, 2001).

Realistically, a State agency may not serve sufficiently large numbers of transitioning-age youth to make such sampling possible. In these instances, reviewers may need to exercise their discretion and choose a greater percentage of service records of transitioning-age youth during the review. In fact, RSA staff may need to review all of the service records of transitioning-age youth closed since FY 2001. In addition, in some small State agencies, in order to have a sufficient number of service records for review, it may be necessary to review a few service records of youth who are currently receiving services.

Sample Selection: Once the population(s) and sample sizes have been determined, the actual sample selection ensues. This process is dependent upon the type of service records to be selected and the computer capability of the State VR agency. Randomization is the most important concept, that is, each service record in the population must have an equal chance of ultimately being chosen to be in the sample to be reviewed. The reviewer may ask the data processing staff of the State agency to identify the population and provide a list of service records randomly selected for review. If State VR agency staff can generate populations from the computer but cannot produce random samples with the computer, manual random selection may need to be used.

COMPLETING INFORMATION CRITICAL TO THE SERVICE RECORD

In order to facilitate the gathering of the demographic information and significant dates to be recorded in this section, the reviewer may want to ask the assistance of State VR agency staff. Once the service records being reviewed have been identified, VR staff may be asked to complete this section of the service record instrument for each service record prior to the review. Doing some of this work in advance will save time during the week of the on-site review. In addition, State agency staff may rely on the data system, including codes on the RSA-911, to facilitate the completion of these items.

Required Items

VR Agency: Record the two-letter abbreviation for the State agency in which service records are being reviewed, followed by a "g" for a general agency serving all individuals with disabilities except individuals who are blind, a "b" for an agency serving individuals who are blind, or a "c" for a combined agency serving all individuals with disabilities.

Reviewer: Record the name of the individual reviewing the service record.

Service Record Identification Number: Record the State agency identification number assigned to the individual whose service record is being reviewed. This number is often the same as the individual's Social Security number. Please note that when reporting findings to the State agency, the confidentiality of individuals served by the program should be preserved, and therefore, references to Social Security numbers should be deleted.

Significance of Disability: Check whether the individual is an individual with a most significant disability, a significant disability, or a less significant disability.

Receipt of SSDI or SSI due to a disability:

- **SSDI:** Check whether the individual received Social Security Disability Insurance (SSDI) due to a disability while being involved with the VR agency at any time, from referral to exiting the program. It is not necessary to record the amount received.

- **SSI:** Check whether the individual received Supplemental Security Income (SSI) due to a disability while being involved with the VR agency at any time, from referral to exiting the program. It is not necessary to record the amount received.

Status: Check one of the three statuses listed:

- **Closed Employed:** The service record was closed after the individual achieved an employment outcome.

- **Closed Not Employed:** The service record was closed without the individual having achieved an employment outcome after the individual received services.

- **Open:** The individual is currently receiving services.

Service Record Type: During the section 107 reviews conducted in FY 2003, reviewers should sample only service records of transitioning youth. However, should the instrument be used for another purpose, three choices have been provided below. Check one of the service record types listed:

- **General:** The individual's service record cannot be classified in one of the other two categories, either as a transitioning youth or an individual receiving services from a VR agency in a One-Stop center.

- **Transitioning Youth:** The individual whose service record is being reviewed is a youth with a disability of transitioning-age at the time of application.

- **WIA:** The individual whose service record is being reviewed is receiving services or has received services from the VR agency in a One-Stop center.

Optional Items

Referral Source: Record the agency or other entity that referred the individual to the State VR agency. Use the following codes, taken from item 7 of PD-00-06, transmitting the current RSA-911:

1 Educational Institutions (elementary/secondary)
2 Educational Institutions (post-secondary)
3 Physician or other Medical Personnel or Medical Institutions (public or private)
4 Welfare Agency (State or local government)

5 Community Rehabilitation Programs
6 Social Security Administration (Disability Determination Service or District office)
7 One-Stop Employment/Training Centers
8 Self-referral
9 Other sources

Date of Birth: Record the date of birth of the individual.

Disability: Record the primary disability as identified in the service record. This disability is the physical or mental impairment that constitutes or results in a substantial impediment to employment. If it is readily available, use the four-digit primary disability code from the current RSA-911 (comprised of a two-digit impairment code and a two-digit cause/source code). Record a secondary disability in the same manner if one is identified. The RSA-911 codes for impairments and causes/sources are reproduced here for the convenience of the reviewer.

CODES FOR IMPAIRMENTS

00 No impairment

SENSORY/COMMUNICATIVE IMPAIRMENTS:

01 Blindness
02 Other Visual Impairments
03 Deafness, Primary Communication Visual
04 Deafness, Primary Communication Auditory
05 Hearing Loss, Primary Communication Visual
06 Hearing Loss, Primary Communication Auditory
07 Other Hearing Impairments (Tinnitus, Meniere's Disease, hyperacusis, etc.)
08 Deaf-Blindness
09 Communicative Impairments (expressive/receptive)

PHYSICAL IMPAIRMENTS:

10 Mobility Orthopedic/Neurological Impairments
11 Manipulation/Dexterity Orthopedic/Neurological Impairments
12 Both mobility and Manipulation/Dexterity Orthopedic/Neurological Impairments
13 Other Orthopedic Impairments (e.g., limited range of motion)
14 Respiratory Impairments
15 General Physical Debilitation (fatigue, weakness, pain, etc.)
16 Other Physical Impairments (not listed above)

MENTAL IMPAIRMENTS:

17 Cognitive Impairments (impairments involving learning, thinking, processing information and concentration)
18 Psychosocial Impairments (interpersonal and behavioral impairments, difficulty coping)

19 Other Mental Impairments

CODES FOR CAUSES/SOURCES OF IMPAIRMENTS

00 Cause unknown
01 Accident/Injury (other than TBI or SCI)
02 Alcohol Abuse or Dependence
03 Amputations
04 Anxiety Disorders
05 Arthritis and Rheumatism
06 Asthma and other Allergies
07 Attention-Deficit Hyperactivity Disorder (ADHD)
08 Autism
09 Blood Disorders
10 Cancer
11 Cardiac and other Conditions of the Circulatory System
12 Cerebral Palsy
13 Congenital Condition or Birth Injury
14 Cystic Fibrosis
15 Depressive and other Mood Disorders
16 Diabetes Mellitus
17 Digestive
18 Drug Abuse or Dependence (other than alcohol)
19 Eating Disorders (e.g., anorexia, bulimia, or compulsive overeating)
20 End-Stage Renal Disease and other Genitourinary System Disorders
21 Epilepsy
22 HIV and AIDS
23 Immune Deficiencies excluding HIV/AIDS
24 Mental Illness (not listed elsewhere)
25 Mental Retardation
26 Multiple Sclerosis
27 Muscular Dystrophy
28 Parkinson's Disease and other Neurological Disorders
29 Personality Disorders
30 Physical Disorders/Conditions (not listed elsewhere)
31 Polio
32 Respiratory Disorders other than Cystic Fibrosis or Asthma
33 Schizophrenia and other Psychotic Disorders
34 Specific Learning Disabilities
35 Spinal Cord Injury (SCI)
36 Stroke
37 Traumatic Brain Injury (TBI)

Significant Dates: Although recording of such dates is optional, it is strongly encouraged. It may be possible to calculate the number of days between various dates in the VR process using State agency data systems. At any rate, particularly where a State agency does not

have a standard for initial contact of an individual and for developing an IPE, it is particularly critical that the dates be recorded.

Prior to the review or during orientation to the review, it is critical to determine from State agency personnel the documents to use for obtaining the dates of referral, initial contact, application, eligibility, signing of the IPE, closure, and beginning of employment. This determination is critical since the way in which a State agency documents these dates varies considerably and may include both written and electronic methods.

Record the dates for the following events:

- **Referral:** The date on which the individual was referred to the VR agency. Review the VR agency's policies as to how a "referral" is defined, and use the agency's criteria when examining the documentation in the service record in order to determine the date of referral.

- **Initial Contact**: The date on which the individual was informed about the application process or the date on which the agency initiated good faith efforts to contact the individual.

- **Application:** The date on which the VR agency received sufficient information to complete the individual's application. The date may be (1) the date a written application was signed, (2) the date on which the individual completed a common intake application form in a One-Stop center requesting VR services, or (3) the date on which staff of the VR agency gathered information by telephone or some other means sufficient to begin assessment of the individual for eligibility for services.

- **Eligibility:** The date on which a VR counselor made a determination of eligibility or ineligibility. A State agency may record the determination of eligibility or ineligibility in a variety of ways. Prior to the review, determine the type of documentation a State agency uses to record a determination of eligibility or ineligibility. In some State agencies, a supervisor can nullify or reverse a determination made by the counselor. If this is the case, the date of the supervisor's approval of the counselor's determination of eligibility is the date that should be recorded.

- **IPE Signed:** The date on which the VR counselor and the individual with a disability signed the IPE. If they did not sign the IPE on the same date, use whichever date is later. As with eligibility determination, in some State agencies, a supervisor can nullify or reverse a determination made by the counselor. If this is the case, the date of the supervisor's approval of the IPE is the date that should be recorded.

- **Closure:** The date on which the service record was closed. A State agency may record closure of a service record in a variety of ways. Prior to the review,

determine the type of documentation a State agency uses to record the closure of a service record.

- **Employment Began:** The date on which the individual actually began his/her employment.

I. ELIGIBILITY

Preparation Prior to the Review

Review both 34 CFR 361.42 and .47 and the associated discussions for these regulatory provisions. The discussions can be found in the preamble to the February 28, 2000 Notice of Proposed Rulemaking (NPRM) on pages 10625-10626 and page 10628. Additional discussions in response to comments on the NPRM can be found in the appendix to the final regulations effective April 17, 2001. These discussions can be found on pages 4426-4428 and pages 4429-4430 of the January 17, 2001, Federal Register.

Review State agency policies and procedures related to eligibility determinations to ensure their conformity with the provisions of 34 CFR 361.42. Also, review the types of service record documentation that have been determined by the State VR agency as necessary to support eligibility determinations consistent with 34 CFR 361.47(a)(1) and (b).

Review Questions

1. Examine the documentation in the service record that was available to the VR counselor up to the date of the eligibility determination and then make a determination as to concurrence or non-concurrence with the determination for each eligibility criterion.

2. In order to answer YES to question 2, the reviewer must have concurred with all three criteria in question 1. Under most circumstances, information in the service record that was obtained prior to eligibility determination should be used. Before determining that an individual that a counselor determined eligible is really ineligible, however, the reviewer should consider any additional information in the service record that was obtained after eligibility determination and that might enable the reviewer to concur with the eligibility determination made by the counselor.

3. If the reviewer determines that the documentation was insufficient to establish eligibility, that is, if the answer to question 2 is NO, or if there is a discrepancy between the responses to questions 1 and 2, provide a rationale with respect to the facts reflected in the service record documentation vis-a-vis the eligibility provisions identified in 34 CFR 361.42.

4. The reviewer should examine whether the individual receiving SSI or

SSDI at application due to a disability was presumed eligible, as is required by 34 CFR 361.42(a)(3). If the individual did not receive either SSI or SSDI at application, the reviewer should choose the N/A response.

5. The reviewer may use this question to record any general observations about eligibility that pertain to the review of the service record.

II. ASSESSMENT

Preparation for the Review

The purpose of this section is to examine the State agency's implementation of its policies and procedures regarding determination of the level of significance of a disability, assignment to a priority category in the order of selection, if applicable, and the assessment of an individual's rehabilitation needs. The reviewer will be examining documentation in the service record obtained before services were initiated.

Review the regulatory definitions of an "individual with a significant disability" (34 CFR 361.5(b)(31) and an "individual with a most significant disability" (34 CFR 361.5(b)(30)).

Review the regulations applicable to an order of selection in 34 CFR 361.36(d).

The reviewer should also become familiar with all pertinent State agency policy and procedures. If a State agency is operating under an order of selection, it is critical that the reviewer become familiar with the priority categories in the order and the criteria used to place an individual in one of the categories, including the agency's definitions of individuals with significant and most significant disabilities.

Review Questions

6. Review the documentation in the service record pertaining to an individual's disability, particularly with regard to the individual's functional limitations and the need for multiple VR services over an extended period of time, to determine whether or not the documentation supports the counselor's determination of the level of significance of disability.

7. If the State agency is operating under an order of selection, determine the priority category to which the individual was assigned and decide whether the documentation in the service record supports this assignment, answering either YES or NO. If individuals are not being assigned to priority categories because all categories are open or the agency is not operating under an order of selection, respond N/A.

8. Review the documentation collected by the counselor during the assessment process to determine whether or not all of the individual's rehabilitation needs have

been adequately described, and respond YES or NO. If needs have not been adequately identified during the assessment process, provide a brief explanation.

9. Review documentation collected by the counselor during the assessment process to determine whether or not the assessment process led to the identification of an employment goal that was consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, and answer either YES or NO. If the employment goal identified during the assessment does not appear to be consistent with these requirements, provide a brief explanation.

III. TIMELINESS

Preparation Prior to the Review

Review the requirements at 34 CFR 361.41(a) and 361.45(e) requiring the State agency to develop time standards for making the initial contact with the individual (questions 10 and 11) and developing the IPE (question 13), respectively.

Review the requirements at 34 CFR 361.41(b) that establish the Federal time standard for determining eligibility and any policies the State agency has developed to implement these requirements (question 12).

Review the requirements at 34 CFR 361.46(a)(3) regarding the requirement to establish timeframes in the IPE for the initiation of services and any policies the State agency has developed for assuring timely service provision (question 14).

Review the State agency's policies for providing services in a timely manner without undue delays or interruptions, if the agency has such policies (questions 15 and 16).

Review any State agency policies related to case management and service record documentation that apply to the review questions on timeliness of services.

On the Policy Review Checklist:

--In order to answer question 1, record the State agency's time standard for contacting an individual who is referred for services, and record when the time standard was implemented; and

--In order to answer question 2, record the State agency's time standard for developing an IPE once eligibility has been determined, and record when the time standard was implemented; and

--In order to answer question 3, record the State agency policy for providing services in a timely manner without undue delays or interruptions (if the State agency has such a policy, and record when such a policy was implemented.

Reviewers should compare answers on the FY 2003 Policy Review checklist with those provided during the FY 2002 review to determine whether the State agency has made necessary changes in policy that were recommended during FY 2002 monitoring.

After reviewing agency time standards, it is critical for all members of the review team to develop and utilize a consistent method for determining timeframes. One consideration is how to calculate time standards based on "working days," since weekend days could occur during that time period. Reviewers could use a calendar, or could agree to add 2 days to the standard to account for the possibility of a weekend occurring within the span of the time standard. Thus, for a time standard of "3 working days" for initial contact, reviewers could decide that any contact made after 5 calendar days does not meet the agency standard.

If the review indicates a serious deficiency in any of the time standards, use the appropriate dates to calculate the extent of the deficiency. Also, determine if the agency is aware of the deficiency and has developed plans to correct the deficiency.

Review Questions

Answer questions 10 through 16 based on methods developed during the service record review preparation and orientation. When answering a question, pay particular attention to instructions on the service record review form to choose the N/A option depending on the answer to a previous question. Include comments whenever they would help to clarify the meaning of an answer.

10(a) Refer to the answer to question 1 on the Policy Review Checklist regarding the time standard for contacting an individual who has been referred to the VR agency to provide the individual with information on application requirements. If the agency has such a standard, answer YES if the individual was contacted within the specified timeline or if the agency made good faith efforts within the timeline to contact the individual. If the individual was not contacted within the specified timeline or if the agency did not make good faith efforts to contact the individual within the timeline, answer NO. If the agency does not have a time standard, respond N/A.

10(b) If the agency has no time standard, record the dates of referral and initial contact on the cover sheet of the service record review form and make a judgment about whether good faith efforts were made to contact the individual in a timely manner. If the agency has a time standard, respond N/A.

11. Determine whether the agency has made good faith efforts to obtain the information needed to submit the application in a timely manner. Such information includes the information necessary for a completed application form and the information needed to initiate the assessment to determine eligibility. It is unlikely that many State agencies will have a time standard for obtaining this information.

Therefore, reviewer judgment must be used in making this determination. Record comments to explain the response, when necessary.

12(a) Review the documentation in the service record and decide whether the eligibility/ineligibility determination was made within 60 days of the individual's application, and answer 12(a) with either YES or NO.

12(b) If the answer to 12(a) is YES, answer 12(b) N/A. If the answer to 12(a) is NO, determine if there is documentation that the counselor and applicant agreed to a specific extension of time for the determination of eligibility, and answer 12(b) with either YES or NO. If the answer to 12(b) is NO, explain this answer.

13(a) Refer to the answer to question 2 on the Policy Review Checklist regarding the time standard for developing an IPE for an individual once eligibility has been determined. If the agency has such a time standard, answer YES if the IPE for the individual was developed within the specified timeline. If the IPE was not developed within the specified timeline, answer NO. If the agency does not have a time standard, respond N/A.

13(b) If the agency has no time standard, record the dates of eligibility and IPE development on the cover sheet of the service record review form and make a judgment about whether good faith efforts were made to develop the IPE in a timely manner. If the agency has a time standard, respond N/A.

14(a) Review the documentation on the IPE to determine whether timelines for the initiation of services were identified and answer YES or NO.

14(b) If timelines were identified on the IPE for the initiation of services, determine whether there is documentation in the service record to corroborate that services were initiated according to the timelines identified on the IPE, and answer YES or NO. If no timelines for the initiation of services were identified on the IPE or if the individual is still receiving services and it is too early in the rehabilitation process to make a fair judgment regarding this question, respond N/A.

15(a) Refer to the answer to question 3 on the Policy Review Checklist regarding the State agency's policy for providing services in a timely manner without undue delays or interruptions (If the agency has such a policy). Once services were initiated, determine whether they were provided without undue delays or interruptions, and answer YES or NO. If the individual is still receiving services and it is too early in the rehabilitation process to make a fair judgment regarding this question, respond N/A.

15(b) If there were delays or interruptions in the provision of services once the services were initiated, determine whether there were reasons for such delays or

interruptions documented in the service record, and answer either YES or NO. If there were no delays or interruptions in the provision of services or if the individual is still receiving services and it is too early in the rehabilitation process to make a fair judgment regarding this question, respond N/A.

16(a) Review the documentation in the service record and determine whether the VR counselor maintained contact with the individual, and answer YES or NO. If the individual is still receiving services and it is too early in the rehabilitation process to make a fair judgment regarding this question, respond N/A.

16(b) If the VR counselor did not maintain contact with the individual, determine whether there was documentation for reasons for extended periods without contact, and answer YES or NO. Then explain the answer. If the counselor maintained regular contact with the individual, if reasons for lack of contact were documented, or if the individual is still receiving services and it is too early in the rehabilitation process to make a fair judgment regarding this question, answer N/A.

IV. SUBSTANTIALITY OF SERVICES

Preparation Prior to the Review

"Substantial" vocational rehabilitation services are those services, which, provided in the context of the counseling relationship, collectively and significantly contribute to the achievement of an employment outcome consistent with the informed choice of the individual.

Review 34 CFR 361.47(a)(14), which applies to service records of individuals who achieve employment outcomes. This provision requires that there be documentation that demonstrates that services provided under the individual's IPE contributed to the achievement of the employment outcome.

Review the State VR agency's policies regarding how substantiality of services is defined (if the State agency has such policies) and record these policies in response to question 4 on the Policy Review Checklist.

Review what service record documentation the State agency uses to corroborate that substantial services are being provided to individuals with disabilities.

Instructions for Chart

In order to examine substantiality of services in a service record, a chart has been attached to the service record review form and has been provided as a tool for reviewers. Completion of this chart is optional.

Review the IPE and any amendments. In the column entitled "Needs Related to Services on the IPE," describe the services that addressed the individual's major needs identified in the assessment process or later in the service record that had to be met in order for the individual to achieve an employment outcome consistent with that individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. The VR counselor may have planned to meet these needs through services provided directly by the agency, may have purchased these services from vendors, or may have arranged to meet the needs through other service providers using the comparable services and benefits provision. Regardless of how the services are provided, the services planned to meet the needs should be listed on the IPE; therefore, the IPE and its amendments are the sources of information listed in this column.

Examples of vocational needs are: financial assistance for college or other educational training; the purchase of equipment and assistive technology; the provision of transportation services; and housing/maintenance. Needs relating to the barriers posed by the disability may include, for example, orientation and mobility instruction for a person who is blind.

Decide whether the needs listed on the IPE were met or not met. In the column entitled "Extent Met," place a checkmark in the appropriate column: "Met" or "Unmet." Documentation of the individual's needs and whether or not they were met can be found in the certificate of eligibility, IPE and amendments, or counselor's notes.

Indicate on the chart that a need has been unmet if:

- counseling and guidance were needed but not provided;
- placement assistance was necessary but not provided;
- services were stated as needed on the IPE, its amendments, or anywhere in the service record, were planned, but were not provided.

In the column entitled "Comments," include any comments necessary to explain the analysis.

Sample Chart

The following is an example of a completed chart based on a hypothetical case of an individual in need of college training and job placement. This sample chart reflects a situation in which substantial services were provided.

NEEDS RELATED TO SERVICES ON THE IPE	EXTENT MET		COMMENTS
	MET	UNMET	
O&M Instruction; Braille and Alternative Techniques	X		VR paid for 9 month residential training program
College Tuition	X		Paid for by student loans, VR and family contributions
Computer and Adaptive Equipment	X		Purchased by VR
Accessible Transportation	X		Individual uses city bus system
Books and Supplies	X		VR paid allowance to individual
Housing	X		VR paid for on-campus housing
LSAT Prep Course	X		VR paid
Law School Tuition	X		Paid for by student loans, VR and family contributions
Bar Exam Prep Course and Bar Exam	X		VR paid
Schedule A Certification	X		Documentation prepared by VR
Placement Assistance	X		Placement Assistance provided; individual employed as attorney with Federal agency

Review Questions

17. After reviewing the services listed on the IPE and its amendments, determine whether all of the services identified in the IPE were necessary for the achievement of an employment outcome, and respond YES or NO. Answer NO if even one service was identified that was not necessary for the achievement of an employment outcome, and explain the response.

