

**STATE PLAN FOR THE STATE VOCATIONAL REHABILITATION SERVICES PROGRAM
AND
STATE PLAN SUPPLEMENT FOR THE STATE SUPPORTED EMPLOYMENT SERVICES PROGRAM**

STATE: TEXAS

AGENCY: Department of Assistive and Rehabilitative Services

AGENCY TYPE: GENERAL ___ BLIND X COMBINED _____

SECTION 1: LEGAL BASIS AND STATE CERTIFICATIONS

- 1.1** The Division for Blind Services (name of designated State agency or designated State unit) is authorized to submit this State plan under title I of the Rehabilitation Act of 1973, as amended¹ and its supplement under title VI, part B of the Act.²
- 1.2** As a condition for the receipt of Federal funds under title I, part B of the Act for the provision of vocational rehabilitation services, the Department of Assistive and Rehabilitative Services (name of the designated State agency)³ agrees to operate and administer the State Vocational Rehabilitation Services Program in accordance with the provisions of this State plan⁴, the Act, and all applicable regulations⁵, policies, and procedures established by the Secretary. Funds made available under section 111 of the Act are used solely for the provision of vocational rehabilitation services under title I and the administration of this State plan.
- 1.3** As a condition for the receipt of Federal funds under title VI, part B of the Act for supported employment services, the designated State agency agrees to operate and administer the State Supported Employment Services Program in accordance with the provisions of the supplement to this State plan⁶, the Act, and all applicable regulations⁷, policies, and procedures established by the Secretary. Funds made available under title VI, part B are used solely for the provision of supported employment services and the administration of the supplement to the title I State plan.
- 1.4** The designated State agency and/or the designated State unit has the authority under State law to perform the functions of the State regarding this State plan and its supplement.
- 1.5** The State legally may carry out each provision of the State plan and its supplement.
- 1.6** All provisions of the State plan and its supplement are consistent with State law.

- 1.7 The Assistant Commissioner (title of State officer) has the authority under State law to receive, hold, and disburse Federal funds made available under this State plan and its supplement.
- 1.8 The Assistant Commissioner (title of State officer) has the authority to submit this State plan for vocational rehabilitation services and the State plan supplement for supported employment services.
- 1.9 The agency that submits this State plan and its supplement has adopted or otherwise formally approved the plan and its supplement.
- 1.10 The effective date of this State plan and its supplement is July 1, 2005.

(Signature)

May 27, 2005
(Date)

Barbara J. Madrigal
(Typed Name of Signatory)

Assistant Commissioner
(Title)

- ¹ Public Law 93-112, as amended by Public Laws 93-516, 95-602, 98-221, 99-506, 100-630, 102-569, 103-073, and 105-220.
- ² Unless otherwise stated, "Act" means the Rehabilitation Act of 1973, as amended.
- ³ All references in this plan to "designated State agency" or to "the State agency" relate to the agency identified in this paragraph.
- ⁴ No funds under title I of the Act may be awarded without an approved State plan in accordance with section 101(a) of the Act and 34 CFR part 361.
- ⁵ Applicable regulations include the Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 76, 77, 79, 80, 81, 82, 85, and 86 and the State Vocational Rehabilitation Services Program regulations in 34 CFR part 361.
- ⁶ No funds under title VI, part B of the Act may be awarded without an approved supplement to the title I State plan in accordance with section 625(a) of the Act.
- ⁷ Applicable regulations include the EDGAR citations in footnote 5, 34 CFR part 361, and 34 CFR part 363.

SECTION 2: PUBLIC COMMENT ON STATE PLAN POLICIES AND PROCEDURES

2.1 Public participation requirements. (Section 101(a)(16)(A) of the Act; 34 CFR 361.20(a)(1) and (2), (b), and (d), and 363.11(g)(9))

- (a) The designated State agency, prior to the adoption of any policies or procedures governing the provision of vocational rehabilitation services under the State plan and supported employment services under the supplement to the State plan, including making any amendment to such policies and procedures, conducts public meetings throughout the State to provide the public, including individuals with disabilities, an opportunity to comment on the policies or procedures, and actively consults with the Director of the client assistance program carried out under section 112 of the Act, and, as appropriate, Indian tribes, tribal organizations, and Native Hawaiian organizations on the policies or procedures.
- (b) The designated State agency provides adequate notice of the meetings in accordance with State law governing public meetings, or, in the absence of such State law, in accordance with procedures developed by the State agency in consultation with the State Rehabilitation Council, if the agency has a Council.

2.2 State review process. (34 CFR Part 79)

If the State plan, its supplement, or amendment to the State plan is subject to the State review process, such materials are reviewed and commented on in accordance with the provisions of Executive Order 12372, and comments provided by the State review process are transmitted to the Rehabilitation Services Administration.

This State plan and its supplement are subject to the State review process.

Yes X No _____

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SECTION 3: SUBMISSION OF THE STATE PLAN AND ITS SUPPLEMENT

3.1 Submittal of the State plan, its supplement, and revisions to the plan and its supplement. (Sections 101(a)(1), (23) and 625(a)(1) of the Act)

- (a) The State submits to the Commissioner a State plan for vocational rehabilitation services that meets the requirements of section 101 of the Act and a State plan supplement for supported employment services that meets the requirements of section 625 of the Act on the same date that the State submits a State plan under section 112 of the Workforce Investment Act of 1998.
- (b) If the State submits a State unified plan under section 501(b) of the Workforce Investment Act of 1998 that includes the State plan for vocational rehabilitation services and its supplement for supported employment services in the unified plan, the State submits to the Commissioner the State plan for vocational rehabilitation services and its supplement for supported employment services on the same date that the State submits its unified plan under section 501(b) of the Workforce Investment Act of 1998.
- (c) The State submits only those policies, procedures, or descriptions required under this State plan and its supplement that have not been previously submitted to and approved by the Commissioner of the Rehabilitation Services Administration.
- (d) The State submits to the Commissioner at such time and in such manner as the Secretary determines to be appropriate, reports containing annual updates of the information relating to the:
 - (1) comprehensive system of personnel development;
 - (2) assessments, estimates, goals and priorities, and reports of progress;
 - (3) innovation and expansion activities; and
 - (4) requirements under title I, part B or title VI, part B of the Act.
- (e) The State plan and its supplement are in effect subject to the submission of such modifications as the State determines to be necessary or as the Commissioner may require based on a change in State policy, a change in Federal law, including regulations,

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an interpretation of the Act by a Federal court or the highest court of the State, or a finding by the Commissioner of State noncompliance with the requirements of the Act, until the State submits and receives approval of a new State plan or plan supplement.

