



COUNCIL OF STATE ADMINISTRATORS OF VOCATIONAL REHABILITATION

1 Research Court, Suite 450
Rockville, MD 20850
(301) 519-8023 phone
www.rehabnetwork.org

CHIEF EXECUTIVE OFFICER
Stephen A. Wooderson
swooderson@rehabnetwork.org

April 16, 2012

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Congressman John Kline, Chairman
U.S. Committee on Education and the Workforce
2181 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Kline:

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Cheryl Walsh,
Juneau, AK

On behalf of the Council of State Administrators of Vocational Rehabilitation (CSAVR), I submit this letter as our record of opposition to many of the major provisions of HR 4297. It is the belief of our membership that such provisions will be detrimental to the access, delivery and employment outcomes for Americans with significant disabilities.

The following represents the CSAVR's list of concerns with HR 4297:

- CSAVR is opposed to the downgrading of the Office of the Commissioner of the Rehabilitation Services Administration (RSA). As the primary agency in the federal government with responsibility for the employment of individuals with disabilities, CSAVR's members believe downgrading this office diminishes the importance of the VR program and devalues the employment of individuals with disabilities.
- CSAVR supports the maintenance of statutory language in the Act concerning the Comprehensive System of Personnel Development (CSPD) and the maintenance of qualified rehabilitation professionals and paraprofessionals. HR 4297 disallows the use of Title 3 training funds for the education of rehabilitation personnel, the long-term result of which will be declining numbers of rehabilitation professionals and a negative impact on the employment of people with disabilities. While we understand the intent of HR 4297 to reduce duplication and acknowledge that staff training could be paid from Title 1 funds, the reality is that there are already insufficient funds to serve VR consumers from Title I funds, and that would have priority over staff training. It is critical that we maintain the option to educate rehabilitation personnel with Title 3 funds, to ensure that consumers have access to qualified staff who are trained to address the unique vocational rehabilitation and counseling needs of individuals with the most significant disabilities, to assist business in attracting highly qualified employees with disabilities, and to ensure positive employment outcomes.

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- CSAVR acknowledges that HR 4297 provides an option for the State VR Director to have a seat on the State Board, but it is not guaranteed. In addition, State VR Directors have been removed from local workforce boards. As a mandatory partner in the WIA who represents the unique needs of individuals with the most significant disabilities, it is critical for VR to have a strong voice at the state and local level to ensure the employment needs of individuals with disabilities, including those with the most significant disabilities are adequately represented.
- Since the authorization of WIA in 1998, payment of infrastructure costs have been of concern to all core partners in WIA, due to limited funding. Advocacy for line-item funding for infrastructure has been unanimous from all partners in the workforce system. CSAVR supports State VR agencies paying their fair share of costs in centers where VR agencies are co-located; however, the provisions in HR 4297 afford many opportunities for funds to be siphoned from Title 1 funds, included but not limited to the payment of additional costs over and above infrastructure for the operation of one-stop centers, costs for the provision of one-stop center services to consumers served by core partner programs; although under the ADA, individuals with disabilities should have access to the services of the public workforce system, just as any other individual would have, without assistance from vocational rehabilitation. CSAVR is also concerned with provisions in HR 4297 that allow costs to be based on proportionate use, as this term is not defined. HR 4297 also allows for funds to be taken from mandatory partners who are included in a Unified State Plan as a contribution to the Workforce Innovation Fund. These are a few examples of opportunities to further diminish the limited funding available to provide services to individuals with disabilities who want to work. If significant numbers of employment outcomes were obtained for VR consumers through the public workforce system, the provision of substantial funding for the system would be appropriate; however, this is not the reality. VR counselors are uniquely qualified to work with persons with very significant disabilities. Programmatic accessibility remains a significant problem for people with disabilities who seek services from one-stop centers. Until these issues are sufficiently addressed and resolved, CSAVR opposes the contribution of significant resources to a system that cannot meet the needs of the populations served by vocational rehabilitation.
- HR 4297 repeals funding for the supported employment program. CSAVR understands the intent of HR 4297 to reduce duplication by acknowledging that supported employment can be and is provided under Title 1 of the Rehabilitation Act of 1973, as Amended, negating the need for supported employment funding under a separate title. The caveat is that funding under the separate title does not require state matching funds as is required by Title 1. Thus by repealing Title VI and rolling supported employment into Title 1 that requires a 21.3% state match, services to individuals needing supported employment will be severely limited as significant numbers of states are

already unable to provide the state match to capture all federal funding available to them. Adding additional federal funds to require state match will further reduce service and supports available to individuals with the most significant disabilities who require these services to go to work.