18. All significant services that are provided to an individual should be listed in the IPE or its amendments. Based on facts gleaned from the service record documentation, the reviewer should determine whether all significant services provided to an individual were identified in the IPE, and answer either YES or NO. If significant services were provided that were not identified, provide a

brief explanation. Respond N/A if the individual is still receiving services and it is too early in the rehabilitation process to make a fair judgment regarding this question.

19. All services necessary for the achievement of an employment outcome should be provided to an individual. Using reviewer judgment, based on facts gleaned from the service record documentation, determine whether all services necessary for the achievement of an employment outcome were provided to the individual, and respond either YES or NO. If services necessary for the achievement of an employment outcome were not provided, provide a brief explanation. Respond N/A if the individual is still receiving services and it is too early in the rehabilitation process to make a fair judgment regarding this question or if the individual left the program before completing all services and did not achieve an employment outcome.

20. Based on information gleaned from the service record documentation, and a review of the State agency's policy on substantiality of services if the State agency has such a policy (refer to the answer to question 4 on the Policy Review Checklist), and using reviewer judgment, determine whether services provided to an individual who achieved an employment outcome contributed substantially to the achievement of the employment outcome, and respond either YES or NO. If services provided did not contribute substantially to the individual's achievement of an employment outcome, answer NO and provide a brief explanation. Respond N/A for service records of individuals who did not achieve employment or for individuals who are still receiving services.

The determination of whether the individual received substantial services must be made on a case-by-case basis. The determination is based on individual needs. No simple formula can be applied. When considering whether the services provided meet the definition of substantiality, the reviewer should identify all the needs that ought to have been met in the IPE, its amendments and otherwise in the service record. These needs should include both those pertaining to the vocational abilities of the individual and those relating to the barriers to employment posed by the disability or disabilities.

A NO response should be given in answer to this question if the service record did not contain documented evidence that the services planned and provided did, in fact, contribute significantly to the individual's employment outcome. A NO answer should be given under these circumstances even though all services planned were provided.

V. EMPLOYMENT OUTCOMES

Preparation Prior to the Review

Review both 34 CFR 361.47 and .56 and the associated discussions for these regulatory provisions. The discussions can be found in the preambles to the February 28, 2000, Notice of Proposed Rulemaking (NPRM) on pages 10628-10629 and on page 39494 of the June 26, 2000, Federal Register. Additional discussions in response to comments on the NPRM can be found in the appendix to the final regulations effective April 17, 2001. These discussions can be found on pages 4429-4430 and page 4433 of the January 17, 2001, Federal Register. In addition, there is a brief discussion on page 7258 of the January 22, 2001, final extended employment regulations.

It is also suggested that 34 CFR 361.5(b)(11) be reviewed together with the preamble discussion on pages 6310-6311 of the February 11, 1997, Federal Register. In addition, it is suggested that Policy Directive 97-04, dated August 19, 1997 and entitled "Employment Goal for an Individual with a Disability" be reviewed.

Review State agency policies and procedures related to closing the service record of an individual who has achieved an employment outcome, including any specific agency guidance with respect to competitive employment outcomes. Also, review the types of service record documentation that have been determined by the State VR agency as necessary to support such an action consistent with 34 CFR 361.47(a)(9), (14) and (15) and (b).

Review Questions

Complete this section only when reviewing service records of individuals who achieved employment.

21-24 Answer questions 21 through 24 when reviewing service records for individuals who achieved an employment outcome, regardless of the type of employment outcome achieved (competitive employment, supported employment, self-employment, Business Enterprise Program (BEP) employment, unpaid family work, or employment as a homemaker). Include comments whenever they would help to clarify the meaning of an answer.

25. The criteria for questions 25(a) and 25(b) apply to individuals who achieved competitive employment. In 25(a), a NO answer may have several meanings. A NO answer may mean that there is no verification that the individual's wages and level of benefits are not less than that customarily paid to non-disabled individuals for similar work. A NO answer may also mean that the individual is not doing the same or similar work as performed by non-disabled individuals employed by the same employer. Whatever the case, explain the rationale for a NO answer in

the comments section. For both questions 25(a) and 25(b), if the individual achieved an employment outcome other than competitive employment, respond N/A.

VI. CLOSURES WITHOUT EMPLOYMENT OUTCOMES

Review Question

Complete this section only when reviewing service records of individuals who did not achieve an employment outcome after receiving VR services.

26. Determine whether the service record contains documentation of the reason(s) for closure without the individual having achieved an employment outcome. If the documentation is present, briefly describe the reason(s) for closure. Of particular interest would be rationale related to a lack of timeliness or a lack of substantiality of services; however, other rationale that the reviewer judges to be relevant should be described as well.

VII. TRANSITION SERVICES

Review Questions

27. The purpose of this question is to determine the status of the youth with a disability when referred to the VR program. Mark "student receiving special education services" if the youth being referred had an IEP developed in accordance with the provisions of IDEA. Mark "student receiving services under section 504 of the Rehabilitation Act" if the youth with a disability being referred was in a general education setting but had a plan developed pursuant to section 504 of the Rehabilitation Act. Mark "youth with a disability out of school" for a youth being referred who was in a correctional facility, a community rehabilitation program, a Project with Industry, or simply a youth referred to the VR program who obtained his/her disability after attending high school. Mark "other" if the youth whose service record is being reviewed falls outside one of these categories.

28. In order to determine what school activities prepared the student to participate in the VR program, a review of the documentation in the service record may be helpful. However, an examination of the student's IEP, if readily available, may also be helpful. Mark all items that apply to the service record of the student being reviewed. If "other" is checked, specify the school activity that was provided. If none of the school activities was provided, mark "None of the above," and if it cannot be determined if any of the school activities was provided, mark "unknown."

29. The term “transition services” means a coordinated set of activities for a student, designed within an outcome-oriented process, that promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based upon the individual student’s needs, taking into account the student’s preferences and interests, and shall include instruction, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation. (Sec. 7(37) of the Act; 34 CFR 361.5(b)(55))

The purpose of this question is to gather information about the scope of transition services being offered to youth with disabilities by State VR agencies. Mark all the services that apply to the service record of the youth with a disability being reviewed. If “Other” is checked, specify the transition service that was provided. If no transition services were provided, mark “None of the Above.”

30. 34 CFR 361.22(a)(2) provides that, if the student is determined eligible for VR services, the student’s IPE should be developed as early as possible during the transition process but no later than when the student exits the school setting. Determine whether the IPE was signed before the student left school, and answer YES or NO. If YES, list the employment goal in the comments section. If NO, explain why the IPE was not signed in the comments section.

31. The purpose of this question is to gather information about the nature of the employment goal listed on the IPE. It is important that the employment goal be one that is in keeping with the individual’s long-term vocational interests, capabilities, skills, and choice. An entry-level position in a food service establishment might be acceptable as an interim employment goal. However, the increased emphasis in the Rehabilitation Act on quality employment outcomes creates a mandate for rehabilitation counselors to encourage youth with disabilities to establish challenging vocational goals that lead to careers.

- **SERVICE RECORD REVIEW GUIDE FORM**

Required Items:

VR Agency: _____ Reviewer: _____

Service Record ID Number: _____

Disability: Most Significant: ____ Significant: ____ Less Significant: ____

Due to a disability, receiving: SSDI: _____ SSI: _____

Status: Closed Employed: _____ Closed Not Employed: _____ Open: _____

Service Record Type: General: ___ Transitioning Youth: ___ WIA: ___

Optional Items:

Referral Source: _____ Date of Birth: _____

Disability: Primary: _____ Secondary: _____

Significant Dates:

Referral: _____ Initial Contact: _____ Application: _____

Eligibility: _____ IPE Signed: _____

Closure: _____Employment Began:_____

I. ELIGIBILITY

	YES	NO	N/A
1. Does the service record documentation support the following determinations:			
(a) The applicant has a physical or mental impairment?	❑	❑	
(b) The applicant's physical or mental impairment constitutes or results in a substantial impediment to employment for the applicant?	❑	❑	
(c) The applicant requires VR services to prepare for, secure, retain, or regain employment consistent with the applicant's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice?	❑	❑	
2. Based on all the information in the service record, is the applicant eligible?	❑	❑	
3. If the answer to question 2 is NO, or if there is a discrepancy between the responses to questions 1 and 2 above, please state why. **Comments			
4. If the individual is a recipient of disability benefits under SSI or SSDI at application, was the individual presumed eligible? (If the individual was not a recipient of disability benefits under SSI or SSDI, choose N/A.)	❑	❑	❑
5. General observations about eligibility determination (if necessary). **Comments			

II. ASSESSMENT

	YES	NO	N/A
6. Does the service record documentation support the counselor's determination of the level of significance of the individual's disability? If NO, explain. **Comments	❑	❑	
7. If the State agency is operating under an order of selection, is the individual's assignment to a priority category supported by service record documentation? (If individuals are not being assigned to priority categories because all categories are open or because the State agency is not operating under an order of selection, choose N/A.) If NO, explain. **Comments	❑	❑	❑
8. Does the assessment identify and describe all of the individual's VR needs to the extent necessary? If NO, explain. **Comments	❑	❑	
9. Does the assessment material support the identification of an employment goal that is consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice? If NO, explain. **Comments	❑	❑	

III. TIMELINESS

	YES	NO	N/A
Referral to Submission of Application			
10(a) Did the agency make a good faith effort to meet the time standard for informing the individual about the application requirements? (If there is no agency time standard, choose N/A.)	❑	❑	❑
(b) For those agencies with no time standard, does the information in the service record indicate that the State agency made good faith efforts to inform the individual about the application requirements in a timely manner? Enter the referral and initial contact dates in the "Significant Dates" section of the cover sheet of the Service Record Review Guide. (If the agency has a time standard, choose N/A.) **Comments	❑	❑	❑
11. Does the information in the service record indicate that the State agency made good faith efforts to obtain the information needed to submit the application in a timely manner (i.e., a completed application form/signed request for services and the information needed to initiate the assessment to determine eligibility)? ** Comments	❑	❑	
Application to Eligibility			
12 (a) Was the eligibility/ineligibility determination made within 60 days of the individual's application?	❑	❑	
(b) If 12(a) is NO, did the counselor and applicant agree to a specific extension of time? (If 12(a) is YES, choose N/A.) **Comments	❑	❑	❑

	YES	NO	N/A
Eligibility to IPE Development			
13(a) Was the IPE developed within the agency time standard? (If there is no agency time standard, choose N/A.)	❑	❑	❑
(b) For those agencies with no time standard, does the information in the service record indicate that the IPE was developed without unreasonable delays on the part of the State agency? Enter the eligibility and IPE dates in the "Significant Dates" section of the cover sheet of the Service Record Review Guide. (If the agency has a time standard, choose N/A.) ** Comments	❑	❑	❑
Service Provision			
14 (a) Were timelines identified for the initiation of services listed on the IPE?	❑	❑	
(b) If 14(a) is YES, does the service record indicate that services were initiated according to the timelines identified on the IPE? (If 14(a) is NO or if the individual is still receiving services and it is too early in the rehabilitation process to make a fair judgment regarding this question, choose N/A.) **Comments	❑	❑	❑
15(a) Once services listed on the IPE were initiated, did services continue to be provided without undue delays or interruptions?	❑	❑	❑
(b) If 15(a) is NO, were reasons for delays or interruptions documented in the service record ? (If 15(a) is YES or N/A, choose N/A.) **Comments	❑	❑	❑
16(a) Does the service record indicate that the VR counselor maintained contact with the individual?	❑	❑	❑
(b) If 16(a) is NO, were reasons for extended periods without contact documented? (If 16(a) is YES or N/A, choose N/A.) **Comments	❑	❑	❑

IV. SUBSTANTIALITY OF SERVICES

	YES	NO	N/A
17. Were all of the services identified in the IPE necessary for the achievement of an employment outcome? If NO, explain. **Comments	❑	❑	
18. Were all significant services provided to the individual identified in the IPE? If NO, explain. **Comments	❑	❑	❑
19. Were all services necessary for the achievement of an employment outcome provided? If NO, explain. **Comments	❑	❑	❑
20. If the individual achieved an employment outcome, did the services provided contribute substantially to the employment outcome? If NO, explain. **Comments	❑	❑	❑

V. EMPLOYMENT OUTCOMES

For Questions 21-25, does the service record documentation support that:

	YES	NO	N/A
21. The individual has achieved an employment outcome that is described in the individual's IPE? If NO, explain. **Comments	❑	❑	
22. The individual achieved an employment outcome that is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice? If NO, explain. **Comments	❑	❑	
23. The individual has maintained the employment outcome for an appropriate period of time but not less than 90 days? If NO, explain. **Comments	❑	❑	
24. At the end of the appropriate employment maintenance period, the individual and the VR counselor:			
(a) Consider the employment outcome to be satisfactory? If NO, explain. **Comments	❑	❑	
(b) Agree that the individual is performing well in the employment? If NO, explain. **Comments	❑	❑	

	YES	NO	N/A
25. There is verification that the: (If the individual did not achieve competitive employment, choose N/A.)			
(a) Individual's wage and level of benefits are not less than that customarily paid by the employer for the same or similar work performed by non-disabled individuals? If NO, explain. **Comments	❑	❑	❑
(b) Individual is compensated at or above the minimum wage? If NO, explain. **Comments	❑	❑	❑

VI. CLOSURES WITHOUT EMPLOYMENT OUTCOMES

	YES	NO	
26. Does the service record document the reason(s) for closing the case without an employment outcome (e.g., as not rehabilitated)? If YES, describe the reason(s) for this closure. **Comments	❑	❑	

VII. TRANSITION SERVICES

	YES	NO	N/A
27. Please check the most appropriate item below. The service record indicates that the youth with a disability, when referred to the VR program, was a:			
a. student receiving special education services	❑		
b. student receiving services under section 504 of the Rehabilitation Act	❑		
c. youth with a disability out of school	❑		
d. Other - Please specify: _____	❑		
28. What school activities prepared the youth with a disability to participate in the VR program? Please mark all that apply.			
Career exploration	❑		
Vocational guidance	❑		
Assessment of vocational interests, capabilities, skills and choice	❑		
Situational assessment	❑		
Unpaid work experiences	❑		
Paid work experiences	❑		
Job readiness training (interview skills training, resume writing)	❑		
Vocational training	❑		
Job placement	❑		
Post-secondary educational guidance (college choice, exposure, orientation, summer camp programs, admissions)	❑		
Post-secondary training/education	❑		
Supported employment	❑		
Use of auxiliary aids and services (e.g., assistive technology services and devices)	❑		
Independent living skills training	❑		

	YES	NO	N/A
Mentoring	❑		
Self-advocacy	❑		
Transportation, including training in the use of public transportation	❑		
Other - please specify: _____	❑		
None of the above	❑		
Unknown	❑		
**Comments (if necessary):			
29. What transition services were provided by the VR agency to the youth with a disability? Please mark all that apply.			
Career exploration	❑		
Vocational guidance	❑		
Assessment of vocational interests, capabilities, skills and choice	❑		
Situational assessment	❑		
Unpaid work experiences	❑		
Paid work experiences	❑		
Job readiness training (interview skills training, resume writing)	❑		
Vocational training	❑		
Job Placement	❑		
Post-secondary educational guidance (college choice, exposure, orientation, summer camp programs, admissions)	❑		
Post-secondary training/education	❑		
Supported employment	❑		
Use of auxiliary aids and services (e.g., assistive technology	❑		

	YES	NO	N/A
services and devices)			
Independent living skills training	❑		
Mentoring	❑		
Self-advocacy	❑		
Transportation, including training in the use of public transportation	❑		
Other - Please specify _____	❑		
None of the above	❑		
**Comments (if necessary):			

	YES	NO	N/A
30. Was the IPE signed before the student with a disability left school? If YES, please specify the stated employment goal. If NO, please specify the reason the IPE was not signed. **Comments	❑	❑	
31. Was the employment goal in keeping with the youth's long-term vocational interest, capabilities, skills and choice? If NO, please explain. **Comments	❑	❑	

OPTIONAL CHART ON SUBSTANTIALITY OF SERVICES

NEEDS RELATED TO SERVICES ON THE IPE	EXTENT MET		COMMENT
	MET	UNMET	

POLICY REVIEW CHECKLIST
ON
TIMELINESS AND SUBSTANTIALITY OF SERVICES

Referral to Submission of Application

1. Has the agency established a time standard for contacting an individual who has been referred to the VR agency? If yes, what is the standard and when was it implemented? ___YES___NO
   **Comments

Eligibility to IPE Development

2. Has the agency established a time standard for the development of an IPE for an individual who has been determined eligible? If yes, what is the standard and when was it implemented? ___YES___NO
   **Comments

Service Provision

3. Has the agency established a policy for providing services in a timely manner without undue delays or interruptions? If yes, what is the policy and when was it implemented? ___YES___NO
   **Comments

Substantiality of Services

4. Has the agency established a policy regarding how substantiality of services is defined? If yes, what is the policy and when was it implemented? ___YES___NO
   **Comments

Focus Area II: Performance Monitoring Based on Vocational Rehabilitation Program Evaluation Standards and Performance Indicators

PERFORMANCE MONITORING
BASED ON VOCATIONAL REHABILITATION PROGRAM
EVALUATION STANDARDS AND PERFORMANCE INDICATORS

Introduction

The implementation of vocational rehabilitation (VR) evaluation standards and performance indicators requires RSA to monitor and track each State agency's performance. The VR program standards and indicators report is the official gauge of this performance, and identifies specific measures of this performance, including: number of VR participants achieving employment outcomes; the proportion of VR participants receiving services who achieve employment outcomes; the proportion of VR participants achieving employment who become competitively employed; the proportion of VR participants achieving competitive employment who have significant disabilities; a comparison of the average earnings of VR participants who are competitively employed with the average earnings of all individuals in their respective States; the effectiveness of VR services in enhancing the ability of competitively employed VR participants to support themselves; and finally, a comparison of the rates at which VR participants from minority and non-minority backgrounds access VR services.

In order to fulfill its monitoring requirements, RSA needs to examine a State agency's performance regarding outcomes for the VR participants it serves. This performance monitoring needs to take place along with the more traditional monitoring of a State agency's policies, procedures, and practices for their compliance with the law and regulations. Performance monitoring is an ongoing RSA activity in which RSA tracks the State agency performance measures, and at the time of an annual review, records a snapshot of the State agency's performance, particularly in those areas that relate to the VR program standards and indicators.

This focus area contains three sections. The first section describes an analysis of possible factors that may impact a State agency's score on the standards and indicators report. The second section contains suggestions on how to review current reports that State agencies routinely submit to their Regional Offices. The third section lists some additional factors, depicted in supporting tables produced by the Central Office that may be used to better understand a State agency's performance.

Section I: Review of the Standards and Indicators

As part of the required annual reviews, RSA staff will discuss with the State agency its performance as recorded on the standards and indicators report, based on FY 2001 RSA-911 data. RSA staff will be given other guidance to work with State agencies that fail either or both standards I and II. This section of the annual review is designed particularly for working with State agencies that either fail to meet one or more indicators but pass standard I or that narrowly pass one or more indicators. The annual review for these State

agencies will focus on those implementation areas that may be affecting low performance on the particular indicator(s).

The standards and indicators report provides a formal indication of the State agency's performance on measures of the quality and quantity of employment outcomes being achieved by the participants of the VR program. It must be noted that the standards and indicators report is a summary, a starting place for additional investigations and analyses. Therefore, the RSA Central Office will provide a worktable listing all numbers used to reach the final calculations on the standards and indicators report, usually called "Show the Work Tables." When used in conjunction with information gleaned from the standard reports that the State agency submits to the RSA Regional Offices (described in the second section of this focus area) and when viewed in the context of other factors depicted in tables produced by the RSA Central Office (described in the third section of this focus area), the standards and indicators report can assist the RSA State Representative to assess the total health of the State agency.

RSA Regional Office staff will continue to examine State agency policies, procedures, and guidance materials related to the achievement of employment outcomes. Because RSA staff are knowledgeable about the particular State agency to which they are assigned, the RSA reviewer will undoubtedly have additional relevant insights that should be documented. During the review of the standards and indicators report, the reviewer should speak with State agency staff to obtain their insights into the agency's performance on the standards and indicators.

Following are some possible factors to consider when reviewing performance on specific indicators:

<u>Indicator 1.1 – Equal or increase the number of employment outcomes</u>

- Examine trends in employment outcomes achieved by the State agency. Are these trends consistent with State agency goals and plans?

- Look at trends in applications for VR services. Does it appear that the State agency is continuing to draw a sufficient number of applicants to maintain a total caseload for its employment outcomes two years from now? (Traditionally, the average time in service for VR participants achieving employment outcomes has been 24 months.) Note that a ratio of acceptances to closures of 1.0 and greater means that replacement rates should be sufficient; below 1.0, replacement rates might not be sufficient.

- With increases in employment outcomes, are there corresponding increases in the numbers of individuals served? That is, do the increases (or decreases) in outcomes appear to be the result of respective changes in the size of the caseload, or possibly the gain or loss of efficiencies in the way the agency operates?

- Are substantial services provided to VR participants? Information from the service record reviews will most accurately answer this question.

- Does the State agency have sufficient staff/funding to maintain the level of services for individuals with disabilities in the State? That is, have there been or are there expected to be any negative changes in staff or funding?

- Are there changes in the State agency's policies and/or procedures that may suggest decreases in future levels of service?

- If there is a significant increase in this indicator (number of employment outcomes), is there a corresponding increase in indicator 1.3 (competitive employment outcomes)?

<u>Indicator 1.2 – Of all individuals who exit the VR program after receiving services, the percentage who achieve employment outcomes</u>

- Examine the trend of the proportion of VR participants obtaining employment compared to the number of participants who received services under an IPE. Has the trend been steady?