3.2 Supported employment plan. (Sections 101(a)(22) and 625(a) of the Act; 34 CFR 361.34 and 363.10)

The State has an acceptable plan for carrying out part B of title VI of the Act, including the use of funds under that part to supplement funds made available under part B of title I of the Act to pay for the cost of services leading to supported employment.

SECTION 4: ADMINISTRATION OF THE STATE PLAN

4.1 Designated State agency and designated State unit. (Sections 101(a)(2) of the Act; 34 CFR 361.13)

(a) Designated State agency.

- (1) There is a State agency designated as the sole State agency to administer the State plan, or to supervise its administration in a political subdivision of the State by a sole local agency.
- (2) The designated State agency is:
 - _____ primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of individuals with disabilities; or
 - X not primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of individuals with disabilities.
- (3) In American Samoa, the designated State agency is the Governor.

(b) Designated State unit.

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- (1) If the designated State agency is not primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of individuals with disabilities, the State agency includes a vocational rehabilitation bureau, division, or other organizational unit that:
- (A) is primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of individuals with disabilities, and is responsible for the designated State agency's vocational rehabilitation program, including those responsibilities specified in subparagraph (5) of this paragraph of the State plan;
 - (B) has a full-time director;
 - (C) has a staff, at least 90 percent of whom are employed full time on the rehabilitation work of the organizational unit;
 - (D) is located at an organizational level and has an organizational status within the designated State agency comparable to that of other major organizational units of the designated State agency; and
 - (E) at a minimum, has the following responsibilities that cannot be delegated to any other agency or individual:
 - (i) all decisions affecting eligibility for vocational rehabilitation services, the nature and scope of available services, and the provision of services;
 - (ii) a determination that an individual has ended participation in the vocational rehabilitation program and achieved an employment outcome after receiving vocational rehabilitation services;
 - (iii) policy formulation and implementation; and
 - (iv) allocation and expenditure of vocational rehabilitation funds.
- (2) The name of the designated State unit is the **Division for Blind Services**.

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4.2 State independent commission or state rehabilitation council. (Sections 101(a)(21) and 105 of the Act; 34 CFR 361.16 and .17)

The State plan must contain one of the following two assurances.

(a) The designated State agency is an independent commission that:

- (1) is responsible under State law for operating, or overseeing the operation of, the vocational rehabilitation program in the State;
- (2) is consumer-controlled by persons who:
 - (A) are individuals with physical or mental impairments that substantially limit major life activities; and
 - (B) represent individuals with a broad range of disabilities, unless the designated State unit under the direction of the commission is the State agency for individuals who are blind;
- (3) includes family members, advocates, or other representatives, of individuals with mental impairments; and
- (4) undertakes the functions set forth in section 105(c)(4) of the Act;

or

(b) X The State has established a State Rehabilitation Council that meets the criteria set forth in section 105 of the Act and the designated State unit:

- (1) jointly with the Council develops, agrees to, and reviews annually State goals and priorities, and jointly submits annual reports of progress with the Council, consistent with the provisions of section 101(a)(15) of the Act and section 4.12 of this State plan;
- (2) regularly consults with the Council regarding the development, implementation, and revision of State policies and procedures of general applicability pertaining to the provision of vocational rehabilitation services;

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(3) includes in the State plan and in any revision to the State plan, a summary of input provided by the Council, including recommendations from the annual report of the Council, the review and analysis of consumer satisfaction, and other reports prepared by the Council, and the response of the designated State unit to such input and recommendations, including explanations for rejecting any input or recommendation; and

(4) transmits to the Council:

(A) all plans, reports, and other information required under title I of the Act to be submitted to the Secretary;

(B) all policies and information on all practices and procedures of general applicability provided to or used by rehabilitation personnel in carrying out this State plan; and

(C) copies of due process hearing decisions issued under title I of the Act, which are transmitted in such a manner as to ensure that the identity of the participants in the hearings is kept confidential.

(c) *If the designated State unit has a State Rehabilitation Council, Attachment 4.2(c)* provides a summary of the input provided by the Council consistent with the provisions identified in subparagraph (b)(3) of this subsection of the State plan, the response of the designated State unit to the input and recommendations, and explanations for the rejection of any input or any recommendation.

4.3 Consultations regarding the administration of the state plan. (Section 101(a)(16)(B) of the Act; 34 CFR 361.21(a))

The designated State agency takes into account, in connection with matters of general policy arising in the administration of the plan, the views of:

(a) individuals and groups of individuals who are recipients of vocational rehabilitation services, or in appropriate cases, the individuals' representatives;

(b) personnel working in programs that provide vocational rehabilitation services to individuals with disabilities;

(c) providers of vocational rehabilitation services to individuals with disabilities;

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- (d) the Director of the client assistance program; and
- (e) the State Rehabilitation Council, if the State has such a Council.

4.4 Non-federal share. (Section 101(a)(3) of the Act; 34 CFR 80.24 and 361.60(b))

The non-Federal share of the cost of carrying out this State plan is 21.3 percentum and it is provided through the financial participation by the State, or if the State elects, by the State and local agencies.

4.5 Local administration. (Section 101(a)(2)(A) of the Act; 34 CFR 361.15)

- (a) The State plan provides for local administration and each local agency is under the supervision of the designated State unit and is the sole local agency responsible for the administration of the program within the political subdivision that it serves.

Yes No X

- (b) *IF YES, Attachment 4.5* identifies each local agency and describes the methods each local agency uses to administer the vocational rehabilitation program in accordance with this State plan.