- HR 4297 supports a set-aside of 10% of Title 1 funds for the provision of pre-employment transition services and transition services to students with disabilities. The CSAVR strongly supports the provision of services to transition students to students with disabilities, but has advocated for line-item funding for transition services that does not require state match. Based on the numbers of students to be served nationally, state vocational rehabilitation agencies will not be able to serve this population adequately, without restricting services to adults with disabilities who are seeking employment, due to limited fiscal and staff resources. CSAVR also opposed the prescriptive nature of pre-employment transition services and would advocate for more flexibility for state VR agencies to provide these services. The Unified State Plan process should permit for the establishment of priorities for the unique needs of that state.
- HR 4297 adds a new Section 109 A – Collaboration with Industry. The CSAVR strongly opposes the omission of State VR Agencies as an appropriate entity to be included with others named in this section, to participate or partner in the proposed Collaboration. Since funding for this Collaboration will be provided through grants from Title 1 funding, state VR agencies, as appropriate, should have the opportunity to partner in this initiative.
- As a final comment, the CSAVR wishes to express significant concern with the Performance Accountability system proposed in HR 4297. Section 136 refers to the percentage of program participants who are employed during the first or second full calendar quarter after exit from the program. Assuming that exit from the program refers to case closure, VR does not close persons from the program until they are fully stabilized in employment and have been working a minimum of 90 days. This definition of “exit from the program” is very different from DOL programs and is but one example of CSAVR’s concerns with the establishment of common performance measures. A second area of concern is credit given for the attainment of credentials. While CSAVR believes that individuals who obtain recognized post-secondary credentials or secondary school diplomas have better employment opportunities and outcomes, it is the employment outcome and not the attainment of a credential that should be measured for the work programs, such as Vocational Rehabilitation and the One-Stop Centers. While the attainment of credentials seems very appropriate as a performance outcome for Title III of WIA, we do not believe it to be an appropriate measure for Title I

or Title V. In addition, individual choice and services supporting job retention, following a disability, may not include the attainment of credentials.

Common performance measures imply that all things are equal across core programs, and this is simply not the case. Differences in populations served, in the level of significance of disability of individuals served, differences in the comprehensive approach to individualized services, length and the cost to deliver services are drastically different for VR consumers than for consumers served by other core partners in WIA. Unless these differences can be addressed through adjusted levels of performance for the VR Program, or unless common performance measures will not be used to compare systems in any manner, CSAVR has significant concerns with a system of common performance measures.

CSAVR does believe that each system under WIA should have meaningful performance measures that accommodate the unique nature of each of the programs and believes that the current standards and indicators for the Vocational Rehabilitation program are meaningful performance measures for individuals served by VR. Rather than common measures, CSAVR would propose making improvements, as appropriate, to existing performance measures for core partners which are appropriate measures of accountability for each program's authorizing legislation. Modifying data collection systems of core programs to capture data for common performance measures and reporting requirements will cost millions of dollars that could be better spent on improving existing systems for core partners to increase data collection for those elements that make sense, based on authorizing legislation.

Despite the numerous concerns the CSAVR has with HR 4297, we applaud the efforts of Congresswoman Foxx, Congressman McKeon and Congressman Heck to reform and strengthen the workforce investment system. The CSAVR believes that while many of the reforms are warranted and may improve the overall system, they will not benefit the significant number of adults with the most significant disabilities who require specialized services and supports to go to work and who are among the greatest number of unemployed individuals in the country.

The CSAVR is composed of the chief administrators of the public vocational rehabilitation agencies serving individuals with physical and mental disabilities in the States, District of Columbia, and The Territories. These agencies constitute the state partners in the State-Federal program of rehabilitation services provided under the Rehabilitation Act of 1973, as Amended.

Since its creation in 1920, the public VR program has assisted more than 18 million people with significant disabilities in acquiring and maintaining employment. In FY 2010, state VR agencies served approximately 1 million individuals with disabilities, assisting 172,000 in entering competitive employment. Those who went to work earned about \$3 billion in wages in their

first year of work and paid approximately \$1 billion in federal, state and local taxes, which in 2-4 years will pay back the cost of their VR services. Data collected on the public VR program demonstrates its proven track record for return on investment, despite tremendous challenges with insufficient funding to serve all eligible individuals.

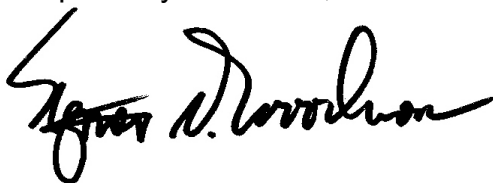
However, VR is much more than an employment program. The program employs qualified rehabilitation professionals to identify the unique strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choices of eligible individuals so that individualized plans can be developed to ensure quality career advancement and ongoing job success, features that can positively influence the bottom line for business, and our nation's economy as a whole. Through a partnership between CSAVR and the 80 VR agencies, we provide business with high quality technical assistance, consultation and talent acquisition access to attract, hire and retain high quality employees with significant disabilities. This service, The National Employment Team (The NET), has resulted in partnerships that have spawned national initiatives with private, state and federal employers – all leading to jobs for Americans with disabilities.

I share this information with you as a conclusion to CSAVR's opposition to HR 4297, based on our belief that the elements of success I speak of, related to the public VR program's success in assisting persons with disabilities with gainful employment, are sorely lacking for this population in the public workforce system.

As a mandatory partner in the Workforce Investment Act of 1998, state VR agencies have made significant strides in partnering with one-stop career centers in a number of areas including, but not limited to, co-location of offices, cross training of staff, contributions to infrastructure funding and working with employers. Progress has also been made in making one-stop career centers physically accessible to persons with disabilities, although in many areas programmatic accessibility is still a significant concern. In addition to our ongoing concerns with programmatic accessibility, the Amendments proposed in HR 4297 will make it more difficult for state VR agencies to partner in WIA and for people with disabilities to have increased employment opportunities through the public workforce system.

Thank you for the opportunity to comment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen A. Wooderson". The signature is fluid and cursive, with a large initial "S" and "W".

Stephen A. Wooderson
Chief Executive Officer
CSAVR