- Are there changes in the demographics of VR participants currently accepted for services such that they may need longer periods of services or will be challenged to obtain employment? Note: this question will necessarily be based on "Time in VR" and employment outcomes data for a variety of populations, obtained from the RSA-911.

- Are there State agency reorganizations or excessively large caseloads that may affect the percentage of VR participants who obtain employment?

- How does the percentage of VR participants who obtain employment after receiving services compare to the percentages for previous years?

- To other similar State agencies?

- To the National average?

- If the percentage of VR participants achieving employment is higher than average, is this a result of a decrease in, or a low percentage of, individuals with significant disabilities being served? Are VR participants with significant disabilities given the opportunity to attempt employment? If the percentage of VR participants achieving employment is much lower than average, is the VR agency being used as a provider of disability-related services for individuals in the State without regard to employment?

- The Service Record Review of eligibility determination and the timeliness and

substantiality of services provided under the IPE may provide additional information regarding this indicator.

Indicator 1.3 – Of all individuals who achieve employment outcomes, the percentage who exit the VR program with competitive, self-, or BEP employment with earnings equivalent to at least the minimum wage

Note: For purposes of calculating the standards and indicators, individuals achieving "competitive employment outcomes" are defined as individuals who achieve competitive, self-, or BEP employment (as reported on the RSA-911) and whose earnings are equal to or greater than the minimum wage. "Minimum wage" refers to the Federal or State minimum wage, whichever is higher.

- Examine the State agency's policies, procedures, and practices relating to homemakers. Are they negatively affecting the percentage of VR participants achieving competitive employment?

- If the State agency placed a significant number of VR participants in extended employment in the past, has the agency adopted new policies and practices that encourage individuals to seek competitive employment?

- Does the State agency make rehabilitation technology services available to VR participants so they may compete on a more even "playing field" when obtaining employment? Look at the amount expended on rehabilitation technology services (on the RSA-2) as a percentage of the total and as compared with other similar State agencies.

- Assuming that VR participants want "good" employment, (that is, employment with high wages and consistent with their abilities and interests), does the review of the State agency's implementation of provisions on informed choice indicate that the State agency is responsive to consumer choice?

Indicator 1.4 - Of all individuals who exit the program with competitive employment outcomes, the percentage who are individuals with significant disabilities

- Review the State agency's policies, procedures, and practices relating to significant disability.

- Examine the RSA-911 records of individuals with significant disabilities with regard to the various employment categories. Are they adequately represented in competitive employment?

- Does the service record review confirm that all VR participants who are reported as individuals with significant disabilities truly have disabilities that are a significant impediment to employment?

- Review whether the State agency truly serves individuals of the entire cross-section of disabilities. This review requires detailed reports from the RSA-911 system. Compare the State agency's distribution to the National distribution.

- Are there sufficient numbers of individuals with significant disabilities determined eligible and currently being served to ensure that the State agency will continue, at the current level of effort and output, to assist individuals with significant disabilities to obtain competitive employment?

Indicator 1.5 – Ratio of the average hourly earnings of all individuals with disabilities who achieve competitive employment to the average hourly earnings for all individuals in the State who are employed

Note: Compare the average hourly wage of VR participants achieving competitive employment outcomes with the average hourly wage of all workers in the State as determined by the Department of Labor. The latest wage data available can be found on the Bureau of Labor Statistics website at:

http://stats.bls.gov/news.release/annpay.t02.htm.

However, be cautious with the conclusions of this analysis. The recently employed VR program participants will have been employed for only a few months when the final RSA-911 data is recorded. The Statewide salary figures will include individuals who have been employed for several years, and would likely have higher wages based on experience and longevity. Perhaps for this reason, the National average for earnings of persons exiting the VR program appears to be just over half the State average wage.

- Examine the types of employment that VR participants obtain – particularly the percentage who obtain professional, managerial, and technical employment. (The National average for professional, managerial, and technical employment is 23.6%; for clerical/sales, 21.8%; and for service, 23%.) If professional, managerial, and technical employment is underrepresented, examine the degree to which the State agency provides significant high-level training to VR participants. Does it appear that the State agency is steering participants to low-level jobs?

- Examine the proportion of VR participants who obtain post-secondary education training or degrees. Also examine the VR participants' years of education. The VR Longitudinal Study shows that Nationally, VR participants with 11.4 years of education earn $5.00 per hour or less. Participants with an average of 13.1 years of education earn $9.00 per hour or more.

- Examine the percentage of VR participants receiving SSI or SSDI. A disproportionately high number of these recipients among VR participants achieving employment might depress earnings levels.

Indicator 1.6 – Difference from application to closure in the percentage of individuals achieving competitive employment who indicate their own income is their primary source of support

- This item measures the impact of the VR program on the ability of VR participants to become self-sufficient. Consistently low numbers may suggest that the State agency is focusing on other priorities.

- Examine the proportion of VR participants who are competitively employed at application. If the State agency is serving disproportionately large numbers of individuals who are already employed at application and who are seeking VR services to help them maintain their employment, the State agency's performance on this indicator may be depressed.

- Examine the proportion of employed VR participants who are SSI or SSDI recipients at application or at closure. Longitudinal Study data indicate that relatively few SSI/SSDI recipients lose their benefits when they exit from the VR program, and additional individuals obtain SSI/SSDI while they are receiving VR services. Therefore, it is less likely that such individuals will report that their own income is their primary source of support. However, if the individual's salary is greater than the amount of SSI/SSDI the individual receives, the salary would be the primary source of support.

Indicator 2.1 – The service rate for all individuals with disabilities from minority backgrounds as a ratio to the service rate for all non-minority individuals with disabilities

Note 1: For purposes of this indicator, "Individuals from a minority background" means individuals who report their race and ethnicity in any of the following categories: American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, Hispanic or Latino.

Note 2: For purposes of calculating this indicator, the numerator for the Service rate is the number of individuals whose service records are closed after they receive services under an IPE whether or not they achieved an employment outcome; the denominator is the number of all individuals whose records are closed after they applied for services whether or not they had an IPE.

- How does the data correlate with the State agency's State plan and other goals and objectives pertaining to unserved and underserved populations?

- Does the State agency's service ratio for VR participants who are members of minority groups differ substantially from the ratio of minority groups in the general State population?

- What has the State agency done to outreach to minority group populations? For instance, are VR applications available in libraries, community centers, and other appropriate places in neighborhoods with high minority group populations? Has

the State agency developed linkages to interest groups comprised of members of minority groups?

- Is the State agency brochure available in languages used by the largest minority group populations in the State? Does the agency have bilingual counselors on staff?

- What has the agency done to recruit counselors from minority backgrounds?

- Are local VR offices located in areas easily accessible to individuals who are minorities?

- Does the State agency use vendors and community rehabilitation programs that are accessible for individuals of minority backgrounds? Has the agency worked with these vendors to develop culturally sensitive assessments and other training materials?

Section II: Review of State Agency Standard Reports

The RSA State Representative keeps abreast of the State agency's programmatic and policy changes as well as local and political activities that affect a State agency's functioning and performance. For purposes of performance monitoring, reviewing the contents of performance reports that State agencies routinely submit to RSA Regional Offices can increase and enhance the quality of knowledge related to the State agency's performance. Comprehensive knowledge of the State agency's performance can enable the RSA State Representative to predict more accurately the numbers for a particular State agency on the standards and indicators report. Based on this thorough understanding, the RSA State Representative can often provide technical assistance to the State agency to prevent future deficiencies in particular areas of the standards and indicators report. At other times, depending on its priorities, the State agency may choose to score lower on one of the indicators in order to score higher on another that is more important to its purpose (e.g., deliberately concentrating on saving the jobs of currently employed persons with disabilities which might adversely impact indicator 1.6, which measures the gains made from application to closure in the percentage of those VR participants who have their own income as their primary source of support).

Data that may be useful in evaluating a State agency's current performance can be obtained from the three performance information reports that State VR agencies submit to their respective Regional Offices: SF 269 -- Financial Status Report, RSA-2 -- Annual Vocational Rehabilitation Program/Cost Report, and RSA-113 -- Quarterly Cumulative Caseload Report. Generally, data is most useful when viewed in the context of other data, such as comparing a State agency's data with data for State agencies with similar characteristics; looking at State agency data in relation to National data; and using percentage distributions rather than raw counts. Lacking outside data, a comparison of the same State agency's data over the years can be extremely beneficial. The number of years used for trending varies with individual preferences. RSA State Representatives who

regularly review trends for their State agencies have indicated preferences from three years, five years, to ten years of trending. Following is a summary description of useful State agency data that may be obtained from reports at the Regional Offices before they are analyzed at a National level.

The SF 269 is a quarterly submission used to monitor the State agency's expenditures and obligations under the VR program, including the application of non-Federal funds. It is submitted to the Regional Office quarterly. Central Office only receives fourth quarter reports. Therefore, the Regional Office is clearly in the best position to identify the State agency's fiscal management patterns during the year. Some of the items that may be reviewed include:

- Federal funds authorized – Has the amount of funds decreased? Are funds being expended at a different rate during the year as compared to prior years? How much is unobligated at the year's end? What amount of funds is being carried over from the last fiscal year to this year and to the next year?

- State share/match reported – how much is required match? How much (both actual dollars and as a percentage) is the match over or under the required amount? What are the sources of match other than general State funds? Is that amount increasing or decreasing? Does the amount of matching funds increase or decrease after the first grant year ends? (Information regarding sources of match may need to be obtained directly from the State agency. Beginning in FY 2002, this information appears in Block 12.)

- Maintenance of Effort – Is the State agency meeting its required Maintenance of Effort (MOE)? Has the State agency had MOE or match problems in the past?

- Program income that is disbursed and undisbursed. Is the amount of program income increasing or decreasing? How much, if any, is being transferred to other grants, rather than being used in the Basic Support program?

The RSA 2 is an annual submission reporting the State agency's expenditures for the year and shows the State agency's spending patterns and program priorities.

- How does the State agency divide its total expenditures among the main VR program categories: administrative costs, counseling and guidance personnel costs, purchased services for VR participants, establishment of community rehabilitation programs, Business Enterprise Program (BEP), services for groups of individuals with disabilities, and innovation and expansion activities? What percent does each category represent of the State agency's total expenditures?

- Is the number of administrative staff increasing or decreasing? Are administrative costs increasing disproportionately?

- To evaluate the workload of the agency, how much and what percentage of the

agency's expenditures go to counseling and guidance and purchased services?

- What percent of the money goes to community rehabilitation programs, other public vendors, and other private vendors?

- What proportion of VR participants receive services from each of the different service categories (Schedule II)?

- Of service expenditures, what proportion is spent on eligibility needs assessment; physical/mental restoration; maintenance; transportation; personal assistance services; rehabilitation technology; post-employment services; total training; and all other? Is the number of VR participants receiving these services consistent with the expenditures for each category?

The RSA-113 is a quarterly submission that identifies the State agency's caseload flow.

- How many individuals applied for services? How many and what proportion were determined eligible?

- How many new individualized plans for employment (IPEs) were developed? How many individuals began receiving services?

- How many service records were closed? What percent of the individuals who received services had employment outcomes? What percent had significant disabilities? (These numbers are integral to the standards and indicators report.)

RSA-113 data in combination with RSA-2 data provide additional instructive information. Examples of the types of information that can be analyzed by using both the RSA-113 and the RSA-2 include, but are certainly not limited to, the following:

- Cost per service record closed--all records or only those with employment outcomes, (total expenditures shown on Schedule I, line 4 on the RSA-2 divided by the number of closures on Section D of the RSA-113);

- The number of closures per counselor (closures on Section D of the RSA-113 divided by number of counselors on Schedule III of the RSA-2);

- The cost per active case (total expenditures shown on line 4, Schedule I of the RSA-2 divided by the sum of lines B3, C3, D1 and D2 of the RSA-113); and

- Caseload per counselor (the sum of lines A3, A6, A10, A15, B3 and C3 of the RSA-113 divided by the number of counselors on Schedule III of the RSA-2).

Again, when examining data for a single State agency, review the trends over the past few years, and when available, compare the State data with National figures and data from other comparable State agencies.

Section III: Review of Additional Factors That May Influence State Agency Performance

For purposes of monitoring in FY 2003, RSA Central Office will make available to Regional Office staff a data sheet for each State agency containing data from FY 2001. These data represent factors that may influence State agency performance on the standards and indicators. Reviewers will be able to use these data to compare a State agency to other State agencies and to obtain a National ranking to determine a particular State agency's position within the National VR program.

While reviewers can, of course, view and use the data in whatever appropriate ways they choose, the following approach provides a starting point to assist those less familiar with the data. Note that the list of measures on the data sheet has a column titled "Type of Measure". This column indicates whether the measure is an outcome measure (coded O), a process measure (coded P), or a context measure (coded X). Outcome measures are considered to be the most important measures, as they represent various ways of looking at how well the State agency is accomplishing the program goal of assisting VR participants to achieve high quality employment. Outcome measures contain a variable related to number of employment outcomes achieved or a variable related to the quality of outcome such as wages or hours worked. Process measures provide information about the effectiveness or efficiency of the flow through various steps in the VR process, information about demographic characteristics that might influence the results found for the outcome measures, or information about the use of staff and fiscal resources. Context measures refer to useful variables that are not within the control of the State agency but provide a point of reference, or context, within which to evaluate the results found on the outcome measures. Measures related to numbers of VR participants per million state population at various points in the VR process (applicants, eligible individuals, etc.) represent a mix of process variables (numbers of participants) and context variables (state population) and are coded P/X. Likewise, the measure related to various kinds of employment outcomes per million state population represent a combination of outcome variables and context variables and are coded O/X.

Because outcome measures are considered to be the most important measures, it is suggested that reviewers begin their review of the data by looking at the State agency performance on the outcome measures. Consider such context measures as State average wage and State per capita income when looking at outcome measures involving wages.

If the State agency does not do well on the outcome measures, look carefully at the process measures for clues or points of discussion with the State agency. It might be helpful to think of at least two important groups: a group that includes measures related to the flow of participants through the VR process (such as the percent of all individuals whose service records were closed after receiving services who achieved employment outcomes, otherwise known as the rehabilitation rate) and a group that relates to State agency allocation of resources (such as percent of funds spent on purchased services).

If the State agency is doing reasonably well on the outcome measures, the results of the process measures will be of less importance. State agencies can achieve a reasonable level of performance on outcome measures in a variety of ways, which can result in considerably different results on some of the process measures. However, there are at least two reasons to spend some time looking at the process measures for reasonably successful State agencies. The measures of flow through the VR process will provide some idea of whether the State agency is operating as efficiently as it could. For example, a State agency could be doing well but might be able to do better if it could identify reasons for a high number of dropouts at various stages of the VR process. Likewise, a State agency could be doing reasonably well because the program is operating very effectively and efficiently with what money is made available to the general field program, but additional individuals might be served if an examination of unusual patterns of resource distribution found additional resources for services to individuals.

In order to compare the State agency's performance with other similar State agencies or with other State agencies in the Region, review the more detailed data tables that support the items on the data sheet. These tables will be available on RSA's shared drive and easily accessible in WORD or EXCEL format.

Following is a list of some of the factors that may be reflected on the data sheet.

LIST OF MEASURES	TYPE OF MEASURE	NATIONAL AVERAGE	AGENCY DATA	AGENCY RANK	SOURCE REPORT
X = COUNT/COST	Output				
Y = PERCENT'	Process				
	Context				
MEAN WEEKLY HOURS WORKED AT CLOSURE (COMPETITIVE EMPLOYMENT OUTCOMES*)	O	X	X	X	911
MEAN WEEKLY HOURS WORKED AT CLOSURE (ALL EMPLOYMENT OUTCOMES)	O	X	X	X	911
MEAN COST PER COMPETITIVE EMPLOYMENT OUTCOME	O	X	X	X	2,113,911
MEAN COST PER EMPLOYMENT OUTCOME	O	X	X	X	2, 113
% FUNDS SPENT ON ADMINISTRATIVE COSTS	P	Y	Y	X	2
% FUNDS SPENT ON COUNSELING AND GUIDANCE	P	Y	Y	X	2
% FUNDS SPENT ON PURCHASED SERVICES	P	Y	Y	X	2
MEAN # OPEN SERVICE RECORDS PER COUNSELOR FTE	P	X	X	X	2,113
MEAN # EMPLOYMENT OUTCOMES PER COUNSELOR FTE	P	X	X	X	2,113
MEAN # COMPETITIVE EMPLOYMENT OUTCOMES PER COUNSELOR FTE	P	X	X	X	2,113
NO. EMPLOYMENT OUTCOMES PER MILLION STATE POPULATION	P/X	X	X	X	113,CENSUS
NO. EMPLOYMENT OUTCOMES PER $1 MILLION SPENT	P/X	X	X	X	2,113

* On the data sheet, when reference is made to “competitive employment outcomes,” the definition of “competitive employment” as used in indicators 1.3, 1.4, 1.5, and 1.6 applies.

IV. Summary Report of Review

In order to document the review activities and to provide some feedback to the State agency, write a brief summary report that is no longer than one or two pages. The web-based program for recording all annual monitoring results will provide space for a brief narrative summary in the following format so as to enable a National collection and tally of the review results:

1. Issues Identified:

2. Summary of Discussions with the State Agency:

3. Summary of Proposed Actions or Activities:

Focus Area III: The Workforce Investment Act and Its Impact on Participants in the VR Program

The Workforce Investment Act and Its Impact on Participants in the VR Program

Scope of the Review

Required Questions (questions 1-5)

During FY 2003, both the Rehabilitation Act of 1998 (the Act) and the Workforce Investment Act of 1998 (WIA) are scheduled to be reauthorized. Given the need to obtain current information on the status of the implementation of the WIA, RSA will continue to maintain a monitoring focus on WIA issues and the first five questions in this module will be asked of all State VR agencies. The remaining questions will be optional, and may be used at the discretion of RSA staff members depending on the unique status of WIA implementation in the State VR agency being reviewed. The purpose of this review is to provide RSA with information as to the extent to which the State VR program fulfills its responsibilities to the One-Stop system, improves service delivery and improves the achievement of employment outcomes for eligible individuals with disabilities.

Since the inception of the WIA, RSA has emphasized the importance of reviewing the participation of the VR program in the new workforce development system created under the WIA. This emphasis has resulted in numerous challenges for State VR agencies regarding the impact of WIA on improving service delivery and the achievement of employment outcomes for individuals with disabilities, particularly individuals with significant disabilities.

In response to concerns expressed by stakeholders in the State VR program that funds appropriated for service delivery to eligible individuals with disabilities be used for the purposes mandated in the Act and implementing regulations, the WIA monitoring module is comprised of both programmatic and fiscal questions. For this reason, it will be necessary for both RSA VR Program and Financial Management Specialists to collaborate in addressing the mandatory questions *(*questions 1-5*)*, as well as any of the optional questions *(*questions 6-36*)* used as part of the WIA review. In considering the optional questions, RSA reviewers are asked to build upon WIA reviews conducted over the past several years, and address previously identified compliance issues that remain unresolved. The five questions that are required for all State VR agencies focus on the following three issues:

- The costs of VR participation in the One-Stop system.
- The overall benefits to the VR program and to eligible individuals with disabilities through the participation of the VR program in the One-Stop system.
- The representation of the designated state unit (DSU) on the State Workforce Investment Board (State Board).

The additional optional questions focus primarily on cost allocation issues and include certain operations-related questions that account for changes in key areas of WIA (e.g., MOUs) that may significantly impact the VR program. The review may include, at the Regional Office's discretion, a visit to a One-Stop center, preferably a center that the Regional Office has not visited during previous RSA monitoring. Optional questions 32-36 relate to the on-site visit to the One-Stop center.

Costs of VR Participation in the One-Stop System

The following two questions are intended to address changes in the total amount (approximate) of operational expenses resulting from the DSU's participation in the State's One-Stop system. For the purpose of this review, the term "operational costs" means all costs incurred by the State VR agency (i.e., rent, telecommunications, computer, data systems, etc.) other than the costs of salaries and fringe benefits of its employees who are involved in the provision of VR services and the costs of purchased VR services for its applicants and eligible individuals under the VR program. We are attempting to assess costs to the DSU in participating in the One-Stop system compared to the level of similar costs incurred prior to that participation.

1. In FY 2002, did the DSU expend additional funds for operational costs due to its participation in the One-Stop system compared to expenditures incurred by the DSU in the fiscal year prior to participating in the One-Stop system? ____YES ___NO ___NA

   If YES, please indicate the amount of the additional costs, breaking it down by cost category, and explain why the DSU operational costs have increased.

   If NO, and cost savings were realized, indicate the amount, breaking it down by cost category and explain why the DSU operational costs have decreased.

   Respond NA if the DSU does not participate in the One-Stop system.

   **Comments

2. Does the DSU anticipate expending additional funds for operational costs in FY 2003 compared to FY 2002 due to its participation in the One-Stop system? ___ YES ___ NO ___ NA

   If YES, please indicate the amount of the anticipated additional costs, breaking it down by cost category, and explain why the costs are expected to increase.

If NO, and the DSU anticipates that cost savings will occur, indicate the amount, breaking it down by cost category, and explain why the DSU operational costs are expected to decrease.

Respond NA if the DSU does not participate in the One-Stop system.

**Comments

Overall Benefits of VR Participation in the One-Stop System

RSA is interested in whether the DSU views the One-Stop system as beneficial to the VR program and, if so, what benefits accrue to the VR program and particularly to eligible individuals under the program.

To this point, the benefits to persons with disabilities participating in the VR program resulting from WIA and the One-Stop system -- particularly with regard to improved employment outcomes -- have not been well documented. While some participants make use of training opportunities, resource information, and other One-Stop activities, RSA has yet to receive State performance data demonstrating a link between access (and use of) One-Stop services (other than VR program services) and outcomes for consumers. To the extent any such data exist, we believe it is critical that RSA obtain that information to better understand and build upon the effects the One-Stop system under WIA has had on eligible individuals under the VR program. This issue is addressed in question 3.