4.6 Statewideness and waivers of statewideness. (Sections 101(a)(2)(A) and (4)(A) of the Act; 34 CFR 361.25 and .26)

The State plan is in effect in all political subdivisions of the State, except in the case when:

- (a) The State unit is providing services in one or more political subdivisions of the State that increase services or expand the scope of services that are available statewide under this State plan and the:
 - (1) non-Federal share of the cost of these services is met from funds provided by a local public agency, including funds contributed to a local public agency by a private agency, organization, or individual; and

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- (2) services are likely to promote the vocational rehabilitation of substantially larger numbers of individuals with disabilities or of individuals with disabilities with particular types of impairments.
- (3) If the State is providing services that meet the provisions of subparagraphs (a)(1) and (2) of this subsection, **Attachment 4.6(a)(3)** requests a waiver of statewideness in accordance with the requirements in 34 CFR 361.26(b); or
- (b) Earmarked funds are used toward the non-Federal share and such funds are earmarked for particular geographic areas within the State contingent on the State notifying the Commissioner that it cannot provide the full non-Federal share without the use of such earmarked funds.

4.7 Shared funding and administration of joint programs. (Section 101(a)(2)(A)(ii) of the Act; 34 CFR 361.27)

- (a) The designated State agency is carrying out a joint program involving shared funding and administrative responsibility with another State agency or a local public agency to provide services to individuals with disabilities.

Yes___ No X

- (b) *IF YES*, **Attachment 4.7(b)** describes the:

- (1) nature and scope of the joint program;
- (2) services to be provided;
- (3) respective roles of each participating agency in the provision of services and their administration; and
- (4) share of the costs to be assumed by each agency.
- (c) If the joint program provides services in one or more political subdivisions of the State, the State requests a waiver of statewideness in accordance with the provisions of 34 CFR 361.26 and subparagraph 4.6(a)(3) of this State plan subsection.

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4.8 Third-party cooperative arrangements involving funds from other public agencies (Section 12 of the Act; 34 CFR 361.28)

- (a) The designated State unit has entered into a third-party cooperative arrangement for providing or administering vocational rehabilitation services with another State agency or a local public agency that is furnishing part or all of the non-Federal share.

Yes ___ No X

(b) ***IF YES:***

- (1) The services provided by the cooperating agency are not the customary or typical services provided by that agency but are new services that have a vocational rehabilitation focus or are existing services that have been modified, adapted, expanded, or reconfigured to have a vocational rehabilitation focus.
- (2) The services provided by the cooperating agency are only available to applicants for, or recipients of, services from the designated State unit.
- (3) Program expenditures and staff providing services under the cooperative arrangement are under the administrative supervision of the designated State unit.
- (4) All State plan requirements, including the State's order of selection, if an order is in effect, apply to all services provided under the cooperative program.
- (c) If the third-party cooperative program provides services in one or more political subdivisions of the State, the State requests a waiver of statewideness in accordance with the provisions of 34 CFR 361.26 and subparagraph 4.6(a)(3) of this State plan.

4.9 Cooperation, collaboration, and coordination. (Sections 101(a)(11) of the Act; 34 CFR 361.22, .23 and .24)

(a) **Cooperative agreements with other components of statewide workforce investment systems.**

The designated State agency has cooperative agreements with other entities that are components of the statewide workforce investment system of the State in accordance with the provisions of section 101(a)(11)(A) of the Act.

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(b) Replication of cooperative agreements.

The designated State agency replicates the cooperative agreement identified in paragraph (a) of this subsection of the State plan at the local level between individual offices of the designated State unit and local entities carrying out activities through the statewide workforce investment system.

(c) Interagency cooperation with other agencies and entities.

Attachment 4.9(c) describes the:

- (1)** interagency cooperation with, and utilization of the services and facilities of the Federal, State, and local agencies and programs, including programs carried out by the Under Secretary for Rural Development of the United States Department of Agriculture and State use contracting programs, to the extent that such agencies and programs are not carrying out activities through the statewide workforce investment system;
- (2)** coordination, consistent with the requirements of paragraph 4.9(d) of this subsection, with education officials to facilitate the transition of students with disabilities from school to the receipt of vocational rehabilitation services;
- (3)** manner in which the designated State agency establishes cooperative agreements with private non-profit vocational rehabilitation service providers, consistent with the requirements of paragraph 5.6(b) of the State plan; and,
- (4)** efforts of the designated State agency to identify and make arrangements, including entering into cooperative agreements, with other State agencies and entities with respect to the provision of supported employment and extended services for individuals with the most significant disabilities, consistent with the requirements of subsection 7.5 of the supplement to this State plan.

(d) Coordination with education officials.

Plans, policies, and procedures for coordination between the designated State agency and education officials responsible for the public education of students with disabilities that are designed to facilitate the transition of the students who are individuals with

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disabilities from the receipt of educational services in school to the receipt of vocational rehabilitation services under this State plan are described in **Attachment 4.9(c)(2)** which also includes information on a formal interagency agreement with the State educational agency that, at a minimum, provides for:

- (1) consultation and technical assistance to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including vocational rehabilitation services;
- (2) transition planning by personnel of the designated State agency and the educational agency for students with disabilities that facilitates the development and completion of their individualized education programs under section 614(d) of the Individuals with Disabilities Education Act;
- (3) the roles and responsibilities, including financial responsibilities, of each agency, including provisions for determining State lead agencies and qualified personnel responsible for transition services; and
- (4) procedures for outreach to and identification of students with disabilities who need transition services.

(e) **Coordination with statewide independent living council and independent living centers.**

The designated State unit, the Statewide Independent Living Council established under section 705 of the Act, and the independent living centers described in part C of title VII of the Act within the State have developed working relationships and coordinate their activities.

(f) **Cooperative agreement with recipients of grants for services to American Indians.**

- (1) There is in the State a recipient(s) of a grant under part C of title I of the Act for the provision of vocational rehabilitation services for American Indians who are individuals with disabilities residing on or near Federal and State reservations.

Yes No X

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- (2) *IF YES*, the designated State agency has entered into a formal cooperative agreement with each grant recipient in the State that receives funds under part C of title I of the Act. The agreement(s) describes strategies for collaboration and coordination in providing vocational rehabilitation services to American Indians who are individuals with disabilities, including:
- (A) strategies for interagency referral and information sharing that assist in eligibility determinations and the development of individualized plans for employment;
 - (B) procedures for ensuring that American Indians who are individuals with disabilities and who are living near a reservation or tribal service area are provided vocational rehabilitation services; and
 - (C) provisions for sharing resources in cooperative studies and assessments, joint training activities, and other collaborative activities designed to improve the provision of services to American Indians who are individuals with disabilities.

(g) **Reciprocal referral services with a separate agency for individuals who are blind.**

In those States in which there is a separate designated State unit for individuals who are blind and also a designated State unit for all other individuals with disabilities, the two State units:

- (1) have established reciprocal referral services;
- (2) use each other's services and facilities to the extent feasible;
- (3) jointly plan activities to improve services in the State for individuals with multiple impairments, including visual impairments; and
- (4) otherwise cooperate to provide more effective services, including, if appropriate, entering into a written cooperative agreement.

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4.10 Methods of administration. (Sections 101(a)(6) of the Act; 34 CFR 361.12, .19 and .51(a) and (c))**(a) General.**

The State agency employs methods of administration found by the Commissioner to be necessary for the proper and efficient administration of this State plan.

(b) Employment of individuals with disabilities.

The designated State agency and entities carrying out community rehabilitation programs in the State, who are in receipt of assistance under title I of the Act, take affirmative action to employ and advance in employment qualified individuals with disabilities covered under and on the same terms and conditions as set forth in section 503 of the Act.

(c) Written standards for providers of services.

The designated State agency has established, maintains, makes available to the public, and implements written minimum standards for the various types of providers used by the designated State unit in providing vocational rehabilitation services under this State plan.

(d) Facilities.

Facilities used in connection with the delivery of services assisted under this State plan comply with the provisions of the Act entitled "An Act to insure that certain buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped", approved on August 12, 1968 (commonly known as the "Architectural Barriers Act of 1968"), with section 504 of the Act and with the Americans with Disabilities Act of 1990.

4.11 Comprehensive system of personnel development. (Section 101(a)(7) of the Act; 34 CFR 361.18)

- (a)** The designated State agency has implemented a comprehensive system of personnel development that meets the requirements of section 101(a)(7) of the Act and 34 CFR 361.18.

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- (b) **Attachment 4.11(b)** describes the designated State agency's policies, procedures and activities to establish and maintain a comprehensive system of personnel development designed to ensure an adequate supply of qualified State rehabilitation professional and paraprofessional personnel for the designated State unit. The description addresses the following requirements:
- (1) collection and analysis on an annual basis of data on qualified personnel needs and personnel development consistent with the provisions of 34 CFR 361.18(a);
 - (2) plan to address the current and projected needs for qualified personnel including the coordination and facilitation of efforts between the designated State unit and institutions of higher education and professional associations to recruit, prepare, and retain qualified personnel, including personnel from minority backgrounds, and personnel who are individuals with disabilities;
 - (3) establishment and maintenance of personnel standards meeting the requirements of 34 CFR 361.18(c) to ensure that personnel, including professionals and paraprofessionals, are adequately trained and prepared, including:
 - (A) standards that are consistent with any national or State-approved or recognized certification, licensing, registration, or, in the absence of these requirements, other comparable requirements that apply to the profession or discipline in which such personnel are providing vocational rehabilitation services; and
 - (B) to the extent that such standards are not based on the highest requirements in the State applicable to a particular profession or discipline, the steps the State is currently taking and the steps the State plans to take to retrain or hire personnel within the designated State unit so that such personnel meet standards that are based on the highest requirements in the State;
 - (4) standards to ensure the availability of personnel within the designated State unit or other individuals who are, to the maximum extent feasible, trained to communicate in the native language or mode of communication of an applicant or eligible individual;
 - (5) staff development to ensure that all personnel employed by the designated State unit receive appropriate and adequate training; and

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- (6) coordination of its personnel development system with personnel development under the Individuals with Disabilities Education Act.

4.12 Annual state goals and reports of progress. (Sections 101(a)(15), 105(c)(2) and 625(b)(2) of the Act; 34 CFR 363.11(b))

(a) Assessments and estimates.

- (1) **Attachment 4.12(a)** documents the results of a comprehensive, statewide assessment, jointly conducted by the designated State unit and the State Rehabilitation Council (if the State has such a Council) every 3 years, and:
 - (A) describes the rehabilitation needs of individuals with disabilities residing within the State, particularly the vocational rehabilitation services needs of:
 - (i) individuals with the most significant disabilities, including their need for supported employment services;
 - (ii) individuals with disabilities who are minorities and individuals with disabilities who have been unserved or underserved by the vocational rehabilitation program carried out under this State plan; and
 - (iii) individuals with disabilities served through other components of the statewide workforce investment system, as identified by such individuals and personnel assisting such individuals through the components.
 - (B) provides an assessment of the need to establish, develop, or improve community rehabilitation programs within the State.
- (2) For any year in which the State revises the assessments, the designated State unit submits to the Commissioner a report containing information regarding revisions to the assessments.

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(b) **Annual estimates.**

The designated State agency annually submits **Attachment 4.12(b)** that includes, State estimates of the:

- (1) number of individuals in the State who are eligible for services under this State plan;
- (2) number of such individuals who will receive services provided with funds provided under part B of title I of the Act and under part B of title VI of the Act, including, if the designated State agency uses an order of selection in accordance with paragraph 6.4(c) of this State plan, estimates of the number of individuals to be served under each priority category within the order; and
- (3) costs of the services described in subparagraph (1), including, if the designated State agency uses an order of selection, the service costs for each priority category within the order.

(c) **Goals and priorities.**

- (1) **Attachment 4.12(c)(1)** identifies the goals and priorities of the State in carrying out the vocational rehabilitation and supported employment programs and also identifies any revisions in the goals and priorities for any year the State revises the goals and priorities.
- (2) **Order of selection.**
 - (A) If the State agency is operating on an order of selection, **Attachment 4.12(c)(2)(A)** shows the order to be followed in selecting eligible individuals to be provided vocational rehabilitation services and provides a justification for the order, the service and outcome goals, and the time within which these goals may be achieved for individuals in each priority category consistent with the provisions of paragraph 6.4(c) of this State plan.
 - (B) If, however, the agency assures in paragraph 6.4(a) of this State plan that it can provide the full range of services identified in subsection 5.1 of this State plan to all eligible individuals, **Attachment 4.12(c)(2)(B)** satisfies all of the provisions identified in paragraph 6.4(b) of the State plan.