"Benefits" may also include other positive effects on consumers (e.g., increased referrals, use of One-Stop services, improved outcomes), as well as other effects on the program regardless of whether or not those effects are measurable. Improved office space and equipment, greater visibility for the program, improved DSU employee morale, and better coordination with other programs are just a few examples of the "benefits" that a DSU may identify. The DSU is urged to think broadly and provide the Regional Office with a brief analysis of the extent to which it believes One-Stop participation has benefited (and will continue to benefit) persons with disabilities seeking VR services. Question 4 asks about such benefits and for any available supportive information that benefits occurred.

3. Has State VR agency participation in the One-Stop system resulted in improved outcomes for individuals with disabilities? ___ YES ___ NO ___ NA

   If YES, please describe the benefits received, and include any supportive data.

   **Comments

   Respond NA if the DSU does not participate in the One-Stop system.

4. Has State VR agency participation in the One-Stop system resulted in any other benefits to the agency or to individuals with disabilities in addition to improved outcomes for individuals with disabilities? ___ YES ___ NO ___ NA

   If YES, please describe the benefits received, and include any supportive data.

   Respond NA if the DSU does not participate in the One-Stop system.

   **Comments

Representation at the State Level

By now, all States have a well-established State Workforce Investment Board (State Board) under section 111(b) of WIA, or an alternative entity as authorized under section 111(e) of WIA, that is charged with overseeing the statewide workforce investment system. RSA reviewed the State Board representation of the DSU administering the VR program for all States in FY 2001 and for some States (depending on the discretion of the Regional Office) in FY 2002. Because State Boards set policies and make decisions affecting cost-sharing across all partners in the One-Stop service delivery system, it is important for RSA Regional Offices to determine whether the manner in which the DSU is represented on the State Board has changed in any way and what impact the Board has on the VR program.

As explained in prior RSA Monitoring Guides, the DSU administering the VR program can be represented on the State Board (or an alternative board under section 111 (e) of WIA) through membership on the Board or, if the DSU is established within a broader designated State agency (DSA) that is not primarily concerned with rehabilitation (see section 101(a)(2)(B) of the Act), in an alternative manner described in the State plan under title I of WIA (see 20 CFR 661.200).

5. Since RSA's last review of DSU representation on the State Board (i.e., in either FY 2001 or FY 2002), has the manner in which the DSU is represented on the State Board changed? ___YES ___NO

   If YES, please describe the change in representation, whether that representation is effective, and the methods for the DSU to provide input.

   **Comments

Optional Questions (questions 6-36)

The remaining portion of WIA monitoring module is optional and may be used at the discretion of the RSA reviewers. The questions may also be used by the State VR agency staff members as a self-assessment tool.

Cost Allocation under the Workforce Investment Act

The DSU's financial participation in the One-Stop system must be consistent with VR program requirements, be proportional to the benefits that accrue to the VR program, and be consistent with applicable cost principles. These conditions are specified in VR program regulations (see 34 CFR 361.23(a)), title I of WIA, regulations implementing title I of WIA, and applicable guidance materials.

VR program regulations at 34 CFR 361.23(a), which restate corresponding requirements in DOL regulations implementing WIA, specify that the DSU must participate in the One-Stop system by carrying out certain functions consistent with the Rehabilitation Act, WIA, and applicable regulations. Additionally, the WIA implementing regulations at 20 CFR 662.270 state that each partner must contribute to supporting a fair share of operating costs of the One-Stop delivery system proportionate to the use of the system by individuals attributable to the partner's program, while 20 CFR 662.280 states that "…the resources of each partner may only be used to provide services that are authorized and provided under the partner's program to individuals who are eligible under such program."

VR program regulations at 34 CFR 361.13(c)(1) require that the DSU be responsible for, among other program functions, the allocation and expenditure of VR program funds, while according to OMB Circular A-87, a cost must be necessary, reasonable, and allocable in accordance with relative benefits received by the program for it to be allowable under that program.

The Department of Labor Employment and Training Administration (DOLETA) published a cost-sharing notice in the Federal Register on May 31, 2001, entitled "Resource Sharing for Workforce Investment Act One-Stop Centers: Methodologies for Paying or Funding Each Partner Programs' Fair Share of Allocable One-Stop Costs" (Notice). It "…is intended to provide guidance on resource sharing methodologies for the shared costs of a One-Stop service delivery system." The notice "…relates to the sharing of common costs of the local One-Stop system or an individual One-Stop center which may include such items as space and occupancy costs, utilities, telephone systems, common supplies and equipment, a common resource center or library, perhaps a common receptionist or centralized intake and eligibility determination staff." Shared costs, like all One-Stop activities in which partner programs participate, must be in accordance with applicable program requirements (e.g., eligibility determinations under the VR program must be made by qualified personnel employed by the State's VR agency). In addition to the May 31, 2001, Federal Register DOLETA cost-sharing notice, further guidance is available in Part I of DOLETA's One-Stop Comprehensive

Financial Management Technical Assistance Guide (TAG) which was published in July of 2002.

While the Notice lists three types of One-Stop systems -- simple co-location with coordinated delivery of services, full integration, and electronic data sharing -- its focus "…is to address co-located programs with shared space and some common functions or activities whether or not those functions or activities are fully integrated." Even though ETA's stated preference in Part I of the TAG and in the Notice is the full integration model, the former provides more substantive guidance on methodologies for all three models, including the co-location model. Whereas full integration consists of all programs falling under one management structure, a joint delivery of services and a pooling of resources, co-location involves shared space among programs, retains individual program management over the delivery of services and control of resources, and in general, maintains each program's separate identity. Under Electronic Data Sharing there are no shared staff or space, just the provision of program information. This model is unlikely to meet the requirement that each partner's core services be provided in at least one comprehensive center in each local area, but it can be used for other remote locations (20 CFR 662.100 (c) and (d)). The requirements of the Act and the regulations (e.g., sections 3(b) and 111(a)(1) of the Act; 34 CFR 361.23(a)) make the full-integration model problematic for VR Agencies.

Co-location does not have to involve VR agency participation on a full-time basis. Many VR agencies are participating on a part-time basis.

The WIA regulations at 20 CFR 662.250(a) require, "At a minimum, the core services that are applicable to a partner's program (i.e., are authorized and provided under the program) and that are in addition to the basic labor exchange services traditionally provided in the local area under the Wagner-Peyser Act must be made available by the partner at the comprehensive One-Stop center." That provision indicates that partner programs are not expected to contribute to the costs of Wagner-Peyser Act services. Based on the preceding, care must be taken in evaluating whether the State VR agency is participating in the cost of services previously or currently furnished under the Wagner-Peyser Act.

In situations where VR agencies are procuring services from other One-Stop partners, or are paying costs other than common costs allocated under a One-Stop allocation plan, reviewers should determine the appropriateness of such expenditures using the same procedures used to determine whether costs for services procured from vendors in other situations are appropriate.

OMB Circular A-87 establishes general parameters for determining whether costs may be supported by Federal grants, including the requirement that costs conform to applicable Federal legislative and regulatory requirements. Because the determination of the allowability of costs involves program statutes and regulations, such determinations should be made together with program staff. In this regard, it should be noted that Part I of the TAG discusses the possibility that partners may benefit from an allocated One-

Stop cost that is not allowed by their program laws or regulations. It states that "…[t]he partner under whose program the cost is unallowable would be responsible for identifying a non-Federal source of funds to cover the cost(s)." That statement alone is problematic. It is further complicated by the fact that non-Federal matching funds are required by the VR Basic Support program and those funds must be expended in the same manner as grant funds. Consequently, a VR agency might need to use some of its non-Federal funds that otherwise would have been applied as matching funds to pay for the unallowable cost. When discussing the manner in which a partner who refuses to share in a cost would be treated, Part I, Chapter 3 of the TAG states, "If the partner chooses not to participate, then it is responsible for incurring any cost for the activity or function as a direct cost to its program."

The pivotal point in cost-sharing or allocation is whether a benefit is received by the One-Stop partner, or specifically by the VR agency. Care should be taken when evaluating costs determined to be of benefit to the VR agency by the Local Boards or other partners whose perceptions of receiving a benefit may be broader than is appropriate.

Cost allocation methodologies must result in an equitable distribution of the shared costs, correspond to the types of costs being allocated, be efficient to use and be consistently applied. Other considerations are that the allocated costs and cost distribution methodologies must be consistent with generally accepted accounting principles (GAAP), OMB requirements and EDGAR, and be accepted by each partner's independent auditors to pass A-133 audits. VR agencies should send the various cost-allocation and cost-sharing plans used in the One-Stops in which they participate to their auditors for review before the audit takes place to avoid any future problems. Another important consideration is that allocated costs be supported by actual cost data rather than budgeted costs.

A statement of the method of funding of the One-Stop centers by the partners is a requirement of the Memorandum of Understanding (MOU). The statement of funding may be a part of the MOU or an attachment. The usual method is to attach to the MOU a budget that lists all of the common function costs of the One-Stop centers and their allocation to each partner as well as a breakdown of resources used to fund them. The common or shared costs should be allocated based on benefits received. Budgets are used strictly as a computational method for sharing costs but the charges must eventually be adjusted to actual costs.

It is important for the RSA reviewer to obtain a copy of the documents that support the VR agency's allocation of the shared costs and the payment method being used. To evaluate the propriety of the amount being charged to the VR agency, the budget of the One-Stop center as well as the methodology used to allocate the shared costs must be considered. It is not sufficient to inspect the information supporting the agency's financial contribution to the One-Stop or the State's system without reviewing documents supporting the allocation principles used for all partners.

Optional State Level Questions

6. Does the DSU contribute to the support of the operating costs of the State Board or of the alternative entity board used in lieu of a new State Board? ___ YES ___ NO

   If YES, briefly describe the types of costs supported and the benefits accrued to the DSU, and explain whether the DSU's contribution is proportional to the benefits accrued.

   **Comments

7. Has the State Board established policies that affect the VR program regarding cost-sharing at One-Stop centers? (34 CFR 361.23(a)) ___ YES ___ NO

8. If the answer to question 7 is YES, are those cost-sharing policies in conformance with the requirements of the Act, VR program regulations, GAAP, OMB cost principles and administrative requirements? (sections 3(b) and 111(a)(1) of the Act; 34 CFR 361.23(a)) ___ YES ___ NO___ NA

   Respond YES only if they are in conformance with all the requirements. If NO, please explain below.

   If the response to number 7 was NO, then mark question 8 NA.

   **Comments

9. Does the DSU approve, at the State level, all One-Stop cost-sharing agreements for local areas? ___ YES ___ NO ___ NA

   Respond NA if the DSU does not participate in any cost-sharing agreements.

10. If the answer to question 9 is YES, have all outstanding issues been resolved? ___ YES ___ NO ___ NA

    If the response to question 10 is NO, please explain below.

    If the response to question 9 is NO or NA, mark NA for question 10.

    **Comments

11. Has the DSU established policies or guidelines for local areas to follow regarding a method or methods to determine its appropriate share of operating costs and its method of payment of those costs at One-Stop centers? (34 CFR 361.23(a)) ___ YES ___ NO

12. If the answer to question 11 is YES, are those cost-sharing policies in conformance with the requirements of the Act, VR program regulations, GAAP, OMB cost principles and administrative Requirements? (sections 3(b) and 111(a)(1) of the Act; 34 CFR 361.23(a)) ___ YES ___ NO ___ NA

If the response to question 12 is NO, please explain below.

If the response to question 11 is NO, mark NA for question 12.

**Comments

Local Level

DSUs are required to provide representation on each Local Workforce Investment Board (Local Board) established under title I of WIA (see 20 CFR 662.220(b)(2) and 662.230(e), 34 CFR 361.23(a)(5)). As with State Boards, Local Board cost-allocation policies affect all partners in the One-Stop service delivery system; therefore, the impact those policies have on expenditures under the VR program should be assessed.

Additionally, the Memorandum of Understanding (MOU) under section 121(c) of WIA, 20 CFR 662.300, and 34 CFR 361.23(a)(3), which governs One-Stop system operations in the local area, is important to the DSU's overall participation in that system. The MOU must cover the following: (1) the services to be provided through the One-Stop system; (2) the funding of the services and the operating costs of the system; (3) methods of referral of individuals between the One-Stop operator and the One-Stop partners; (4) the duration of the MOU and procedures for amending the MOU; and (5) any other provisions that are consistent with WIA and its regulations and are agreed to by the parties [Additional guidance concerning required and recommended components of the MOU can be found in RSA-IM-00-09, dated December 17, 1999, entitled "A Guide for Developing Memoranda of Understanding with Local Workforce Investment Boards as Required by the Workforce Investment Act"].

As with the State Board, RSA Regional Offices may review a sample of MOUs in order to determine what changes have occurred since their last WIA review (in FY 2001 or FY 2002) and assess the impact, particularly the financial impact, which any new or amended MOUs have on the VR program. The sample should include at least one new or amended MOU (if one exists), although the actual number of MOUs reviewed will be decided by the Regional Office depending on the number of new or amended MOUs that have been

developed in the State, the length and complexity of the MOUs, and time or resource limitations of the Regional Office. RSA Regional Offices may also review at least one local cost-sharing agreement to assess the DSU's participation in One-Stop center costs (regardless of whether RSA conducts the optional on-site visit to the One-Stop center).

Optional Local Level Questions

13. Since RSA's last review of local MOUs in the State (i.e., in either FY 2001 or FY 2002), has the DSU entered into any new or amended MOUs? ___ YES ___ NO ___ NA

    If YES, describe the impact that the new or amended MOU has on the DSU, particularly in terms of One-Stop services or other costs in which the DSU participates.

    Respond NA only if the DSU has never entered into an MOU.

    **Comments

14. Does the DSU contribute to the support of the operating costs of the Local Boards? ___ YES ___ NO ___ NA

    If YES, briefly describe the type of costs supported and the benefits accrued to the DSU, and explain whether the DSU's contribution is proportional to the benefits accrued.

    Respond NO if the DSU does not contribute, or if the DSU has not entered into any MOUs or cost-sharing agreements.

    Respond NA if the State is operating as a single-service delivery area without Local Boards established under title I of WIA.

    **Comments

15. Has any Local Board established policies that affect the VR program regarding cost-sharing at One-Stop centers? (34 CFR 361.23(a)) ___ YES ___ NO ___ NA

    Respond NA if the State is operating as a single-service delivery area without Local Boards established under title I of WIA.

    **Comments

16. If the answer to question 15 is YES, are those cost-sharing policies in conformance with the requirements of the Act, VR program regulations, GAAP, OMB cost principles and administrative requirements? ___ YES ___ NO ___ NA
(sections 3(b) and 111(a)(1) of the Act; 34 CFR 361.23(a))

Respond YES only if they are in conformance with all the requirements. If NO, describe below.

If the answer to question 15 is NO or NA, mark NA for question 16.

**Comments

17. Is the DSU supporting any costs of a One-Stop center in which it has no VR staff co-located? ___ YES ___ NO ___ NA

If YES, for each One-Stop center, describe the costs being supported and the rationale for the VR program's participation.

Respond NA when the state does not have any One-Stop centers.

**Comments

The following questions are to be used when reviewing cost-sharing agreements for the One-Stop centers. Respond NA when the DSU does not participate in any cost-sharing agreements.

18. Does the One-Stop cost-sharing agreement address each partner's financial participation in allocated common costs? (34 CFR 361.23(a)(2)) ___ YES ___ NO ___ NA

**Comments

19. Are the cost-sharing methodologies in conformance with the requirements of the Act, VR program regulations, GAAP, OMB cost principles and administrative requirements? (34 CFR 361.23(a)) ___ YES ___ NO ___ NA

Respond YES only if they are in conformance with all the requirements.

If NO, describe below.

If the answer to question 18 is NO or NA, mark NA for question 19.

**Comments

20. Are the shared costs common to all partners including the DSU? ___ YES ___ NO ___ NA

If NO, explain.

**Comments

21. Is the cost-sharing agreement based on reasonable, supportable and valid One-Stop center budget figures and assumptions? ___ YES ___ NO ___ NA

If NO, please describe.

**Comments

22. Are the budget figures and assumptions reviewed and adjusted at least quarterly? ___ YES ___ NO ___ NA

If NO, describe below.

**Comments

23. Are budgeted figures allocated to the DSU and other partners adjusted to actual figures? ___ YES ___ NO ___ NA

If NO, explain below.

**Comments

24. Is the computational methodology for allocating costs as well as the basis used for their distribution equitable to the VR program? ___ YES ___ NO ___ NA

If NO, please describe.

**Comments

25. Do any shared costs include those that support services made available under the Wagner-Peyser program? ___ YES ___ NO ___ NA

If YES, explain the rationale for including these costs.

**Comments

26. Does the DSU benefit from each cost allocated to it? ___ YES ___ NO ___ NA

If NO, explain below.

**Comments

27. Are all costs allocated to the DSU allowable under the VR program? ___ YES ___ NO ___ NA

If NO, please explain.

**Comments

28. Does the DSU fund costs that are unallowable under the VR program? ___ YES ___ NO ___ NA

If YES, identify below the nature of the costs, the amount, and the funds used to pay for those costs.

**Comments

29. Does the DSU receive sufficient (i.e., fair) value for the resources it applies to support or pay for all or part of its allocated costs? ___ YES ___ NO ___ NA

If NO, explain below.

**Comments

30. Has the DSU determined whether the cost-sharing plan will pass the State's Independent A-133 audit? ___ YES ___ NO ___ NA

**Comments

31. If the answer to question 30 is YES, was the determination by the auditors positive? ___ YES ___ NO ___ NA

If NO, please explain.

If the answer to question 30 is YES or NA, mark NA for question 31.

**Comments

Optional Visit to the One-Stop Center

As in the past, an on-site review of the One-Stop center is recommended to enable RSA reviewers to observe firsthand the DSU's role in the One-Stop system and whether the system, at least as far as the visited center is concerned, is effectively addressing the needs of individuals with disabilities. The on-site visit may assist RSA reviewers in determining the level of accessibility of the center to people with disabilities, and assess the implementation of the MOU that governs the relationship of the DSU to the other One-Stop partners. Questions 32-36 relate to these areas, as well as to the DSU's method of One-Stop participation (e.g., co-location), cross-training and referral activities, and steps to ensure confidentiality of consumers' personal information. RSA staff are also encouraged to broaden the scope of the on-site reviews depending upon particular areas of concern based on prior reviews of the State or on recent developments. As in previous reviews, past compliance issues that have yet to be resolved must be addressed.

The RSA Regional office may wish to consult the DSU, the DOLETA Regional Office, or other parties in selecting the center(s) to be reviewed.

One-Stop Center ID Information

Name of One-Stop Center _____

Name of Local Board _____

DSU_____

MOU Date_____

RSA Reviewer(s) _____

Date of On-Site Review_____

RSA is interested in determining the extent to which VR services are being provided in the One-Stop centers. The DSU may provide the full range of VR services for eligible individuals served at the One-Stop center either through co-location, through the use of itinerant VR staff, or via referral to the DSU offices located elsewhere.

Optional Questions for Reviewing the One-Stop Center

32. Is the DSU primarily providing access to the full range of VR services through the One-Stop center for eligible individuals through co-located VR staff members? (WIA section 121(b)(1)(A)) ____ YES ____ NO

    If NO, please indicate below the DSU's primary method for providing services at the One-Stop center, i.e., itinerant VR staff members or via referral to the DSU offices located outside the One-Stop center.

    **Comments

Accessibility of the One-Stop Center

Physical and program accessibility of One-Stop centers continues to be a critical factor in whether individuals with disabilities participating in the VR program are able to and make use of additional, non-VR services available through the center. RSA and DOL continue to collaborate on raising the awareness of the States with respect to their obligations to ensure that the full scope of One-Stop operations, activities, and services are made available to individuals with disabilities.

In addition, the Act in section 101(a)(11)(A) requires the DSU to enter into cooperative agreements with other components of the State's workforce investment system. One of the authorized activities that the DSU can undertake within the framework of these

agreements is the provision of training and technical assistance to its partners relating to program accessibility to ensure the equal, effective, and meaningful participation of individuals with disabilities in workforce investment activities. The DSU is not responsible for making the One-Stop operations and activities accessible. That is the obligation of the One-Stop system and all of the partners in the system. However, at a minimum, the VR agency should be an active and assertive voice within the system in support of the training and employment needs of individuals with disabilities, including their accessibility needs. In fact, RSA has observed that VR agencies are generally regarded as a key resource in identifying and helping to resolve accessibility problems. Accordingly, reviewing accessibility of the One-Stop system, and the VR agency's role in helping the system to ensure accessibility, is both an appropriate and necessary means of assessing the effects that the system is having on individuals with disabilities.

The accessibility review outlined below is accomplished through interviews with both DSU and One-Stop officials, which might be conducted separately or jointly, depending on the reviewer's discretion.

33. In the reviewer's judgment, has the One-Stop center substantially implemented requirements for universal access and accessibility for people with disabilities? ____ YES ____ NO

    If NO, explain.

    **Comments

    In making this determination, consider the responses to all of the accessibility-related items referenced above, with particular attention to the following questions:

    - Accessible by public transportation?
    - Meets standards for physical accessibility of the building and areas surrounding the building (e.g., parking lots)? What standards are applied? How does the One-Stop center maintain compliance to the standards?
    - Computer applications are fully accessible, with accommodations for individuals with visual impairments, individuals who need a physically adjustable workstation, and individuals who need personal assistance to understand and use the system?
    - Are programs and services fully accessible and are accommodations available?
    - Are interpreters available for people who are deaf or hard-of-hearing?

Cross-Informational Training at the One-Stop Center

Past RSA monitoring findings indicate that the conduct of cross-informational training at the One-Stop center contributes to a better understanding across the system of both the VR program and the unique service needs of individuals with disabilities. Training of VR program staff with regard to other One-Stop partner programs also can enhance the extent to which VR program staff members assist individuals with disabilities to access services from other partner programs.