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(3) Goals and plans for distribution of title VI, part B funds.

Attachment 4.12(c)(3) specifies, consistent with subsection 7.4 of the State plan supplement, the State=s goals and priorities with respect to the distribution of funds received under section 622 of the Act for the provision of supported employment services.

(4) Basis.

The goals and priorities are based on:

- (A)** the analysis of the comprehensive assessment and any revisions in the assessment consistent with the provisions of paragraph 4.12(a) of this State plan;
 - (B)** the performance of the State on the standards and indicators established under section 106 of the Act; and
 - (C)** other available information on the operation of the vocational rehabilitation and supported employment programs, including reports from the State Rehabilitation Council, if the State has a Council, and the findings of monitoring activities carried out by the Rehabilitation Services Administration.
- (5)** In accordance with the provisions of section 101(a)(15)(C)(ii) and (iii) of the Act, the goals and priorities, including any revisions to the goals and priorities, are jointly developed, agreed to, and reviewed annually by the designated State unit and the State Rehabilitation Council, if the State has such a Council.

(d) Strategies.

Attachment 4.12(d) describes the strategies, including those identified in section 101(a)(15)(D) of the Act and the innovation and expansion activities of paragraph 4.13(a) of this State plan, the designated State agency will use to:

- (1)** address the needs identified in the assessment conducted under paragraph (a) of this subsection and achieve the goals and priorities identified in paragraph (c) of this subsection;

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- (2) carryout outreach activities to identify and serve individuals with the most significant disabilities who are minorities consistent with the provisions of subsection 7.6 of the State plan supplement; and
- (3) overcome identified barriers relating to equitable access to and participation of individuals with disabilities in the State Vocational Rehabilitation Services Program and State Supported Employment Services Program.

(e) **Evaluation and reports of progress.**

Attachment 4.12(e) describes the results of an evaluation of the effectiveness of the vocational rehabilitation program, and includes an annual joint report of the designated State unit and the State Rehabilitation Council, if the State has such a Council, to the Commissioner on the progress made in improving the effectiveness of the program from the previous year. The description includes:

- (1) an evaluation of the extent to which the goals identified in subparagraph (c) of this subsection plan were achieved;
- (2) an identification of the strategies that contributed to achieving the goals;
- (3) to the extent to which the goals were not achieved, an explanation of the factors that impeded that achievement;
- (4) an assessment of the performance of the State on the standards and indicators established pursuant to section 106 of the Act; and
- (5) a report consistent with paragraph 4.13(c) of this State plan on how the funds reserved for innovation and expansion activities were utilized in the preceding year.

4.13 Innovation and expansion. (Section 101(a)(18) of the Act)

- (a) The designated State agency reserves and uses a portion of the funds allotted to the State under section 110 of the Act:
 - (1) for the development and implementation of innovative approaches to expand and improve the provision of vocational rehabilitation services to individuals with disabilities under this State plan, particularly individuals with the most

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significant disabilities, consistent with the findings of the statewide assessment and goals and priorities of the State identified in paragraphs 4.12(a) and (c) of this State plan; and

(2) to support the funding of the State Rehabilitation Council, if the State has such a Council, consistent with the resource plan prepared under section 105(d)(1) of the Act, and the funding of the Statewide Independent Living Council, consistent with the resource plan prepared under section 705(e)(1) of the Act.

(b) **Attachment 4.12(d)** describes how the reserved funds identified in paragraph (a) of this subsection of this State plan will be utilized.

(c) **Attachment 4.12(e)** describes how the reserved funds were utilized in the preceding year.

4.14 State-imposed requirements. (Section 17 of the Act; 34 CFR 361.39)

The designated State unit identifies upon request those regulations and policies relating to the administration or operation of its vocational rehabilitation and supported employment programs that are State-imposed, including any regulations or policy based on State interpretation of any Federal law, regulations, or guidelines.

4.15 Protection, use, and release of personal information. (Sections 12(c) and 101(a)(6)(A) of the Act; 34 CFR 361.38)

The designated State agency and the designated State unit have policies and procedures that are consistent with the provisions in 34 CFR 361.38 to safeguard the confidentiality of all personal information, including photographs and lists of names.

4.16 Mediation and impartial due process hearing. (Section 102(c) of the Act)

(a) **Fair hearing board.**

There is a fair hearing board, established by the State prior to January 1, 1985, that is authorized under State law to review determinations or decisions made under the Act and to carry out the responsibilities of the impartial hearing officer.

Yes No X

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(b) Mediation and review procedures.

IF THE ANSWER TO (a) IS "NO":

- (1)** The designated State agency has established procedures consistent with the requirements of section 102(c) of the Act for mediation of and procedures for the review through an impartial due process hearing of determinations made by personnel of the designated State unit that affect the provision of vocational rehabilitation services to applicants or eligible individuals.
- (2)** **Attachment 4.16(b)(2)** contains the procedures for mediation; the procedures for review through an impartial due process hearing; and, the procedures to seek an impartial review of the decision of the hearing officer, including the standards for reviewing decisions of an hearing officer, if the designated State agency has elected to implement such review procedures.

IF THE ANSWER TO (a) IS "YES":

- (1)** The designated State agency has established procedures consistent with the requirements of section 102(c) of the Act for mediation of determinations made by personnel of the designated State unit that affect the provision of vocational rehabilitation services to applicants or eligible individuals.
- (2)** **Attachment 4.16(b)(2)** contains the procedures for mediation.

4.17 Reports. (Section 101(a)(10) of the Act; 34 CFR 361.40)

- (a)** The designated State unit submits reports in the form and level of detail and at the time required by the Commissioner regarding applicants for and eligible individuals receiving services under the State plan.
- (b)** Information submitted in the reports provides a complete count, unless sampling techniques are used, of the applicants and eligible individuals in a manner that permits the greatest possible cross-classification of data and ensures the confidentiality of the identity of each individual.

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SECTION 5: SCOPE OF THE STATE VOCATIONAL REHABILITATION SERVICES PROGRAM**5.1 Scope of vocational rehabilitation services for individuals with disabilities.** (Section 103(a) of the Act)

Vocational rehabilitation services provided under this State plan are any services described in an individualized plan for employment necessary to assist an individual with a disability in preparing for, securing, retaining, or regaining an employment outcome that is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual, including:

- (a) an assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;
- (b) counseling and guidance, including information and support services to assist an individual in exercising informed choice consistent with the provisions of section 102(d) of the Act and subsection 5.3 of this State plan;
- (c) referral and other services to secure needed services from other agencies through agreements developed under section 101(a)(11) of the Act and subsection 4.9 of this State plan, if such services are not available under this State plan;
- (d) job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services;
- (e) vocational and other training services, including the provision of personal and vocational adjustment services, books, tools, and other training materials, except that no training services provided at an institution of higher education shall be paid for with funds under this State plan unless maximum efforts have been made by the designated State unit and the individual to secure grant assistance, in whole or in part, from other sources to pay for such training;
- (f) to the extent that financial support is not readily available from a source (such as through health insurance of the individual or through comparable services and benefits consistent with section 101(a)(8)(A) of the Act and subsection 6.8 of this State plan), other than the designated State unit, diagnosis and treatment of physical and mental impairments, including:

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- (1) corrective surgery or therapeutic treatment necessary to correct or substantially modify a physical or mental condition that constitutes a substantial impediment to employment, but is of such a nature that such correction or modification may reasonably be expected to eliminate or reduce such impediment to employment within a reasonable length of time;
 - (2) necessary hospitalization in connection with surgery or treatment;
 - (3) prosthetic and orthotic devices;
 - (4) eyeglasses and visual services as prescribed by qualified personnel who meet State licensure laws and who are selected by the individual;
 - (5) special services (including transplantation and dialysis), artificial kidneys, and supplies necessary for the treatment of individuals with end-stage renal disease; and
 - (6) diagnosis and treatment for mental and emotional disorders by qualified personnel who meet State licensure laws;
- (g) maintenance for additional costs incurred while participating in an assessment for determining eligibility and vocational rehabilitation needs or while receiving services under an individualized plan for employment;
 - (h) transportation, including adequate training in the use of public transportation vehicles and systems, that is provided in connection with the provision of any other service described in this subsection and needed by the individual to achieve an employment outcome;
 - (i) on-the-job or other related personal assistance services provided while an individual is receiving other services described in this subsection;
 - (j) interpreter services provided by qualified personnel for individuals who are deaf or hard of hearing, and reader services for individuals who are determined to be blind, after an examination by qualified personnel who meet State licensure laws;
 - (k) rehabilitation teaching services, and orientation and mobility services, for individuals who are blind;

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- (l) occupational licenses, tools, equipment, and initial stocks and supplies;
- (m) technical assistance and other consultation services to conduct market analyses, develop business plans, and otherwise provide resources, to the extent such resources are authorized to be provided under the statewide workforce investment system, to eligible individuals who are pursuing self-employment or telecommuting or establishing a small business operation as an employment outcome;
- (n) rehabilitation technology, including telecommunications, sensory, and other technological aids and devices;
- (o) transition services for students with disabilities that facilitate the achievement of the employment outcome identified in the individualized plan for employment;
- (p) supported employment services;
- (q) services to the family of an individual with a disability necessary to assist the individual to achieve an employment outcome; and
- (r) specific post-employment services necessary to assist an individual with a disability to retain, regain, or advance in employment.

5.2 Written policies governing the provision of services to individuals with disabilities. (Sections 12(c) and 101(a)(6)(A) of the Act; 34 CFR 361.50)

- (a) The State unit has written policies covering the nature and scope of each of the vocational rehabilitation services specified in section 103(a) of the Act and subsection 5.1 of this State plan and the criteria under which each service is provided.
- (b) The policies are consistent with the provisions in 34 CFR 361.50 and:
 - (1) ensure that the provision of services is based on the rehabilitation needs of each individual as identified in that individual's individualized plan for employment; and
 - (2) do not establish any arbitrary limits on the nature and scope of services to be provided to the individual to achieve an employment outcome.

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5.3 Opportunity to make informed choices regarding the selection of services and providers. (Sections 101(a)(19) and 102(d) of the Act)

Applicants and eligible individuals, or, as appropriate, the applicants' representatives or the individuals' representatives, are provided information and support services to assist the applicants and eligible individuals in exercising informed choice throughout the rehabilitation process, consistent with the provisions of section 102(d) of the Act.

5.4 Services to American Indians. (Section 101(a)(13) of the Act)

Except as otherwise provided in part C of title I of the Act, the designated State unit provides vocational rehabilitation services to American Indians who are individuals with disabilities residing in the State to the same extent as the designated State agency provides such services to other significant populations of individuals with disabilities residing in the State.

5.5 Scope of vocational rehabilitation services to groups of individuals with disabilities. (Sections 101(a)(17) and 103(b) of the Act; 34 CFR 361.49, .61 and .62)

(a) The State plan provides for the following optional vocational rehabilitation services for the benefit of groups of individuals with disabilities.

- (1) The establishment, development, or improvement of community rehabilitation programs, including, under special circumstances, the construction of a community rehabilitation facility, that are used to provide services to promote integration and competitive employment.

If the State elects to use the authority to construct a facility for a community rehabilitation program, the following requirements are met:

- (A) The Federal share of the cost of construction for facilities for a fiscal year does not exceed an amount equal to 10 percent of the State=s allotment under section 110 of the Act for that fiscal year.
- (B) The provisions of section 306 of the Act that were in effect prior to the enactment of the Rehabilitation Act Amendments of 1998 apply to such construction.