34. Is inter-component training being provided on a regular basis (at least annually) for both VR and non-VR program staff members at the One-Stop center? (section 101(a)(11)(A)(i) of the Act) ____YES ____ NO

    **Comments

Referrals at the One-Stop Center

35. Are individuals being referred in a timely manner between the VR and other programs in accordance with common intake and referral procedures? (34 CFR 361.37 and section 101(a)(20) of the Act) ____ YES ____ NO

    If NO, please explain and identify any improvements that could make the intake and referral process at the center more effective for individuals served by the VR program.

    **Comments

Confidentiality at the One-Stop Center

36. Does the One-Stop center require sharing of individual personal information, either through a shared data system or through other procedures? ____ YES ____ NO

    If YES, please describe the safeguards for the protection of individual privacy for people served by the VR program. For example, describe the firewalls or program security measures. (34 CFR 361.38)

    **Comments

Focus Area IV: Agreements between State VR Agencies and Public Institutions of Higher Education

AGREEMENTS BETWEEN STATE VR AGENCIES AND PUBLIC INSTITUTIONS OF HIGHER EDUCATION

Introduction:

This guide is intended to assist RSA staff in reviewing agreements between State vocational rehabilitation (VR) agencies and public institutions of higher education (IHEs) when such agreements exist and to identify State VR agencies to which RSA needs to provide technical assistance because they do not have formal written cooperative agreements with public IHEs as required by the 1998 Amendments to the Rehabilitation Act of 1973.

In the 1998 Amendments to the Act, Congress expanded the requirements of the VR agency to seek "comparable services and benefits" from other sources to preserve VR funds for services to program participants, by requiring collaboration between VR agencies and public IHEs, on the provision of services to eligible individuals in the VR program. Specifically, section 101(a)(8)(B) requires that "an interagency agreement or other mechanism for interagency coordination takes effect between…a public institution of higher education…and the designated State unit, in order to ensure the provision of vocational rehabilitation services." In other words, the interagency agreement provides a means for the VR agency and the IHE to decide together how to provide or pay for necessary services, such as interpreter services or other auxiliary aids, to which each party is authorized or obligated to contribute.

This requirement is also specified in 34 CFR 361.53(d)(1) on Interagency Coordination, that states: "The State plan must assure that the Governor, in consultation with the entity in the State responsible for the vocational rehabilitation program and other appropriate agencies, will ensure that an interagency agreement or other mechanism for interagency coordination takes effect between the designated State vocational rehabilitation unit and any appropriate public entity, including the State entity responsible for administering…a public institution of higher education...to ensure the provision of vocational rehabilitation services…that are included in the IPE…"

Effective use of the interagency agreement provision will enable participants in the VR program to more readily access postsecondary training.

The following questions should be used as a guide when reviewing the interagency agreements in a State this year. The primary focus will be on those State agencies that have formal written agreements with public IHEs. If a State agency has multiple agreements, a small sample of agreements will be reviewed. Also, the focus this year will be on agreements with in-State IHEs and will not include reviewing agreements between the State VR agency and out-of-State IHEs. This review will not try to identify what constitutes "exemplary practices", as interagency agreements vary widely from State to State. This guide will help to identify those State VR agencies that are still in the process of developing agreements with IHEs or have not yet begun to develop such

agreements so that technical assistance can be provided to them to help them come into compliance with the above-referenced statutory and regulatory requirements.

Review Questions:

***The following questions deal with the number of agreements relating to serving individuals with disabilities, and the number of IHEs covered by such agreements*.**

1. How many public IHEs are there in the State? Enter the number of public IHEs in the comments section.
   **Comments

2. With how many public IHEs does the State VR agency have completed agreements? Enter the number of completed agreements and the number of IHEs covered by the agreements in the comments section. If there is a single agreement that covers several IHEs (for example, the agreement is negotiated with a Board of Regents or other governing body that controls multiple IHEs covered by the agreement), count the number of IHEs covered under any multiple IHE agreements.
   **Comments

3. With how many public IHEs does the State VR agency have agreements currently under development? Enter the number of agreements and the number of IHEs to be covered by the agreements under development in the comments section.
   If there is a single agreement under development that will cover several IHEs (for example, the agreement is negotiated with a Board of Regents or other governing body that controls multiple IHEs which will be covered by the agreement), count the number of IHEs covered under any multiple IHE agreements under development.
   **Comments

4. With how many public IHEs does the State VR agency still have to develop agreements? Enter the number of IHEs for which no work on an agreement has begun. This should include all public IHEs not included in questions 2 and 3, and the total of questions 2, 3 and 4 should equal the total in question 1.
   **Comments

5. If the State VR agency has agreements still under development or if it does not have agreements with some public IHEs, does the State VR agency have a plan for completing such agreements? __YES__NO__NA

If YES, briefly describe the plan, including the anticipated timeframe for completion of agreements with all public IHEs.

If NO, briefly summarize the State VR agency's explanation.

Answer NA if the State VR agency has completed agreements with ALL public IHEs in the State.
**Comments

If the State VR agency has no completed agreements (that is, the answer to question 2 was zero), you are finished with the review. Do not answer any further questions.

REVIEW OF STATE VR AGENCY AGREEMENTS WITH IHEs

If the State VR agency has three or fewer agreements with public IHEs, review all of them. If the agency has agreements with four or more public IHEs, review at least three of them. If the State VR agency has some agreements that cover multiple IHEs, please include these among the agreements reviewed whenever possible. Then answer the following questions.

6. How many agreements were reviewed? Enter the number in the comments section.
   **Comments

7. How many IHEs were covered by the agreements reviewed? Enter the number in the comments section.
   **Comments

CONTENT OF THE AGREEMENTS

The questions below ask about whether there are any provisions related to specific services contained in the agreements reviewed. If specific services were discussed in the agreements, RSA is interested in determining in general how the agreements address who pays for the services. The services that have been identified for review in each agreement are:

a. Sign language interpreter services,
b. Computer assisted real-time transcription (CART),
c. Reader services,
d. Notetaker services,
e. Tutor services,

f. Disability assessments for purposes of educational planning,
g. Transportation services,
h. Rehabilitation technology, and
i. Residential living support services (personal care attendant and other services provided for individuals living in on-campus living situations).

Sign Language Interpreter Services

8. Enter the number of agreements reviewed that address the provision of sign language interpreter services, and the number of IHEs covered by such agreements, in the comments section.
**Comments

If the answer is none or 0 agreements, answer SKIP for questions 9-13 and continue with question 14.

For those agreements reviewed that did address sign language interpreter services, did any of the agreements:

9. State that only the IHE pays for the service? __YES __ NO __SKIP

   If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
   **Comments

10. State that only the State VR agency pays for the service? __YES__NO__SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
    **Comments

11. State that the costs of the service are shared by both the IHE and the State VR agency? __YES__NO__SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section. Also, briefly describe how the costs are shared in each agreement.
    **Comments

12. Identify criteria to be used on a case-by-case basis as to how funding decisions will be made? __YES__NO__SKIP

If YES, enter the number of agreements that identify criteria for case-by-case decisions, and the number of IHEs covered by such agreements in the comments section.
**Comments

13. Fail to state who is to pay for the service? __ YES __ NO __ SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
    **Comments

Computer Assisted Real-Time Transcription

14. Enter the number of agreements that you reviewed that address the provision of computer assisted real-time transcription (CART) services, and the number of IHEs covered by such agreements, in the comments section.
    **Comments

If the answer is none or 0 agreements, answer SKIP for questions 15-19 and continue with question 20.

For those agreements reviewed that did address computer assisted real-time trancription (CART) services, did any of the agreements:

15. State that only the IHE pays for the service? __YES __ NO __SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
    **Comments

16. State that only the State VR agency pays for the service? __YES__NO__SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
    **Comments

17. State that the costs of the service are shared by both the IHE and the State VR agency? __YES__NO__SKIP

If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section. Also, briefly describe how the costs are shared in each agreement.
**Comments

18. Identify criteria to be used on a case-by-case basis as to how funding decisions will be made? __YES__NO__SKIP

If yes, enter the number of agreements that identify criteria for case-by-case decisions, and the number of IHEs covered by such agreements in the comments section.
**Comments

19. Fail to state who is to pay for the service? __ YES __ NO __ SKIP

If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
**Comments

Reader Services

20. Enter the number of agreements reviewed that address the provision of reader services, and the number of IHEs covered by such agreements, in the comments section.
**Comments

If the answer is none or 0 agreements, answer SKIP for questions 21-25 and continue with question 26.

For those agreements reviewed that did address reader services, did any of the agreements:

21. State that only the IHE pays for the service? __YES __ NO __SKIP

If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
**Comments

22. State that only the State VR agency pays for the service? __YES__NO__SKIP

If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
**Comments

23. State that the costs of the service are shared by both the IHE and the State VR agency? __YES__NO__SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section. Also, briefly describe how the costs are shared in each agreement.
    **Comments

24. Identify criteria to be used on a case-by-case basis as to how funding decisions will be made? __YES__NO__SKIP

    If yes, enter the number of agreements that identify criteria for case-by-case decisions, and the number of IHEs covered by such agreements in the comments section.
    **Comments

25. Fail to state who is to pay for the service? __ YES __ NO __ SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
    **Comments

Notetaker Services

26. Enter the number of agreements reviewed that address the provision of notetaker services, and the number of IHEs covered by such agreements, in the comments section.
    **Comments

If the answer is none or 0 agreements, answer SKIP for questions 27–31 and continue with question 32.

For those agreements reviewed that did address notetaker services, did any of the agreements:

27. State that only the IHE pays for the service? __YES __ NO __SKIP

If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
**Comments

28. State that only the State VR agency pays for the service? __ YES __ NO __SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
    **Comments

29. State that the costs of the service are shared by both the IHE and the State VR agency? __ YES __ NO __ SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section. Also, briefly describe how the costs are shared in each agreement.
    **Comments

30. Identify criteria to be used on a case-by-case basis as to how funding decisions will be made? __YES__NO__SKIP

    If yes, enter the number of agreements that identify criteria for case-by-case decisions, and the number of IHEs covered by such agreements in the comments section.
    **Comments

31. Fail to state who is to pay for the service? __ YES __ NO __ SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
    **Comments

Tutor Services

32. Enter the number of agreements reviewed that address the provision of tutor services, and the number of IHEs covered by such agreements, in the comments section.
    **Comments

If the answer is none or 0 agreements, answer SKIP for questions 32-37 and continue with question 38.

For those agreements reviewed that did address tutor services, did any of the agreements:

33. State that only the IHE pays for the service? __YES __ NO __SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
    **Comments

34. State that only the State VR agency pays for the service? __YES__NO__SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
    **Comments

35. State that the costs of the service are shared by both the IHE and the State VR agency? __YES__NO__SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section. Also, briefly describe how the costs are shared in each agreement.
    **Comments

36. Identify criteria to be used on a case-by-case basis as to how funding decisions will be made? __YES__NO__SKIP

    If yes, enter the number of agreements that identify criteria for case-by-case decisions, and the number of IHEs covered by such agreements in the comments section.
    **Comments

37. Fail to state who is to pay for the service? __ YES __ NO __ SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
    **Comments

Disability Assessments

38. Enter the number of agreements reviewed that address the provision of disability assessments for purposes of educational planning, and the number of IHEs covered by such agreements, in the comments section.
    **Comments

If the answer is none or 0 agreements, answer SKIP for questions 39-43 and continue with question 44.

For those agreements reviewed that did address disability assessments for purposes of educational planning, did any of the agreements:

39. State that only the IHE pays for the service? __YES __ NO __SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
    **Comments

40. State that only the State VR agency pays for the service? __YES__NO__SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
    **Comments

41. State that the costs of the service are shared by both the IHE and the State VR agency? __YES__NO__SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section. Also, briefly describe how the costs are shared in each agreement.
    **Comments

42. Identify criteria to be used on a case-by-case basis as to how funding decisions will be made? __YES__NO__SKIP

    If yes, enter the number of agreements that identify criteria for case-by-case decisions, and the number of IHEs covered by such agreements in the comments section.

**Comments

43. Fail to state who is to pay for the service? __ YES __ NO __ SKIP

If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
**Comments

Transportation Services

44. Enter the number of agreements reviewed that address the provision of transportation services, and the number of IHEs covered by such agreements, in the comments section.
**Comments

If the answer is none or 0 agreements, answer SKIP for questions 45-49 and continue with question 50.

For those agreements reviewed that did address transportation services, did any of the agreements:

45. State that only the IHE pays for the service? __YES __ NO __SKIP

If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
**Comments

46. State that only the State VR agency pays for the service? __YES__NO__SKIP

If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
**Comments

47. State that the costs of the service are shared by both the IHE and the State VR agency? __YES__NO__SKIP

If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section. Also, briefly describe how the costs are shared in each agreement.

**Comments

48. Identify criteria to be used on a case-by-case basis as to how funding decisions will be made? __YES__NO__SKIP

    If yes, enter the number of agreements that identify criteria for case-by-case decisions, and the number of IHEs covered by such agreements in the comments section.
    **Comments

49. Fail to state who is to pay for the service? __ YES __ NO __ SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
    **Comments

Rehabilitation Technology

50. Enter the number of agreements reviewed that address the provision of rehabilitation technology, and the number of IHEs covered by such agreements, in the comments section.
    **Comments

If the answer is none or 0 agreements, answer 51-55 and continue with question 56.

For those agreements reviewed that did address rehabilitation technology, did any of the agreements:

51. State that only the IHE pays for the service? __YES __ NO __SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
    **Comments

52. State that only the State VR agency pays for the service? __YES__NO__SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.

**Comments

53. State that the costs of the service are shared by both the IHE and the State VR agency. __YES__NO__SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section. Also, briefly describe how the costs are shared in each agreement.
    **Comments

54. Identify criteria to be used on a case-by-case basis as to how funding decisions will be made? __YES__NO__SKIP

    If yes, enter the number of agreements that identify criteria for case-by-case decisions, and the number of IHEs covered by such agreements in the comments section.
    **Comments

55. Fail to state who is to pay for the service? __ YES __ NO __ SKIP

    If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
    **Comments

Residential Living Support Services

56. Enter the number of agreements reviewed that address the provision of residential living support services (such as personal care attendants or other support provided in on-campus living arrangements), and the number of IHEs covered by such agreements, in the comments section.
    **Comments

If the answer is none or 0 agreements, answer SKIP for questions 57-61 and continue with question 62.

For those agreements reviewed that did address residential living support services, did any of the agreements:

57. State that only the IHE pays for the service? __YES __ NO __SKIP

If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
**Comments

58. State that only the State VR agency pays for the service? __YES__NO__SKIP

If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
**Comments

59. State that the costs of the service are shared by both the IHE and the State VR agency? __YES__NO__SKIP

If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section. Also, briefly describe how the costs are shared in each agreement.
**Comments

60. Identify criteria to be used on a case-by-case basis as to how funding decisions will be made? __YES__NO__SKIP

If yes, enter the number of agreements that identify criteria for case-by-case decisions, and the number of IHEs covered by such agreements in the comments section.
**Comments

61. Fail to state who is to pay for the service? __ YES __ NO __ SKIP

If YES, enter the number of agreements and the number of IHEs covered by the agreements in the comments section.
**Comments

Other Services

62. Did any of the agreements contain provisions regarding any other specific service? __YES__NO

If YES, list the service(s) and briefly describe who is to pay for the services if this information is contained in the agreement.
**Comments

The following questions address other important provisions that should be contained in the agreements.

63. Enter the number of agreements reviewed that address provisions for making referrals from the State VR agency to the IHE for disabled student support services, and the number of IHEs covered by such agreements, in the comments section.
**Comments

64. Enter the number of agreements reviewed that address provisions for making referrals from the IHE to the State VR agency for VR services, and the number of IHEs covered by such agreements, in the comments section.
**Comments

65. Enter the number of agreements reviewed that contain dispute resolution procedures, and the number of IHEs covered by such agreements in the comments section.
**Comments

66. Describe in the comments section any other notable features of the agreements reviewed. If there were no other notable features, enter NONE.
**Comments

Focus Area V:
Optional – Order of Selection

ORDER OF SELECTION / ABILITY TO SERVE ALL

REVIEW GUIDE

Purpose of the Review

This focus area is for the purpose of monitoring order of selection as required in Sections 107(a)(3)(A) and 107(a)(4)(B) of the Act. The focus area includes three sections as described below. Each section includes all the information necessary to conduct the review activities, including supplemental service record review questions and interview questions.

All reviewers should begin with Section I. Based on responses in Section I, reviewers will be directed to either Section II or Section III. The content of the table below and the directions for selecting the applicable section are general guidelines for use, based on situations most likely to occur. However, there may be instances in which a section other than that indicated may be more appropriate for addressing a particular issue raised by a State VR agency or RSA. Reviewers should use those sections that best suit the purpose of the review.

	Summary of Content	**Applicability**
Section I	Verifies the status of order of selection and, if applicable, consultation with the State Rehabilitation Council	All State VR agencies
Section II	Verifies that the implementation of an order of selection, including determinations of significance of disability, meets program requirements	State VR agencies on an order of selection
Section III	Verifies that agency performance is consistent with the determination that the agency is able to serve all eligible individuals	State VR agencies that may be experiencing difficulty in serving all individuals

Most of the review activities for this focus area can be completed off-site because the responses are based on results of other monitoring activities or on review of agency policies and other written documents. One exception is the service record review activity. Activities in Section III for reviewing the adequacy of fiscal and personnel resources may also need to be done onsite.

Section I: Status of Order of Selection

Purpose: Section I establishes the status of order of selection for the State VR agency at the beginning of the current fiscal year and at the time of the review and applies to all State VR agencies. For those State VR agencies with a State Rehabilitation Council, this

section determines the extent to which the agency consulted with the Council about the need for an order of selection.

Requirements: A State VR agency is required to determine, in advance of the fiscal year, whether it can serve all eligible individuals with disabilities during the coming fiscal year (34 CFR 361.36(c)(1)). An agency determining that it can serve all eligible individuals with disabilities during the coming year must be able to provide the full range of VR services to all eligible individuals and meet all program requirements (34 CFR 361.36(a)(2)). If a State VR agency cannot provide the full range of VR services to all eligible individuals, the agency is required to implement an order of selection for services (Section 101(a)(5)(A) of the Act).

If the State VR agency has a State Rehabilitation Council, program regulations require that the agency consult with the Council about the need to establish an order of selection (34 CFR 361.36(f)(1)). In practice, if the agency's status with regard to an order of selection has not changed for some time, there may not be information about order of selection in State Plan Attachment 4.2(c) or other documents related to annual consultation with the Council. In this case, it may be helpful to interview agency staff and Council members to determine their position with regard to the status of order of selection and whether they believe that the status needs to be changed.

A State VR agency that is not on an order of selection checks Yes for the State plan preprint question 6.4(a), indicating that they can serve all eligible individuals. Occasionally, such agencies submit an order of selection attachment for RSA Regional Office approval in case they may need to invoke an order at some future time; however such an attachment is not part of the current approved State plan.

Agencies determining that they cannot provide the full range of VR services to all eligible individuals must check No for the State plan preprint question 6.4(a). A No response applies to: 1) a State VR agency that establishes and implements an order by closing one or more categories; and 2) a State VR agency that establishes an order with all priority categories open. In both instances, the agency should submit additional State plan materials – Attachment 4.12(c) that describes the priority categories, Attachment 4.12(b) that estimates the number of individuals to be served under each priority category and the service costs for each priority category, and Attachment 4.12(c)(2)(A) that identifies the service and outcome goals and timelines for achieving these goals for each priority category. In practice, State VR agencies may submit the state plan information all in one attachment, such as Attachment 4.12(c)(2)(A). Finally, such agencies should indicate on the RSA-113 Form for the Quarterly Cumulative Caseload Report that it is on an order of selection, even if no individuals are on a waiting list.

A State VR agency moving from serving all eligible individuals to establishing an order of selection, even if all priority categories are open, must inform the RSA Regional Office in writing and amend its currently approved State plan. To amend the State plan, the agency must submit appropriate revised State plan attachments with an effective date in the lower right hand corner of the page and also an amended page of the State plan preprint that indicates No for question 6.4(a). If the State VR agency has a State

Rehabilitation Council, State Plan Attachment 4.2 should also be submitted, indicating the Council's input on the decision to establish an order of selection. Finally, the State agency must also indicate on the RSA-113 Form that they are on an order of selection.

Occasionally, when an agency is moving either on or off an order of selection or is operating on an order with all priority categories open, there may be conflicting information about the status of order of selection among agency documents, such as the State plan and the RSA-113 reporting form. In such cases, it may be helpful to use the interview questions included in this section to clarify the agency's status with regard to an order of selection.

Review Questions: Status of Order of Selection

1. Based on State plan materials or information obtained from other sources, including interviews, did the State VR agency determine, prior to the current fiscal year, that it could serve all eligible individuals during the current fiscal year? __YES__NO__NA

2. If No to question 1, did the agency submit State Plan Attachment 4.12(c)(2)(A) (NA if Yes to question 1)? __YES__NO__NA

3. Does the State VR agency have a State Rehabilitation Council? __YES__NO__NA

4. Based on State Plan Attachment 4.2(c) and/or other information exchanged between the agency and the Council or obtained from interviews, did the State VR agency consult with the Council about the need for an order of selection prior to the beginning of the current fiscal year (NA if No to question 3)? If No, explain. __YES__NO__NA

5. Did the Council agree with the determination of the agency (NA if No or NA to question 4)? If No, why not? __YES__NO__NA

6. If the Council did not agree, did the agency respond to the input of the Council (NA if Yes or NA to question 5)? If Yes, what was the agency's response? __YES__NO__NA

Based on state plan documents, other information or interview responses, determine the agency's current status with regard to order of selection. Respond Yes to one option and No to the remaining two options.

Is the agency:

7. on an order of selection with one or more categories closed? __YES__NO
8. on an order of selection with all priority categories open? __YES__NO
9. not on an order and serving all eligible individuals? __ YES __NO

Proceed to Section II if the answer to 7 or 8 is Yes. Proceed to Section III if the answer to 9 is Yes.