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- (C) There is compliance with the requirements in 34 CFR 361.62(b) that ensure the use of the construction authority will not reduce the efforts of the designated State agency in providing other vocational rehabilitation services, other than the establishment of facilities for community rehabilitation programs.
- (2) Telecommunications systems, including telephone, television, satellite, radio, and similar systems, that have the potential for substantially improving service delivery methods of activities described in this section of this State plan and developing appropriate programming to meet the particular needs of individuals with disabilities.
- (3) X Special services to provide nonvisual access to information for individuals who are blind, including the use of telecommunications, Braille, sound recordings, or other appropriate media; captioned television, films, or video cassettes for individuals who are deaf or hard of hearing; tactile materials for individuals who are deaf-blind; and other special services that provide information through tactile, vibratory, auditory, and visual media.
- (4) X Technical assistance and support services to businesses that are not subject to title I of the Americans with Disabilities Act of 1990 and that are seeking to employ individuals with disabilities.
- (5) X Small business enterprises operated by individuals with significant disabilities, the operation of which can be improved by the management services and supervision of the designated State agency, along or together with the acquisition by the designated State agency of vending facilities or other equipment and initial stocks and supplies.
- (A) If the State unit provides small business enterprise services, only individuals with significant disabilities are selected to participate in this supervised program.
- (B) If the State unit sets aside funds from the proceeds of the operation of the small business enterprises, it has a description of the methods used in setting aside funds and the purposes for which funds are set aside.
- (C) Under its small business enterprises, the State unit provides:
- (i) X only the Randolph-Sheppard Vending Facility Program;
- (ii) only a program or programs other than the Randolph-Sheppard Vending Facility Program;

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- (iii) both the Randolph-Sheppard Vending Facility Program and another program(s).
- (6) X Consultative and technical assistance services to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including employment.
- (7) X Other services that promise to contribute substantially to the rehabilitation of a group of individuals but that are not related directly to the individualized plan for employment of any one individual with a disability.
- (b) If the State plan provides for any of these services to groups of individuals with disabilities, the designated State unit has:
- (1) written policies covering the nature and scope of each of the vocational rehabilitation services it provides and the criteria under which each service is provided; and
- (2) information to ensure the proper and efficient administration of those services in the form and detail and at the time required by the Secretary, including:
- (A) the types of services provided;
- (B) the costs of those services; and
- (C) to the extent feasible, estimates of the numbers of individuals benefiting from those services.

5.6 Contracts and cooperative agreements. (Section 101(a)(24) of the Act; 34 CFR 361.31 and .32)

(a) Contracts with for-profit organizations.

The designated State agency has the authority to enter into contracts with for-profit organizations for the purpose of providing, as vocational rehabilitation services, on-the-job training and related programs for individuals with disabilities under part A of title VI of the Act, upon the determination by the designated State agency that such for-profit organizations are better qualified to provide such vocational rehabilitation services than non-profit agencies and organizations.

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(b) **Cooperative agreements with private non-profit organizations.**

The manner in which the designated State agency establishes cooperative agreements with private non-profit vocational rehabilitation service providers is described in **Attachment 4.9(c)(3)**.

SECTION 6: ADMINISTRATION OF THE PROVISION OF VOCATIONAL REHABILITATION SERVICES

6.1 Record of services. (Section 101(a)(6)(A) of the Act; 34 CFR 361.47)

The designated State unit maintains for each applicant or eligible individual a record of services that satisfies the requirements of 34 CFR 361.47.

6.2 Referrals and applications. (Sections 101(a)(6)(A) and 102(a)(6) of the Act; 34 CFR 361.41)

- (a) The designated State unit has standards for the prompt and equitable handling of referrals of individuals for vocational rehabilitation services. These standards include timelines for making good faith efforts to inform individuals of application requirements and to gather information necessary to initiate an assessment to determine eligibility and priority of services.
- (b) Once an individual has submitted an application for vocational rehabilitation services, an eligibility determination is made within a reasonable period of time, not to exceed 60 days, unless:
- (1) exceptional and unforeseen circumstances beyond the control of the designated State unit preclude making an eligibility determination within 60 days and the designated State unit and the individual agree to a specific extension of time; or
 - (2) the designated State unit is exploring an individual's abilities, capabilities, and capacities to perform in work situations under section 102(a)(2)(B) of the Act.

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6.3 Information and referral services. (Section 101(a)(20) of the Act)

The designated State agency has implemented an information and referral system that is adequate to ensure that individuals with disabilities are provided accurate vocational rehabilitation information and guidance, using appropriate modes of communication, to assist such individuals in preparing for, securing, retaining, or regaining employment, and are appropriately referred to Federal and State programs, including other components of the statewide workforce investment system in the State.

6.4 Ability to serve all eligible individuals; order of selection for services. (Sections 12(d) and 101(a)(5) of the Act; 34 CFR 361.36)

- (a) The designated State unit is able to provide the full range of services listed in section 103(a) of the Act and subsection 5.1 of this State plan, as appropriate, to all eligible individuals with disabilities in the State who apply for services.

Yes X No

- (b) ***IF YES, Attachment 4.12(c)(2)(B)*** contains an explanation that satisfies the requirements of 34 CFR 361.36(a)(2) or (3) and describes how, on the basis of the designated State unit's projected fiscal and personnel resources and its assessment of the rehabilitation needs of individuals with significant disabilities within the State, it will:

- (1) continue to provide services to all individuals currently receiving services;
- (2) provide assessment services to all individuals expected to apply for services in the next fiscal year;
- (3) provide services to all individuals who are expected to be determined eligible in the next fiscal year; and
- (4) meet all program requirements.

- (c) ***IF NO:***

- (1) Individuals with the most significant disabilities are selected for vocational rehabilitation services before other individuals with disabilities.

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(2) Attachment 4.12(c)(2)(A) contains:

- (A) the order to be followed in selecting eligible individuals to be provided vocational rehabilitation services; and
- (B) a justification for the order of selection.

(3) Eligible individuals who do not meet the order of selection criteria are provided access to the services provided through the designated State unit's information and referral system implemented under section 101(a)(20) of the Act and subsection 6.3 of this State plan.

6.5 Assessment for determining eligibility and priority for services. (Sections 7(2)(A)(i) and (D), 7(20)(A), 101(a)(12) and 102(a)(1)(A), (2)(B) and (4) of the Act)

- (a) To determine whether an individual is eligible for vocational rehabilitation services and the individual's priority under an order of selection for services, if the State is operating under an order of selection, the designated State unit, to the maximum extent possible consistent with the requirements of this State plan, uses existing and current information, including information available from other programs and providers, particularly information provided by education officials and the Social Security Administration, and information provided by the applicant and the family of the applicant.
- (b) To the extent that existing information is unavailable or insufficient, the designated State unit provides appropriate assessment activities to obtain necessary additional information to make the determination regarding the applicant's eligibility, and, if applicable, the applicant's priority under an order of selection.
- (c) The State unit's determination of an applicant's eligibility for vocational rehabilitation services is based only on the following requirements.
 - (1) A determination that the applicant has a physical or mental impairment.
 - (2) A determination that the applicant's physical or mental impairment constitutes or results in a substantial impediment to employment.