Supplemental Interview Questions: Status of Order of Selection

If the available written information is insufficient to answer the questions above, the following interview questions for relevant State VR agency staff and members of the State Rehabilitation Council can be used.

Intrvw 1. Describe the agency's current status with regard to order of selection.

Intrvw 2. Do you agree with the agency's current status on order of selection? If no, why not? __YES__NO

Intrvw 3. Has the agency consulted recently with the State Rehabilitation Council on the need for an order of selection? (NA if there is no Council) __YES__NO__NA

Intrvw 4. If Yes to interview question 3, how did the agency consult with the Council on the need for an order of selection?

Intrvw 5. If the Council did not agree with the State agency's determination of the need for an order of selection, what was the agency's response?

Section II. Implementation of an Order of Selection

NOTE: Section II focuses on the implementation and administration of an order of selection and is divided into three parts – Part A (Defining Significance of Disability and Priority Categories), Part B (Administering an Order of Selection), and an optional Part C (Information and Referral Services). All three parts examine requirements that apply to agencies that have been implementing an order of selection by closing one or more priority categories for a substantial part of the time period covered by the review.

For those agencies that have established an order of selection but have been operating with all priority categories open for a substantial part of the time period covered by the review, reviewers have the option of using Part A of Section II (Parts B and C of Section II cover requirements that do not apply to agencies that are operating with all priority categories open) or using Section III, depending on the purpose of the review.

If the purpose of the review is to examine the agency's policies and practices for determining severity of disability and developing priority categories, reviewers should use Part A of Section II. If the purpose of the review is to determine whether an agency with all priority categories open can continue to serve all eligible individuals, reviewers should proceed to Section III, Assessing the Ability to Serve All Eligible Individuals.

Part A. Defining Significance of Disability and Priority Categories

Purpose: Part A reviews the agency's policies and practices for defining significance of disability and for assigning individuals to priority categories to determine if the policies and practices meet program requirements. The requirements in this part apply to: 1) those State VR agencies that are implementing an order of selection by closing one or more priority categories; and 2) those State VR agencies that have established an order of selection but are operating with all categories open. For those State VR agencies with a State Rehabilitation Council, this part determines the extent to which the agency consulted with the Council about the priority categories of the order of selection and the criteria for determining individuals with the most significant disabilities.

Requirements: Implementing an order of selection for services provides an organized and equitable method for State VR agencies to serve individuals with disabilities if it is anticipated that the agency will not have enough fiscal or personnel resources to serve all eligible persons. Under the order of selection requirements, first priority for services is given to individuals with the most significant disabilities (Section 101(a)(5)(C) of the Act). Individuals are determined to be "individuals with the most significant disabilities" in accordance with criteria established by the State VR agency (Section 101(a)(5)(C) of the Act).

The agency's definition for "individuals with the most significant disabilities" and its descriptions of its priority categories must meet the requirements of 34 CFR 361.36(d):

- the order of selection must be based on a refinement of the three criteria in the definition of "individual with a significant disability" in section 7(21)(A) of the Act; and
- no other factors may be used.

An "individual with a significant disability" means an individual with a disability –

- who has a severe physical or mental impairment which seriously limits one or more functional capacities (such as mobility, communication, self-care, self-

direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome;

- whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and
- who has one or more physical or mental disabilities listed in section 7(21)(A)(iii) of the Act or another disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs to cause comparable substantial functional limitation.

The three criteria to be refined by the State VR agency include the number and degree of functional limitations, the amount of time needed for VR services, and the number of VR services needed. The purpose of the criteria is to link the nature and depth of the individual's functional limitations with the need for multiple services that require an extended time period for completion. One or more of these criteria can be refined.

An agency may establish functional capacities in addition to the seven capacity areas listed in the definition of "individual with a significant disability." State agencies may also develop definitions for "multiple VR services" and "extended period of time." Reviewers should assess the extent to which any additional capacity areas and/or definitions developed by the VR agency: 1) apply equitably to all eligible individuals; 2) are consistent with the three criteria in the definition of "individual with a significant disability;" and 3) meet all other program requirements.

Examples of other factors that may not be used in the order of selection include, but are not limited to: any duration of residency requirement; type of disability; personal characteristics such as age, gender, race, color, or national origin; the referral source; the type of expected employment outcome; the need for or anticipated costs of specific services; or the income level of an individual or the individual's family (34 CFR 361.36(d)(2)).

Individuals who are receiving SSI and SSDI benefits as a result of having been determined to be disabled or blind are considered to be at least "individuals with significant disabilities" (Section 102(a)(3)(A) of the Act) and should be evaluated to determine whether they meet the State's criteria for "individuals with the most significant disabilities." There is no statutory authority for assigning a special priority category for individuals receiving SSI and SSDI benefits or for selecting these individuals before other individuals with most significant or significant disabilities.

A State VR agency can establish a policy for ranking individuals within a priority category. The policy should be based on use of an equitable and reasonable factor, such as the individual's date of application. This provides a method for selecting individuals from a waiting list for a priority category when the agency has enough resources to serve some, but not all, individuals in that priority category.

The VR counselor determines the significance of the individual's disability and the individual's priority for services based on a review of the data developed to make the

eligibility determination and an assessment of additional data, to the extent necessary (34 CFR 361.42(g)). Determinations made by officials of other agencies, such as the Social Security Administration and education officials, can be used to assist the VR counselor in determining the extent of the individual's disability and the extent to which an individual meets one or more of the agency's criteria for the various priority categories (Section 102(a)(4)(B) of the Act). To assure consistency in applying agency criteria to individuals, the agency may need to develop guidance materials and provide training for VR counselors.

If the State VR agency has a State Rehabilitation Council, the agency must consult with the Council on the priority categories of the particular order of selection and on the criteria for determining individuals with the most significant disabilities (34 CFR 361.36(f)(2) and (3)). In practice, if the agency's policies with regard to priority categories and defining an individual with a most significant disability have not changed for some time, there may not be evidence in State Plan Attachment 4.2(c) or other documents that indicate annual consultation with the Council about these policies. In this case, it may be helpful to interview agency staff and Council members to determine whether either the Council or the agency have concerns about the implementation of these policies, using the interview questions in this part.

If the agency has recently developed or revised its definitions for significance of disability and descriptions of priority categories, this factor should be considered when the reviewers develop the service record review sample and implement the review, to assure that reviewers use the definitions and descriptions that were in effect during the time period covered by the records being reviewed.

Review Questions: Determining Significance of Disability and Priority for Services

10. Is the State VR agency's definition of "individual with the most significant disabilities" based <u>only</u> on the three criteria in the definition of "individual with a significant disability?"	__YES__NO
11. Are descriptions of priority categories based <u>only</u> on the three criteria in the definition of "individual with a significant disability?"	__YES__NO
12. Are the agency's order of selection policies for determining significance of disability and assigning individuals to priority categories based <u>only</u> on the three criteria in the definition of "individual with a significant disability?"	__YES__NO
13. Are counselor guidance/training materials for determining significance of disability based <u>only</u> on the three criteria in the definition of "individual	__YES__NO__NA

with a significant disability?" (NA if no materials have been developed)

14. If the agency has developed any functional capacities in addition to those listed in the definition of "individual with a significant disability," are the additional capacities equitable and do they meet all program requirements? (NA if no additional functional capacities) __YES__NO__NA

15. If the agency defined terms listed in the definition of "individual with a significant disability," are these definitions equitable and do they meet all program requirements? (NA if terms not defined) __YES__NO__NA

16. If No to any of questions 10 – 15 above, describe the problems with the agency's polices for determining significance of disability.

17. Overall, based on a summary of the results of the service record review, are counselors determining significance of disability consistent with the three criteria in the definition of "individual with a significant disability?" __YES__NO

18. Overall, based on a summary of the results of the service record review, are counselors assigning individuals to a priority category consistent with agency policies (NA if individuals are not being assigned to a category because all categories are open) __YES__NO__NA

19. Overall, based on a summary of the results of the service record review, are counselors determining that individuals who are receiving disability benefits under SSDI/SSI are at least significantly disabled? __YES__NO

20. Overall, based on a summary of the results of the service record review, are counselors assigning individuals who are receiving disability benefits under SSDI/SSI to an appropriate priority category? __YES__NO

21. If No to questions 17 - 20, describe the problems with implementation of the agency's policies for determining significance of disability.

22. Did the agency consult with the State Rehabilitation Council regarding both the priority categories and the criteria for determining individuals with the most significant disabilities? (NA if the agency does not have a council) If not, why not? __YES__NO__NA

23. In the opinion of the reviewer, has the agency implemented any promising practices with regard to determining significance of disability and assigning individuals to priority categories? If yes, describe. __YES__NO

24. Has the review process generated any recommendations for improving the agency's process of determining significance of disability and assigning individuals to priority categories? __YES__NO

    If yes, describe.

Service Record Review Questions: Significance of Disability and Assignment to a Priority Category

The questions below can supplement the Service Record Review Guide if the guide in use at the time does not already include questions related to determining significance of disability and assignment of eligible individuals to priority categories. If the agency has recently developed or revised its definitions for significance of disability and descriptions of priority categories, reviewers will need to use the definitions and descriptions that were in effect during the time period covered by the records being reviewed.

SRRG 1. Is the determination of significance of disability for the individual supported by service record documentation on:
   a. the extent of limitations within functional capacities; __YES__NO
   b. the extent to which the individual needs multiple VR services; __YES__NO
   c. whether or not services will need to be provided over an extended period of time? __YES__NO

SRRG 2. Does the service record information indicate that the individual was assigned to a priority category according to agency policies? (NA if individuals are not assigned to priority categories because all categories are open) __YES__NO__NA

SRRG 3. If the individual was a recipient of disability benefits under SSDI/SSI at the time of application, was that individual:
   a. determined to be at least significantly disabled? __YES__NO__NA

(NA if individual does not receive SSDI/SSI disability benefits)

b. assigned to an appropriate priority category? (NA if individual does not receive SSDI/SSI disability benefits) __YES__NO__NA

SRRG 4. If No to any of the above questions, please explain.

Interview Questions: Determining Significance of Disability and Priority for Services

Intrvw 6.	Do you concur with the current agency definition of an "individual with a most significant disability?" If No, explain.	__YES__NO
Intrvw 7.	Do you concur with the current agency criteria for assigning individuals to priority categories? If No, explain.	__YES__NO
Intrvw 8.	Do you have any recommendations for revising either the definition of "individual with a most significant disability" or the criteria for the priority categories? If Yes, describe.	__YES__NO
Intrvw 9.	In your opinion, has the agency implemented any promising practices with regard to determining significance of disability and assigning priority categories? If Yes, describe.	__YES__NO

Part B: Administering an Order of Selection

Purpose: Part B determines whether an agency on an order of selection is implementing the order of selection process consistent with program requirements, and applies to State VR agencies that have been implementing an order of selection by closing one or more priority categories for a substantial part of the time period covered by the review. For those State VR agencies with a State Rehabilitation Council, this part determines the extent to which the agency consulted with the Council about administration of the order of selection.

Requirements: At the beginning of a fiscal year, a State VR agency that is implementing an order of selection should preserve enough funds to assure that it can continue to provide services to all those individuals who are already receiving services under an individualized plan for employment (IPE) and to assure that it can determine eligibility and assess VR needs for all individuals expected to apply for services during that fiscal

year. To the extent resources allow, the remaining service funds can be used to provide all needed services to individuals determined to be eligible during the fiscal year. The order of selection provides a management tool for preventing the depletion of agency resources before the end of the fiscal year, assuring that once an individual begins to receive VR services under an IPE, sufficient resources will be available to continue to serve that individual.

State VR agencies implementing an order of selection must (a) implement the order on a statewide basis; (b) notify all eligible persons of their assignment to a particular priority category and their right to appeal this assignment; (c) assure continuity of services to all persons who were receiving services under an IPE prior to the effective date of the order; and (d) assure that funding arrangements are consistent with the order of selection (34 CFR 361.36(e)).

Implementing an order of selection on a statewide basis means that, within the State, the same priority categories are closed in all VR offices. Although State VR agencies must notify all eligible individuals of their priority category assignment and their right to appeal the assignment, the record of such notification is not listed in 34 CFR 361.47 that describes the required contents of the service record. Assuring continuity of services also applies to individuals receiving services after being selected from a priority category that is subsequently closed. An agency that receives third-party funding to serve individuals from a particular disability group or referral source may not serve any of those individuals that fall outside of the priority categories being served under the order of selection and must renegotiate any funding arrangements that are not consistent with the order of selection requirements.

State VR agencies have the authority to open and close priority categories as needed, so long as the order of the categories is maintained and continuity of services to all individuals selected for services is assured. In determining whether to open priority categories, an agency should ensure that sufficient resources are available throughout the year to serve individuals in higher priority categories**.** An agency that opens priority categories and subsequently cannot serve all individuals in higher priority categories would be out of compliance with the order of selection requirement.

If the State VR agency has a State Rehabilitation Council, it must consult with the Council on administration of the order of selection (34 CFR 361.36(f)(4)). In practice, if the agency's administration of the order has not changed for some time, there may not be evidence in State Plan Attachment 4.2(c) or other documents that indicate annual consultation with the Council on this topic. In this case, it may be helpful to interview agency staff and Council members to determine whether either the Council or the agency have concerns about the administration of the order of selection, using the interview questions in this part.

Review questions: Administration of an Order of Selection

25. Are the same priority categories closed __YES__NO

in all areas of the State? If No, describe.

26. Based on results of the service record review or other relevant information, is the State VR agency notifying all eligible individuals of their assignment to a particular priority category and their right to appeal that assignment? __YES__NO

27. If the agency implemented an order during the time period covered by the service record review, do results of the service record review show that overall, individuals who were receiving services at the time of implementation of the order continued to receive, as appropriate, all needed services? (NA if no records for such individuals were included in the service record review) __YES__NO__NA

28. Overall, do results of the service record review show that individuals selected for services from priority categories continued to receive, as appropriate, all needed services? __YES__NO

29. Is there any evidence that the selection of individuals for services is influenced by the State agency's third-party agreements? __YES__NO

30. Based on review of a sample of cooperative agreements and other funding arrangements, are these agreements and funding arrangements consistent with the State agency's order of selection, or is the agency renegotiating these agreements and arrangements in order to make them consistent with the agency's order of selection? (NA if there are no cooperative agreements or other funding arrangements) __YES__NO__NA

31. If the State VR agency opened lower priority categories during the current fiscal year, has the agency been able to continue to serve all individuals in higher priority categories? (NA if there were no changes in the priority categories that were open.) __YES__NO__NA

32. If the State VR agency has a Council, did the agency consult with the Council regarding administration of the order of selection? (NA if the agency has no Council) If No, explain. __YES__NO__NA

33. In the opinion of the reviewer, has the agency implemented any promising practices with regard to administering an order of selection? If Yes, describe. __YES__NO

34. Has the review process generated any recommendations for improving the agency's administration of the order of selection? If Yes, describe __YES__NO

Service Record Review Questions: Administration of an Order of Selection

The questions below can supplement the Service Record Review Guide if the guide in use at the time does not already include similar questions related to the requirements for administration of the order of selection -- continuity of services, notification of priority category assignment, and selection for services.

SRRG 5. Once services listed on the IPE were initiated, did services continue to be provided without undue delays or interruptions on the part of the State VR agency? (NA if services were not initiated) __YES__NO__NA

SRRG 6. Based on information in the service record, was the individual notified of his/her priority assignment and the right to appeal that assignment? (NA if the State agency does not require including this information in the service record.) __YES__NO__NA

SRRG 7. Based on information in the service record, was the individual selected for services according to the agency's policy? If No, explain. __YES__NO

Interview Questions: Administration of an Order of Selection

Intrvw 10. Are you in agreement with the manner in which the agency is administering the order of selection? If not, why not? __YES__NO

Intrvw 11. Do you have any recommendations for improving the administration of the order of selection? If Yes, describe. __YES__NO

Intrvw 12. In your opinion, has the agency implemented any promising practices with regard to __YES__NO

administering the order of selection? If Yes, describe.

Part C: Information and Referral Services (Optional)

Purpose: Part C examines the requirements related to the provision of information and referral services to eligible individuals who do not meet a State VR agency's order of selection criteria. These requirements apply only to agencies that are implementing an order of selection by closing one or more priority categories for a substantial part of the time period covered by the review.

Requirements: Agencies implementing an order of selection must ensure that an eligible individual who does not meet the criteria for the open categories of the order of selection has access to services provided under the information and referral system (Section 101(a)(5)(D) of the Act). Information and referral services include: (a) providing vocational rehabilitation information and guidance to assist individuals in achieving employment; and (b) appropriately referring individuals to other Federal and State programs, including other statewide workforce investment programs, that are best suited to meet the individual's specific employment needs (Section 101(a)(20)(A) of the Act).

When making a referral, the agency must provide the individual with:

- a notice of the referral;
- information about a specific point of contact within the program to which the individual is being referred; and
- information and advice about the most suitable services for assisting the individual to prepare for, secure, retain, or regain employment (Section 101(a)(20)(B)(ii) of the Act and 34 CFR 361.37(b)(2)).

The individual's service record must include documentation on the nature and scope of information and referral services provided by the State VR agency to the individual and documentation on the referral itself (34 CFR 361.47(a)(13)).

As part of its reporting under section 101(a)(10)(c)(ii)(I) of the Act, agencies must report annually on the number of eligible individuals who received information and referral services (not under an IPE) because they did not meet the order of selection criteria. RSA-PD-00-06 (dated March 16, 2000) introduced a new service category, information and referral services, as part of the RSA-911 Case Service Report System.

Review Questions: Information and Referral Services

35. Based on written policies or other information, has the agency implemented an information and referral system for individuals who are not in open categories on the order of selection? If No, explain. __YES__NO

36. Overall, based on a summary of the results of relevant service record review questions, is the agency assuring that individuals receive all of the information required in 34 CFR 361.37(b)(2)? If No, explain. __YES__NO

37. Does the agency report annually on the number of eligible individuals who did not meet the order of selection criteria and who received information and referral services? If No, explain. __YES__NO

Service Record Review Questions: Information and Referral Services

The questions below can supplement the Service Record Review Guide if the guide in use at the time does not already include similar questions related to the requirements for providing information and referral services. Use of these questions would require that the sample of records selected for review include individuals who received information and referral services.

SRRG 8. Does the service record include evidence that the individual:

(a) was notified of the referral? __YES__NO

(b) was provided information about a specific point of contact within the agency to which the individual was referred? __YES__NO

(c) was provided information about the services most suitable for assisting the individual to achieve employment? __YES__NO

SRRG 9. If No to any of the questions above, explain.

Section III. Assessing the Ability to Serve All Eligible Individuals

Purpose: Section III explores the extent to which a State VR agency's performance during the current fiscal year is consistent with its determination that the agency can serve all eligible individuals and meet all other program requirements. This section is most appropriate in situations when there are concerns about whether the resources of the

State VR agency are sufficient to serve all eligible individuals. Because these concerns can arise in a State VR agency that did not establish an order of selection and also in a State agency on an order of selection with all priority categories open, Section III is applicable in either situation. For those State VR agencies with a State Rehabilitation Council, this section determines the extent to which the agency consulted with the Council about any reevaluation of the need to establish an order of selection.

Requirements: The determination that an agency can serve all eligible individuals is made on the basis of an assurance that satisfies the requirements of 34 CFR 361.36(b)(1) or (2) and a determination that the State VR agency's projected fiscal and personnel resources are sufficient to enable the agency to:

- continue to provide services to all individuals currently receiving services under an IPE who are expected to continue to need services during the coming fiscal year;
- determine eligibility and provide assessments for all individuals expected to apply for services during the coming fiscal year;
- provide all needed services to those expected to be determined eligible; and
- meet all other program requirements (34 CFR 361.36(a)(2)).

This determination is not required content for the State plan, but RSA can review the basis for the determination during monitoring activities.

To support the determination that the State VR agency can fully serve all eligible individuals during the current fiscal year, the agency must have, in fact:

- provided assessment services to all applicants and the full range of services, as appropriate, to all eligible individuals;
- made referral forms widely available throughout the State;
- conducted outreach efforts to identify and serve unserved or underserved persons; and
- not delayed determinations of eligibility, development of IPEs, and provision of services for individuals for whom IPEs have been developed (34 CFR 361.36(b)(1)).

An agency determining that it can serve all eligible individuals during this current fiscal year must also have met these requirements during the previous fiscal year (34 CFR 361.36(b)(1)) or must meet additional requirements related to changed circumstances described in 34 CFR 361.36(b)(2).

In accordance with 34 CFR 361.36(b)(2), an agency that did not meet the requirements of 361.36(a)(2) and (b)(1) during the previous fiscal year, but determines that it can serve all eligible individuals during the current fiscal year, must describe the changed circumstances that support the determination that it can fully serve all individuals. The description of changed circumstances must include: (1) projections of the numbers of individuals to be served, service and administrative costs, revenues, and available

qualified personnel; (2) any relevant comparable data from previous years and explanations for increases and decreases in costs and resources; and (3) a determination that, for the current fiscal year, the projected revenues and personnel are adequate to cover the projected costs and to provide the full range of services to all eligible individuals.

An agency that determines that it does not need to establish an order of selection must reevaluate that determination whenever changed circumstances indicate that it may not be able to provide the full range of services, as appropriate, to all eligible individuals. Changed circumstances may include decreases in fiscal or personnel resources or increases in program costs (34 CFR 361.36(c)(2)). Increases in program costs may occur because of increased services costs and/or an increase in the number of individuals referred to the VR program.

A State VR agency that establishes an order of selection but does not implement the order by keeping all priority categories open, must continue to be able to provide the full range of services, as appropriate, or it must implement the order of selection by closing one or more priority categories (34 CFR 361.36(c)(3)). In other words, a State agency that is operating on an order of selection with all priority categories open must meet the same requirements as an agency that did not establish an order of selection or must close one or more categories.

If a State VR agency implements an order of selection during the fiscal year, rather than at the outset, and thereafter cannot serve all individuals with significant or most significant disabilities, the agency would be out of compliance with the order of selection requirement.

If the State VR agency has a State Rehabilitation Council, the agency must consult with the Council about any reevaluation of the need to establish an order of selection (34 CFR 361.36(f)(1)). A State VR agency that is operating with all priority categories open has the authority to close priority categories as needed, without consultation with the State Rehabilitation Council (34 CFR 361.36(c)(3)).

Review Questions: Assessing the Ability to Serve All Eligible Individuals

To assess the determination that an agency can serve all eligible individuals requires review activities that cover a wide range of topics and are broad in scope. The review questions below identify the source of information to be used to develop the responses, and some questions identify several potential sources of information. When multiple sources are identified, reviewers can select the most efficient and effective information source from those listed or use other sources with similar information. Reviewers may want to collaborate with fiscal specialists when responding to questions on the adequacy of fiscal resources.

Outreach and availability of applications

Based on written information or interviews:

35. Is the agency implementing the outreach activities identified in the State plan? __YES__NO

36. Is the agency implementing the strategies described in the State plan for addressing needs identified by the comprehensive statewide assessment? __YES__NO

37. Is the agency implementing the methods described in the State plan for expanding and improving services to individuals with disabilities? __YES__NO

38. Is the agency meeting the minimum standard for serving individuals with disabilities from minority backgrounds as described in Performance Indicator 2.1? __YES__NO

39. Based on information from CAP reports, reports of consumer complaints or appeals, or other relevant information, is there any indication that applications are NOT available throughout the State? __YES__NO

40. Describe any problems with the agency's outreach activities.

Timely service provision

Based on a summary of the results of service record review questions related to timely service provision, agency records related to individuals moving through the VR process in a timely manner, or any other similar information:

41. Is the State VR agency generally able to meet all of the time standards related to the initial contact and application process, determining eligibility, and developing IPEs? __YES__NO

42. Are individuals generally receiving needed services without experiencing unnecessary delays on the part of the agency? __YES__NO

43. Is agency performance on meeting time standards and providing continuity of services less than __YES__NO__NA

agency performance at this point in the previous fiscal year? (NA if information not available) If Yes, explain.

Adequacy of fiscal resources

Review the State VR agency's process for projecting, prior to the current fiscal year, the number of individuals to be determined eligible and the number of individuals to receive services under an IPE during the current fiscal year. Review the agency's process for monitoring the actual number of individuals determined eligible and the number of individuals receiving services under an IPE in the current fiscal year. Compare agency data for the current fiscal year with projected data for the current fiscal year and the same data for the previous fiscal year.

Based on the comparison of agency data:

44. Is the number of individuals determined eligible for the current fiscal year greater than the number projected for this point in the fiscal year? __YES__NO

45. Is the number of individuals receiving services under an IPE for the current fiscal year greater than the number projected for this point in the fiscal year? __YES__NO

46. If the answer to 44 and/or 45 is Yes, is it because of problems with the projection process? (NA if No to 44 <u>and</u> 45) If Yes, explain. __YES__NO__NA

47. If the answer to 44 and/or 45 is Yes, is it because of changed circumstances? (NA if No to 44 <u>and</u> 45) If Yes, explain. __YES__NO__NA

Review the State VR agency's process for projecting, prior to the current fiscal year, that its fiscal resources are sufficient for all service and administrative costs for the current fiscal year. Review the agency's process for monitoring the actual expenditures in the current fiscal year. Compare agency data for the current fiscal year with projected data for the current fiscal year and the same data for the previous fiscal year.

Based on the comparison of agency data:

48. Is the amount of total fiscal resources available for the current fiscal year less than the amount of resources projected to be available? __YES__NO

49. Is the rate of expenditures for the current fiscal year greater than projected estimates for this point in the fiscal year? __YES__NO

50. If the answer to 48 and/or 49 is Yes, is it because of problems with the projection process? (NA if No to 48 and 49) If Yes, explain. __YES__NO__NA

51. If the answer to 48 and/or 49 is Yes, is it because of changed circumstances? (NA if No to 48 and 49) If Yes, explain. __YES__NO__NA

52. Overall, are the agency's revenues sufficient to cover the costs of providing the full range of services to all eligible individuals and the costs of administering the program? Explain. __YES__NO

Adequacy of Personnel Resources

Review information in State Plan Attachment 4.11(b) on the comprehensive system of personnel development (CSPD) or other State agency data from the system for determining personnel needs. Compare agency data for the current fiscal year with projected data for the current fiscal year and the same data for the previous fiscal year.

Based on a comparison of the data:

53. For the current fiscal year, is the number of qualified personnel employed by the State VR agency less than the number projected to be available? __YES__NO

54. For the current fiscal year, is the number of qualified personnel employed by the State VR agency less than the number projected to be needed in relation to the number of individuals to be served? __YES__NO

55. If the answer to question 53 and/or question 54 is Yes, is it because of problems with the projection process? (NA if No to 53 and 54) If Yes, explain. __YES__NO__NA

56. If the answer to question 53 and/or question __YES__NO__NA

54 is Yes, is it because of changed circumstances? (NA if No to 53 and 54) If Yes, explain.

57. Overall, are the agency's personnel resources sufficient to continue to: a) provide services to all individuals currently receiving services under an IPE; b) determine eligibility and provide assessments for all individuals expected to apply for services; c) provide all needed services to those expected to be determined eligible; and d) meet all other program requirements? Explain. __YES__NO

Changed circumstances

58. If the State VR agency experienced changed circumstances (Yes response to one or more of questions 47, 51 and 56) and the agency is on an order of selection with all priority categories open, is it considering closing one or more priority categories? (NA if not on an order of selection or if No to all questions 47, 51, and 56.) If No, explain. __YES__NO__NA

59. If the State VR agency experienced changed circumstances (Yes response to one or more of questions 47, 51, and 56) and the agency is not on an order of selection, did the agency reevaluate, or is the agency planning to reevaluate, the need for an order of selection? (NA if on an order with all priority categories open or if No to all questions 47, 51, and 56.) If No, explain. __YES__NO__NA

60. Does the State VR agency have a State Rehabilitation Council? __YES__NO__NA

61. If the agency re-evaluated the need for an order of selection, did the State VR agency consult with the State Rehabilitation Council about that re-evaluation? (NA if the agency did not re-evaluate or has no Council) __YES__NO__NA

62. Did the Council agree with the determination of the agency? (NA if no re-evaluation or no Council) If No, why not? __YES__NO__NA

63. If the Council did not agree, did the agency respond to the input of the Council? (NA if no re-evaluation or no Council) If __YES__NO__NA

Yes, what was the agency's response?

Support for determination

64. Overall, does all the information gathered above support the agency's determination that, for the current fiscal year, it can continue to serve all eligible individuals? __YES__NO

65. If the response to 64 is No and the agency is not on an order of selection, is the agency planning to establish and implement an order of selection? (NA if Yes to question 64 or if the agency has all priority categories open.) __YES__NO__NA

66. If the response to 64 is No and the agency has established an order of selection with all priority categories open, is the agency planning to implement an order of selection by closing one or more priority categories? (NA if Yes to question 64 or if the agency has not established an order of selection.) __YES__NO__NA

Service Record Review Questions: Assessing the Ability to Serve All Eligible Individuals

The questions below can supplement the Service Record Review Guide if the guide in use at the time does not already include similar questions related to the requirements for timeliness and continuity of services that can assist the reviewer in determining if there were unreasonable delays in the VR process on the part of the State VR agency.

SRRG 10. Did the agency make a good faith effort to meet the time standard for informing the individual about the application requirements, <u>or</u> if the agency does not have a time standard, does the information in the service record indicate that the agency made good faith efforts to inform the individual in a timely manner? __YES__NO

SRRG 11. Does the information is the service record indicate that the State agency made good faith efforts to obtain the information needed to submit the application in a timely manner? __YES__NO

SRRG 12. Was the eligibility/ineligibility determination made within 60 days of the individual's __YES__NO

application or did the counselor and applicant agree to a specific extension of time?

SRRG 13. Was the IPE developed within the agency time standard, or if the agency does not have a time standard, does the information in the service record indicate that the IPE was developed without unreasonable delays on the part of the State agency? __YES__NO

SRRG 14. Does the service record indicate that services were initiated according to the timelines identified on the IPE, or if no timelines are identified, does the service record indicate that services were initiated without unreasonable delays or interruptions on the part of the agency? __YES__NO

SRRG 15. Once services listed on the IPE were initiated, did services continue to be provided without unreasonable delays or interruptions on the part of the agency? __YES__NO

SRRG 16. If delays or interruptions on the part of the agency occurred, describe the reasons.

Interview Questions: Assessing the Ability to Serve All Eligible Individuals

The first set of interview questions (questions 13 – 18) relate to outreach activities and the availability of applications, and can be used to supplement other available information or to obtain information for answering review questions if there no other available information. Responses to the interview questions can be compared to information in the State plan about the intended implementation of outreach activities.

The second set of interview questions (questions 19 – 21) can be used to provide more background information on the possible reasons that the State agency does not have enough fiscal and personnel resources to provide timely and appropriate services to all eligible individuals.

The final set of interview questions (questions 22 and 23), regarding consultation with the State Rehabilitation Council on any reevaluation of the need for an order of selection, can be used if no other information is available.

Intrvw 13. What outreach activities are being implemented in the State?

Intrvw 14. How is the State agency addressing needs identified by the comprehensive statewide assessment?

Intrvw 15. How is the State agency expanding and improving services to individuals with disabilities?

Intrvw 16. What activities are being implemented by the State agency in order to maintain or improve the agency's performance on Performance Indicator 2.1?

Intrvw 17. Are you aware of any instances in which individuals have not been provided with an application when requested?

Intrvw 18. [If the State agency is not following through with its planned outreach efforts] Do you have any recommendations for improving outreach efforts?

Intrvw 19. [If the State agency is not meeting requirements for providing timely services to eligible individuals] Do you have any recommendations for improving the agency's ability to provide services in a timelier manner?

Intrvw 20. [If the State agency does not have adequate fiscal resources] Do you have any recommendations for increasing the fiscal resources available to the agency?

Intrvw 21. [If the State agency does not have adequate personnel resources] Do you have any recommendations for increasing the personnel resources available to the agency?

Intrvw 22. How did the State VR agency consult with the State Rehabilitation Council about the reevaluation of the need for an order of selection?

Intrvw 23. Did the Council agree with the State VR agency's determination about the need for an order of selection? If not, what was the agency's response?

Focus Area VI: Optional – Designated State Vocational Rehabilitation Unit

DESIGNATED STATE VOCATIONAL REHABILITATION UNIT

This survey instrument tests for compliance with the Federal legal requirements for a designated State unit (DSU) that is responsible for the administration of the vocational rehabilitation (VR) program of a designated State VR agency (DSA). It also identifies suggested factors to consider in assessing the nature and degree of authority of the DSU in carrying out its statutory responsibility to administer the VR program of the DSA.

Statutory requirements for the DSU are found in section 101(a)(2)(B) of the Rehabilitation Act of 1973, as amended. The DSA must include a separate DSU when the DSA responsible for the administration of the VR program is not primarily concerned with VR, or vocational and other rehabilitation of individuals with disabilities. These statutory provisions require that the DSU must:

- Be primarily concerned with VR, or vocational and other rehabilitation, of individuals with disabilities;
- Be responsible for the VR program of the DSA;
- Have a full-time director;
- Have staff, all or substantially all of whom are employed full time on the rehabilitation work of the DSU; and
- Be located at an organizational level and have organizational status within the DSA comparable to that of other major organizational units of the DSA.

The Federal regulations implementing these statutory requirements are found at 34 CFR 361.13(b). The regulatory provisions track the statutory requirements and also specify that at least 90 percent of the DSU's staff must be employed full time on the rehabilitation work (VR, or vocational and other rehabilitation of individuals with disabilities) of the DSU.

The regulations at 34 CFR 361.13(c) also require that the following functions be reserved solely to the staff of the DSU and may not be delegated to any other agency or individual.

- Decisions regarding eligibility determinations; the nature and scope of available VR services to be provided; and the provision of VR services;
- Determination that an individual has achieved an employment outcome;
- Policy formulation and implementation;
- Allocation and expenditure of VR funds; and
- Participation as a partner in the One-Stop service delivery system under title I of the Workforce Investment Act of 1998.

The first part of the instrument focuses on compliance with Federal statutory and regulatory requirements pertaining to the DSU. The second part identifies suggested factors to consider in assessing the nature and extent of the authority of the DSU in carrying out its responsibility to administer the VR program of the DSA. In the appendix to the instrument is background information on the questions together with the identification of reference materials.

Compliance with Federal Requirements

1. Is the work of the DSU primarily concerned with VR, or vocational and other rehabilitation, of individuals with disabilities? ___YES___NO

2. Does the DSU have responsibility for:

   a. Decisions related to:
      1. Eligibility of individuals applying for VR services? ___YES___NO
      2. Nature and scope of VR services to be provided to individuals with disabilities? ___YES___NO
      3. Provision of VR services to individuals with disabilities? ___YES___NO
   b. Determination that an individual has achieved an employment outcome? ___YES___NO
   c. Policy formulation and implementation? ___YES___NO
   d. Allocation and expenditure of VR funds? ___YES___NO
   e. Participation as a partner in the One-Stop service delivery system? ___YES___NO

3. Does the director of the DSU devote full-time to the work of the unit? ___YES___NO

4. Does at least 90% of the DSU staff devote full time to the rehabilitation (VR, or vocational and other rehabilitation) work of the unit? ___YES___NO

5. In comparison with other major organizational units within the DSA, is the DSU located at an organizational level comparable to the other units? ___YES___NO

6. In comparison with other major organizational units within the DSA, does the DSU have organizational status comparable to the other units? ___YES___NO

Factors to Assess Nature and Extent of DSU Authority

1. If administrative functions are centralized at the DSA level, does the DSU have adequate input with respect to the DSA's VR program regarding:

   a. Legislative proposals? ___YES___NO___N/A
   b. Regulations? ___YES___NO___N/A
   c. Budget development? ___YES___NO___N/A

d. Program planning? ___YES___NO___N/A
e. Program evaluation? ___YES___NO___N/A
f. Personnel management? ___YES___NO___N/A
g. Management information systems? ___YES___NO___N/A
h. Fiscal and statistical reporting? ___YES___NO___N/A

2. If administrative functions are centralized at the DSA level, does the DSU receive adequate and timely support from the DSA? ___YES___NO___N/A

3. If VR funds are used to support administrative functions at the DSA level:

a. Is there an approved cost allocation plan? ___YES___NO___N/A

or

b. Are direct charges reasonable? ___YES___NO___N/A

4. Does the DSU director have adequate supervisory and administrative control over the program staff of the unit? ___YES___NO

5. Does the DSU director report to the director of the DSA in a manner comparable to the directors of the other major organizational units of the DSA? ___YES___NO

6. Is the status of the DSU director comparable to the directors of the other major organizational State units of the DSA? ___YES___NO

7. Are the delegations of authority to the DSU director comparable to those of directors of the other major organizational units of the DSA? ___YES___NO

8. Does the DSU have functional comparability vis-à-vis the other major organizational units of the DSA? ___YES___NO

APPENDIX FOR DESIGNATED STATE UNIT SURVEY INSTRUMENT

This provides background information and identifies references regarding the questions in this survey instrument.

Compliance with Federal Requirements

Question 1

The statutory language "primarily concerned with" acknowledges the flexibility provided in the Act with respect to the scope of programmatic responsibilities of the DSU. Within this context, the DSU can have responsibility for activities *that fall outside* of the parameters of "vocational rehabilitation, or vocational and other rehabilitation". Such responsibilities must be subordinate and secondary to the responsibility of the DSU for its VR program, or its vocational and other rehabilitation programs. The DSU's responsibilities can also encompass activities that are "other rehabilitation" in addition to its responsibility for the VR program. In summary, based on the statute the DSU can have responsibilities that extend beyond the VR program to encompass both "other rehabilitation" activities and also programs that are neither VR nor "other rehabilitation." Within this context, title I funds can be used only to support the work of the DSU and its staff on VR related activities.

References

101(a)(2)(B)(ii)(I) of the Act.

34 CFR 361.13(b)(1)(i) of the implementing regulations and the associated preamble discussions in both the December 15, 1995, Notice of Proposed Rulemaking and the February 11, 1997, Final Rule.

Policy Directive 96-02, dated November 7, 1995, and entitled "Special Education Programs as 'Other Rehabilitation' for Purposes of the Application of the Provisions of Sections 101(a)(1)(B)(i) and (2)(A)(i) of the Rehabilitation Act of 1973, as amended."

Commissioner's Memorandum 96-05, dated November 20, 1995, and entitled "Special Education Programs as 'Other Rehabilitation' for Purposes of the Application of the Provisions of Section 101(a)(2)(A)(i) of the Rehabilitation Act of 1973, as amended."

PQ 85, dated December 13, 1977, and entitled "Policy Clarification Issued July 22, 1977, Regarding 'All or Substantially All Full Time Staff.'"

PQ 260, dated May 20, 1981, and entitled, "Policy Interpretation on Definition of Vocational and Other Rehabilitation of Handicapped Individuals."

Program Instruction 75-31, dated June 3, 1975, and entitled "RSA Policy Statement on Interpretation of State VR Organizational Requirements of the Rehabilitation Act, as amended."

Program Instruction 77-26, dated July 26, 1977, and entitled "RSA Policy Statement on Interpretation of State VR Organizational Requirements of the Rehabilitation Act, as amended." (Amends Program Instruction 75-31)

Question 2

This question is designed to assess if the statutory provision that the DSU is "responsible for the vocational rehabilitation program of the designated State VR agency" is being satisfied. The statute does not describe the nature and scope of this responsibility or how it is to be carried out by the DSU. The implementing regulations do, however, identify the minimum non-delegable functions that must be carried out by the DSU with respect to the statutory mandate for the unit to be responsible for the VR program of the DSA. These functions relate to all decisions affecting eligibility, the nature and scope of services, and the provision of those services; determinations that individuals have achieved employment outcomes; policy formulation and implementation; allocation and expenditure of VR funds; and participation in the One-Stop service delivery system in accordance with the regulatory requirements specified in 20 CFR Part 662.

RSA policy has consistently viewed these functions as prime examples of what is meant by the statutory language that the designated State unit "is responsible for the vocational rehabilitation program of the designated State agency" and not as the total extent of the responsibility of the DSU to administer the VR program of the DSA.

References

34 CFR 361.13(c) of the implementing regulations and the associated preamble discussions in both the December 15, 1995, Notice of Proposed Rulemaking and the February 11, 1997, Final Rule.

Question 3

The director of the DSU must devote full-time to the work of the unit within the context of the scope of the unit's programmatic responsibilities. (See discussion above for Question 1). While the director is not required to devote full-time to the VR component of the DSU's work, title I funds can be used to support the work of the director only to the extent of the director's activities spent on VR work.

References

101(a)(2)(B)(ii)(II) of the Act.

34 CFR 361.13(b)(1)(i) and (ii) of the implementing regulations.

45 CFR 401.8, dated December 5, 1974, and associated preamble discussion.

Question 4

As discussed above in Question 1, the work of the DSU unit can encompass activities that extend beyond VR and other rehabilitation; however, the Act and the regulations prescribe that "all or substantially all staff " of the DSU must devote full-time to the rehabilitation work of the unit, i.e., VR, or vocational and other rehabilitation work of the unit. Longstanding RSA sub-regulatory policy described this portion of the DSU's staff that can be committed to activities that are not VR and other rehabilitation as being "no more than 5 to 10 percent of the total staff...". Building on this sub-regulatory policy, the current regulations at 34 CFR 361.13(b)(1)(iii) set the maximum limit at 10 percent.

References

101(a)(2)(B)(ii)(III) of the Act.

34 CFR 361.13(b)(1)(iii) of the regulations and associated preamble discussions in both the December 15, 1995, Notice of Proposed Rulemaking and the February 11, 1997, Final Rule.

Program Instruction 77-26, dated July 26, 1977, and entitled "RSA Policy Statement on Interpretation of State VR Organizational Requirements of the Rehabilitation Act, as amended." (Amends Program Instruction 75-31)

PQ 85, dated December 13, 1977, and entitled "Policy Clarification Issued July 22, 1977, Regarding 'All or Substantially All Full Time Staff.'"

Questions 5 - 6

These questions focus on the statutory provision that the DSU must be located at an organizational level and have organizational status within the DSA comparable to the other major organizational units. To assess the nature and extent of the required comparability, questions 5 - 8 in the next section of this survey instrument identify suggested factors that can be considered in making such a determination.

References

101(a)(2)(B)(ii)(IV) of the Act.

34 CFR 361.13(b)(1)(iv) of the implementing regulations.

Program Instruction 75-31, dated June 3, 1975, and entitled "RSA Policy Statement on Interpretation of State VR Organizational Requirements of the Rehabilitation Act, as amended."

Factors to Assess Nature and Extent of DSU Authority

Questions 1 - 3

These questions identify a variety of program management considerations when administrative functions for the VR program are centralized at the DSA level.

Question 1 identifies program management activities that typically are carried out by an organization that is responsible for the day-to-day operational administration of a public program. Within the context of this instrument, the sub-questions focus on the nature and extent of the participation of the DSU in these activities when they are centralized at the DSA level. In making judgments about the adequacy of the nature and degree of DSU involvement in these activities, the following factors should be taken into consideration.

- The Act provides considerable flexibility to the State in the administration of the VR program.

- The ultimate responsibility for the administration of the VR program rests with the DSA, not the DSU.

- Legislative history, the statute, implementing regulations and RSA sub-regulatory policy do not address in a definitive manner the operational and management considerations with respect to what is meant by the notion of the DSU "being responsible" for the VR program of the DSA. The clearest statement in this regard is reflected in the regulatory provisions at 34 CFR 361.13(c) that identify the non-delegable functions that must be carried out by the DSU.

- RSA sub-regulatory policies developed in the 1970s (within the context of the *then* current program regulations) characterized the DSU's operational and management responsibility as having an "effective voice" and "strong input" with respect to the administration of the DSA's VR program when functions are centralized at the DSA level. Most of the legal bases for those sub-regulatory policies no longer exist.

In assessing the nature and extent of the DSU's authority in carrying out its responsibility to administer the VR program of the DSA, the reviewer must make a judgment whether any authority exists and, if so, its extent, i.e., does it afford the DSU adequate input with respect to the administration of the centralized functions. The reviewer's judgment in this regard should be based on the degree of authority and involvement of the DSU with respect to *all* of the functions listed in the question, taken together as a whole, and not on some of the identified functions.

Questions 2 and 3 address operational and fiscal considerations related to functions centralized at the DSA level to ensure that the DSU has sufficient support from the DSA in carrying out its responsibility to administer the DSA's VR program and that payment from title I funds for such functions are appropriate.

References

101(a)(2)(B)(ii)(I) of the Act.

34 CFR 361.13(c) of the implementing regulations and associated preamble discussions in both the December 15, 1995, Notice of Proposed Rulemaking and the February 11, 1997, Final Rule.

Program Instruction 75-31, dated June 3, 1975, and entitled "RSA Policy Statement on Interpretation of State VR Organizational Requirements of the Rehabilitation Act, as amended."

Program Instruction 77-26, dated July 26, 1977, and entitled "RSA Policy Statement on Interpretation of State VR Organizational Requirements of the Rehabilitation Act, as amended." (Amends Program Instruction 75-31)

PQ-47, dated March 23, 1977, and entitled "Responsibilities of the Designated Sole State Agency."

Question 4

This question goes to the heart of the programmatic and operational responsibility of the DSU director to direct the DSA's VR program. Again, there are no provisions in the statute or regulations that speak directly to this consideration. There are, however, sub-regulatory policies, administrative determinations, and judicial decisions made in the 1970s that do touch upon the supervisory and administrative control of the DSU director over the VR program and its staff.

References

Program Instruction 77-26, dated July 26, 1977, and entitled "RSA Policy Statement on Interpretation of State VR Organizational Requirements of the Rehabilitation Act, as amended." (Amends Program Instruction 75-31)

Administrative Law Judge's decision on the proposed disapproval by RSA of the Florida State VR Plan for FY 1976, November 26, 1976

Final Decision of RSA regarding the disapproval of the Florida State VR Plan for FY 1976, January 19, 1977

United States District Court, Northern District of Florida, March 28, 1978

United States Court of Appeals, Fifth Circuit, November 27, 1978

Questions 5 - 8

These questions address a variety of considerations related to the comparability provisions in the statute.

To assess comparability, there is nothing in the statute or current regulations that provides a legal basis for any of the factors identified. While there are some dated sub-regulatory policies that do address comparability provisions, many of them no longer enjoy the same degree of regulatory support that they did when they were promulgated in the 1970s. In making judgments with respect to comparability provisions, the following are some suggested factors to consider.

- Access of the directors of the various organizational units to the DSA director;
- Status (pay, grade, title) of the directors of the various major organizational units in the DSA;
- Nature and scope of the authority and responsibilities invested in the directors of the various DSA organizational units to administer their programs; and
- Functional comparability between the DSU and the other DSA major organizational units.

References

101(a)(2)(B)(ii)(IV) of the Act.

34 CFR 361.13(b)(1)(iv) of the implementing regulations.

Program Instruction 77-26, dated July 26, 1977, and entitled "RSA Policy Statement on Interpretation of State VR Organizational Requirements of the Rehabilitation Act, as amended." (Amends Program Instruction 75-31)

RSA Memorandum, dated November 9, 1976, and entitled "Vermont's Annual State Plan for FY 1976."

RSA Memorandum, dated September 22, 1978, and entitled "Proposed Reorganization of Arizona Department of Economic Security."

Fiscal Reviews

FISCAL REVIEWS

During FY 2003, a fiscal review will be conducted in all State VR agencies. These reviews will be tailored to follow up on monitoring findings from previous years and to address issues of concern in the State agency. To this end, reviewers may design their review strategy using a combination of any of the following materials:

- Select one or more of the following sections from the SAFARI:

  --I. Accounting
  --II. Audit Resolution
  --III. Operating Budget and Administration
  --IV. Cash Management
  --V. Indirect Cost
  --VI. Matching and Earmarking
  --VII. Payroll
  --VIII. Procurement
  --IX. Program Income
  --X. Property Management
  --XI. Record Retention

- Use the entire Focus Area V, "the WIA and its impact on participants in the VR program," (both required and optional questions) to examine cost allocation issues; or

- Choose one or more of the following fiscal focus areas contained in this Guide:

  --Focus Area VII: Matching and Earmarking;
  --Focus Area VIII: Financial and Statistical Reports (Close-Out); and
  --Focus Area IX: Reallotment Information.

Focus Area VII: Optional - Matching and Earmarking

Matching and Earmarking

General Questions

1. Did political subdivisions provide a portion of the non-Federal match? __ YES __ NO

2. Were transfers from other State agencies used for non-Federal match? __ YES __ NO

3. Were Third-Party Cooperative Arrangements used for non-Federal match? __ YES __ NO

4. Were Establishment Projects used for non-Federal match? __ YES __ NO

5. Were Construction Projects used for non-Federal match? __ YES __ NO

6. Were gifts and/or bequests used for non-Federal match? __ YES __ NO

7. Were additional sources (e.g., set-asides) used for non-Federal match? __ YES __ NO

8. Are there written policies and procedures to prevent reversion to donor? (Reversion to donor occurs when funds are donated with the expectation that those funds will be used by the State for Federal financial participation for expenditures that would directly benefit a specified individual or entity. The prohibition on reversion to donor does not apply to an establishment or construction project.) __ YES __ NO

9. Have third party in-kind contributions been charged to the program for the fiscal year(s) under review? __ YES __ NO

10. For the fiscal year(s) under review, did the State agency expend any funds for the establishment, development or improvement of a public or nonprofit community rehabilitation program? __ YES __ NO
    **Comments

11. For the fiscal year(s) under review, did the State agency expend any funds for the construction of a facility for a public or nonprofit community rehabilitation program? __ YES __ NO
    **Comments

12. For the fiscal year(s) under review, has the State agency carried over Federal funds for obligation and expenditure? __ YES __ NO

13. Were all Federal funds available for carryover matched by non-Federal funds in the appropriation year? __ YES __ NO__ NA
**Comments

14. Has the State met the Maintenance of Effort requirement for the fiscal year(s) under review? (If there are two State agencies, expenditures of both must be considered.) __ YES __ NO__ NA
**Comments

Cooperative Arrangements

15. Does the State VR agency have cooperative arrangements with other State agencies? If YES, identify the other State agencies in the comments space below. __ YES __NO
**Comments

16. Does the State VR agency have cooperative arrangements with local public agencies? If YES, identify the local public agencies in the comments space below. __ YES __NO
**Comments

17. Does the State VR agency have cooperative arrangements with non-profit entities? If YES, identify the non-profit entities in the comments space below. __ YES __NO
**Comments

18. Are the services provided by the cooperating agency only available to applicants for, or recipients of, services from the designated State unit? __YES __NO __NA

19. Are non-Federal funds accounted for by the cooperating agency in a separate accounting process allowing for clear review and audit trail? __YES __NO __NA

20. Are program expenditures under the cooperative arrangement under the administrative supervision of the designated State agency? __YES __NO __NA

21. Is appropriate documentation maintained by the State agency to verify expenditures under the cooperative arrangement? __YES __NO __NA

22. Has the State VR agency completed any fiscal reviews of the cooperative arrangements? If YES, identify the areas reviewed in the comments space below. __YES __NO __NA
**Comments

23. Has the State VR agency completed any programmatic reviews of the cooperative arrangements? If YES, identify the areas reviewed in the comments space below. __YES __NO __NA
**Comments

24. Did the reviews find any deficiencies in the cooperative arrangements? If YES, identify the deficiencies in the comments space below. __YES __NO __NA
**Comments

Audit Findings and Matching

25. Have there been recent State or Federal audit findings questioning the compliance of cooperative arrangements with Federal requirements? If YES, identify the deficiencies in the comments space below. __YES __NO
**Comments

26. Have there been recent State or Federal audit findings questioning the allowability of non-Federal funds used for matching under the establishment or construction authority? If YES, identify the findings in the comments space below. __YES __NO
**Comments

27. Have there been recent State or Federal audit findings questioning the non-Federal funds reported on the Financial Status Report? If YES, identify the findings and the resolution in the comments space below. __YES __NO
**Comments

Financial Status Reports and Matching

28. Based on a review of the most recent Financial Status Reports has the State agency met its matching requirements for the year under review? If NO, identify the amount of the State agency deficiency and the year(s) in the comments space below. **Comments __YES __NO

29. After being notified of noncompliance for the matching requirement, has the State agency revised reports and come into compliance? If YES, explain the justification for the revised Financial Status Report in the comments space below. **Comments __YES __NO __NA

30. Has the State agency reported all non-Federal expenditures during the fiscal year(s) under review? If NO, provide details in the comments space below. **Comments __YES __NO

31. Do State agency personnel understand that all non-Federal expenditures (as defined in RSA policy) must be reported on the Financial Status Report? __YES __NO

Focus Area VIII: Optional - Financial and Statistical Reports

Financial and Statistical Reports (Closeout)

Scope of Review

Sections 101(a)(10)(A) of the Act and 34 CFR 361.40 (program regulations) require VR agencies to submit timely and accurate program and fiscal reports. Two of these reports (SF-269, "Financial Status Report," and RSA-2, "Annual Vocational Rehabilitation Program/Cost Report") are used by RSA to determine preliminary and final compliance with numerous Basic Support Program statutory and regulatory requirements, and to report the financial and programmatic results related to providing VR services under the Rehabilitation Act of 1973, as amended, to Congress.

Upon the submission of final reports, RSA is responsible for assessing the accuracy of reported financial and statistical information and determining final compliance with program and financial requirements.

Review Questions – SF-269 (Financial Status Report)

1. Are responsibilities assigned for verifying the accuracy of financial information reported on the SF-269? __ YES __ NO

2. Are responsibilities for the preparation of SF-269s and verification of reported information segregated? __ YES __ NO

3. Were any problems noted with the timeliness of the submission of quarterly reports (including the year-end report)? __ YES __ NO

4. Were any problems noted with the timely submission of the final report? __ YES __ NO__ NA

5. If problems were noted with the timeliness of report submissions, was technical assistance provided? __ YES __ NO__ NA

6. For the year under review, were revised SF-269s submitted for the 4th quarter or any subsequent reporting period? __ YES __ NO

7. Was the basis for revision of the report(s) documented in Block 12, "Remarks"? __ YES __ NO__ NA

8. Upon review, were problems detected with the revision of previously submitted information? __ YES __ NO__ NA

9. For the year under review, did previously reported expenditures (Column I), agree with the prior quarter expenditures? __ YES __ NO

10. If the answer to question 9 is NO, was an explanation of discrepancies provided in Block 12, "Remarks"? __ YES __ NO__ NA
If the answer to question 9 is NO mark, NA for question 10.

11. Can non-Federal expenditures reported be verified by accounting records and workpapers? __ YES __ NO

12. Did non-Federal expenditures (including unliquidated obligations) increase after the submission of the 4th quarter (year-end) report? __ YES __ NO

13. Was the increase addressed in Block 12, "Remarks"? __ YES __ NO__ NA

14. Has the increase in non-Federal expenditures been reviewed and accepted by RSA? __ YES __ NO

15. Did Block 12, "Remarks" include financial information on innovation and expansion expenditures? __ YES __ NO

16. Did Block 12, "Remarks" include sources and amounts of non-Federal expenditures from non-State-appropriated sources? If so, itemize them in the comments section below. __ YES __ NO__ NA
**Comments

17. Did Block 12 include total Title I expenditures for in-service training activities? __ YES __ NO__ NA

18. Did Block 12 include information on expenditures for establishment/construction activities? __ YES __ NO__ NA

19. Upon examination of the 4th quarter SF-269, was sufficient match reported to carry over the portion of the unobligated balance of Federal funds that was obligated/expended in the succeeding fiscal year? __ YES __ NO__ NA

20. If the answer to question 19 is NO, did the unmatched portion of year-end Federal funds remain in the unobligated balance of Federal funds in subsequent reports (Block 10.p.)? If the answer to question 19 is YES or NA, answer NA to question 20. __ YES __ NO__ NA

21. During the year under review, do the accounting records __ YES __ NO__ NA

reflect the receipt of any refunds/rebates?

22. Were the refunds/rebates reported properly? __ YES __ NO__ NA

23. Can the unliquidated obligations reported on the 4th quarter report be verified? __ YES __ NO__ NA

24. Can the program income received in the year under review be verified? __ YES __ NO__ NA

25. Were any problems detected with the accuracy of reported program income receipts? __ YES __ NO__ NA

26. Can the program income disbursed during the year under review be verified? __ YES __ NO__ NA

27. Were any problems detected with the accuracy of reported program income disbursements? __ YES __ NO__ NA

28. Was any program income transferred to another eligible program funded under the Rehabilitation Act? __ YES __ NO__ NA

29. If the answer to question 28 is YES, were reimbursements received from the Social Security Administration for rehabilitating Social Security beneficiaries the source of this income? If the answer to question 28 is NO or NA, mark NA for question 29. __ YES __ NO__ NA

30. Was the transferred program income properly documented on the SF-269s for the Basic Support Program and the program to which the funds were transferred? __ YES __ NO__ NA

31. Was reported program income revised after year-end? __ YES __ NO__ NA

32. If the answer to question 31 is YES, was the reason for the revision(s) included in Block 12, "Remarks" of the affected report(s)? If the answer question 31 is NO or NA, mark NA for question 32. __ YES __ NO__ NA

33. At the end of the carryover year, was unobligated program income deducted from total program outlays (Block 10.c.)? __ YES __ NO__ NA

34. Did the Federal funds reported each quarter agree with the grant awards issued by RSA? __ YES __ NO

35. Was indirect expense claimed based on an approved __ YES __ NO__ NA

indirect cost rate?

36. Was the type of rate approved by the cognizant agency disclosed in Block 11.a? __ YES __ NO__ NA

37. If applicable, were all rates, bases and amounts claimed reported in Blocks 11.a., c., and d.? __ YES __ NO__ NA

38. Was the indirect expense claimed based on an approved cost allocation plan? __ YES __ NO__ NA

39. Was the total amount of indirect expense claimed reported in Block 11.d.? __ YES __ NO__ NA

40. Was the Federal share of the total amount of indirect expense claimed (78.7%) properly reported? __ YES __ NO__ NA

41. During the fiscal year under review, were final SF-269s submitted for any grant open on October 1 of that year? __ YES __ NO

42. Did the final report(s) pass basic edit checks? __ YES __ NO__ NA

43. Upon review, were problems detected related to compliance with Basic Support Program matching requirement for the applicable year(s)? __ YES __ NO__ NA

44. Upon review, were problems detected related to compliance with the maintenance of effort requirement for the applicable year(s)? __ YES __ NO__ NA

Review Questions – RSA-2 (Annual Vocational Rehabilitation Program/Cost Report)

45. Are responsibilities assigned for verifying the accuracy of financial and statistical information reported on the RSA-2? __ YES __ NO

46. Are responsibilities for the preparation of the RSA-2 and verification of reported information segregated? __ YES __ NO

47. Were any problems noted with the timeliness of the submission of the RSA-2 applicable to the year under review? If YES, answer questions 48 and 49. If NO, mark SKIP for questions 48 and 49 and continue with question 50. __ YES __ NO

48. If problems were noted with the timeliness of the RSA-2 report, has the agency taken appropriate corrective action?	__ YES __ NO__SKIP
49. If problems were noted with the timeliness of the RSA-2, was technical assistance provided?	__ YES __ NO__ SKIP
50. For the year under review, was the RSA-2 revised after submission of the original report? If YES, answer questions 51 and 52. If NO, mark SKIP for questions 51 and 52 and continue with question 53.	__ YES __ NO
51. If applicable, were the revisions made at the request of RSA?	__ YES __ NO__ SKIP
52. If not at the request of RSA, was an explanation or documentation provided to support revisions to the original report?	__ YES __ NO__SKIP
53. Did State agency staff understand and report expenditures and unliquidated obligations on the RSA-2 from Title I (basic support), Title VI B (supported employment) and other rehabilitation funds?	__ YES __ NO
54. In reporting expenditures, was the agency aware of the requirement to report unliquidated obligations, as well as outlays?	__YES__NO
55. Did the State agency report carry over funds used in the current year from Title I, Title VI B and program income?	__YES__NO
56. Did State agency staff appropriately report program income expenditures?	__ YES __ NO__ NA
57. Did State agency staff understand that program income funds carried over from the previous fiscal year in accordance with Section 19 of the Rehabilitation Act must also be reported in the year under review?	__ YES __ NO
58. Upon review, were problems detected that would lead RSA to question the accuracy of the RSA-2 submitted for the year under review? **Mandatory Comments	__ YES __ NO

59. Describe any technical assistance provided to improve the accuracy of future submissions of the RSA-2 report. **Mandatory Comments

Focus Area IX: Optional -Reallotment Information

Reallotment

Scope of Review

No later than 45 days before the end of each fiscal year, state agencies are required to notify RSA of that portion of its current year allotment that cannot be used. Those funds are therefore available for reallotment to other States that can meet the matching requirement in the year for which the funds were appropriated. After notification, provisions in the Rehabilitation Act grant the Commissioner of RSA the authority to reallot to other grant recipients that portion of a recipient's annual grant that cannot be used. (34 CFR 361.65(b))

Federal funds appropriated for a fiscal year remain available for obligation in the succeeding fiscal year only to the extent that the VR agency met the matching requirement for those federal funds by September 30 of the year of the appropriation. (34 CFR 361.64(b)) This requirement may be met by either expending or obligating the non-federal share of program expenditures.

RSA will review financial records to substantiate that State agencies complied with federal requirements applicable to matching, obligating and expending these additional grant funds. In addition, upon submission of the final SF-269 (Financial Status Report), any remaining unobligated balance of Federal funds will be examined to determine if substantial Federal funds remained which could have been released through the reallotment process for use by other State agencies, or if requested funds went unused.

Review Questions

1. During the year under review, did the state agency request additional Basic Support Program funds through the reallotment process? __ YES __ NO

2. Were additional Basic Support Program grant funds received through the reallotment process? __ YES __ NO

3. If additional grant funds were received, were these funds matched in the year for which the funds were appropriated? __ YES __ NO__ NA

4. Were any problems noted with the timely obligation of reallotted funds? __ YES __ NO__ NA

5. During the fiscal year under review, were final SF-269s submitted for any unclosed/open grant year? __ YES __ NO__ NA

6. Did any SF-269 finalized during the year under review indicate an unobligated balance of Federal funds? __ YES __ NO__ NA

7. Did the review of the unobligated balance of Federal funds shown on the final report(s) indicate that additional Federal funds received through the reallotment process were not used for additional allowable program costs? __ YES __ NO__ NA

8. Did the review of the final unobligated balance of Federal funds show funds that could have been released through the reallotment process for use by another state agency? __ YES __ NO__ NA

9. Summarize the results of RSA's review of this area and any technical assistance provided.
   **Mandatory Comments

CONTACT INFORMATION

RSA monitoring and technical assistance guidance is available in various formats and may be obtained by contacting the RSA staff listed below. Much of the guidance will also be available at the RSA website in the near future. The address for the RSA website is http://www.ed.gov/about/offices/list/osers/rsa/index.html.
Contact Ms. Teresa Washington at (202) 205-9413 for further information and assistance with regard to the website.

The RSA Regional Commissioners and Regional Office State Representatives are available to answer questions regarding any of the programs funded under the Rehabilitation Act, as amended. The contact information is as follows:

Mr. Allen Kropp
RSA Regional Commissioner
Regions I and II (Boston and New York)
Department of Education
J.W. McCormack POCH Building, Rm. 232
Boston, MA 02109
VOICE: 1-617-223-4085
FAX: 1-617-223-4573
TTY: 1-617-223-4097
EMAIL: allen.kropp@ed.gov

Dr. Ralph N. Pacinelli
RSA Regional Commissioner
Regions III, IV and IX (Philadelphia, Atlanta and San Francisco)
Department of Education
The Wanamaker Building, Suite 512
100 Penn Square East
Philadelphia, PA 19107
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FAX: 1-215-656-6188
TTY: 1-215-656-6186
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Mr. Joe Cordova
RSA Regional Commissioner
Department of Education
Regions V and VII (Chicago and Kansas City)
8930 Ward Parkway, Suite 2212
Kansas City, MO 64114
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FAX: 1-816-268-0448
TTY: not available at this time
EMAIL: joe.cordova@ed.gov

Mr. Loerance Deaver
RSA Regional Commissioner
Regions VI,VIII and X (Dallas, Denver and Seattle)
Department of Education
Harwood Center
1999 Bryan Street, Suite 2740
Dallas, TX 75201-6817
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RSA continues to fund the National Vocational Rehabilitation Technical Assistance Center (NVRTAC) to provide technical assistance on matters not related to the development or interpretation of Federal vocational rehabilitation policy. NVRTAC arranges technical assistance in the following areas:

01. Data processing systems development;
02. Operations Analysis;
03. Service Delivery Studies;
04. VR Staff Training (in the TA areas provided by NVRTAC);
05. Strategy Development;
06. Acquisition of Specialized Equipment;
07. Technologies Related to VR Functions;
08. Internal Planning;
09. Management Consultations;
10. Organizational Development; and
11. Enhancement of Accounting and Auditing Systems.

State VR agency directors interested in obtaining TA with regard to any of the above areas may wish to contact:

Mr. Gil Sanchez
Program Manager
National VR TA Center
2920 South Glebe Road
Arlington, Virginia 22206
VOICE: 1-703-299-1691
FAX: 1-703-299-4589
TDD: 1-703-299-1690
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For further information regarding RSA VR Program monitoring and technical assistance, contact:

Ms. RoseAnn Ashby
Chief, Basic State Grants Branch
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Washington, DC 20202-2735
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