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- (3) A presumption, in accordance with section 102(a)(2)(A) of the Act and paragraph (d) of this subsection of the State plan, that the applicant can benefit in terms of an employment outcome from the provision of vocational rehabilitation services.
- (4) A determination that the applicant requires vocational rehabilitation services to prepare for, secure, retain, or regain employment.
- (d) The designated State unit presumes that an applicant who meets the eligibility requirements in subparagraphs (c)(1) and (c)(2) of this subsection of this State plan can benefit in terms of an employment outcome unless the designated State unit can demonstrate by clear and convincing evidence that the applicant is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services due to the severity of the individual's disability. In making such a demonstration, the designated State unit first explores the individual's abilities, capabilities, and capacity to perform in work situations through the use of trial work experiences consistent with the provisions of sections 7(2)(D) and 102(a)(2)(B) of the Act.
- (e) If there is appropriate evidence that establishes the applicant's eligibility for Social Security benefits under Title II or Title XVI of the Social Security Act, the designated State unit:
 - (1) presumes the applicant to be eligible for vocational rehabilitation services under this State plan (provided that the individual intends to achieve an employment outcome consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual) unless the designated State unit can demonstrate by clear and convincing evidence that the applicant is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services due to the severity of the disability of the individual in accordance with the provisions of section 102(a)(2) of the Act and paragraph 6.5(d) of this State plan; and
 - (2) considers the applicant to be an individual with a significant disability consistent with the provisions of section 7(21)(A) of the Act.
- (f) In the application of the eligibility criteria, the following requirements are met.
 - (1) No duration of residence requirement is imposed that excludes from services under the plan any individual who is present in the State.
 - (2) No applicant or group of applicants is excluded or found ineligible solely on the basis of the type of disability.

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- (3) The eligibility requirements are applied without regard to the age, gender, race, color, creed, or national origin of the applicant.
- (4) The eligibility requirements are applied without regard to the particular service needs or anticipated cost of services required by an applicant or the income level of an applicant or applicant's family.

6.6 Procedures for ineligibility determination. (Section 102(a)(5) of the Act; 34 CFR 361.43)

If the State unit determines that an applicant is ineligible for vocational rehabilitation services or determines that an individual receiving services under an individualized plan for employment is no longer eligible for services, the State unit:

- (a) makes the determination only after providing an opportunity for full consultation with the individual or, as appropriate, with the individual's representative;
- (b) informs the individual or, as appropriate, the individual's representative, in writing, supplemented as necessary by other appropriate modes of communication consistent with the informed choice of the individual, of the ineligibility determination, including:
 - (1) the reasons for the determination; and
 - (2) the description of the means by which the individual may express, and seek remedy for, any dissatisfaction with the determination, including the procedures for the review by an impartial hearing officer consistent with the provisions of section 102(c) of the Act and subsection 4.16 of this State plan;
- (c) provides the individual with a description of services available from the client assistance program and information on how to contact that program; and
- (d) reviews any ineligibility determination that is based on a finding that the individual is incapable of benefiting in terms of an employment outcome from the provision of vocational rehabilitation services within 12 months and annually thereafter, if such a review is requested by the individual or, if appropriate, by the individual's representative, except when the:

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- (1) individual has refused the review;
- (2) individual is no longer present in the State;
- (3) individual's whereabouts are unknown; or
- (4) individual's medical condition is rapidly progressive or terminal.

6.7 Closure without ineligibility determination. (Sections 12(c) and 101(a)(6)(A) of the Act; 34 CFR 361.44)

The State unit does not administratively close an applicant's record of services prior to making an eligibility determination unless the:

- (a) applicant declines to participate in, or is unavailable to complete an assessment for determining eligibility and priority for services; and
- (b) State unit has made a reasonable number of attempts to contact the applicant or, if appropriate, the applicant's representative to encourage the applicant's participation.

6.8 Availability of comparable services and benefits. (Sections 101(a)(8) and 103(a) of the Act; 34 CFR 361.53)

- (a) Prior to providing any vocational rehabilitation services, except those services identified in paragraph (d) of this subsection, to an eligible individual, or to members of the individual's family, the State unit determines whether comparable services and benefits exist under any other program and whether those services and benefits are available to the individual.
- (b) If comparable services or benefits exist under any other program and are available to the eligible individual at the time needed to achieve the provisions of the individual's individualized plan for employment, the State unit uses those comparable services or benefits to meet, in whole or in part, the cost of vocational rehabilitation services.

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- (c) If comparable services or benefits exist under any other program, but are not available to the individual at the time needed to satisfy the provisions of the individual's individualized plan for employment, the State unit provides vocational rehabilitation services until those comparable services and benefits become available.
- (d) The following services are exempt from a determination of the availability of comparable services and benefits:
- (1) assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;
 - (2) counseling and guidance, including information and support services to assist an individual in exercising informed choice consistent with the provisions of section 102(d) of the Act;
 - (3) referral and other services to secure needed services from other agencies through agreements developed under section 101(a)(11) of the Act, if such services are not available under this State plan;
 - (4) job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services;
 - (5) rehabilitation technology, including telecommunications, sensory, and other technological aids and devices; and
 - (6) post-employment services consisting of the services listed under subparagraphs (1) through (5) of this paragraph.
- (e) The requirements of paragraph (a) of this subsection also do not apply if the determination of the availability of comparable services and benefits under any other program would interrupt or delay:
- (1) progress of the individual toward achieving the employment outcome identified in the individualized plan for employment;
 - (2) an immediate job placement; or
 - (3) provision of such service to any individual who is determined to be at extreme medical risk, based on medical evidence provided by an appropriate qualified medical professional.

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- (f) The Governor of the State in consultation with the designated State vocational rehabilitation agency and other appropriate agencies ensures that there is an interagency agreement or other mechanism for interagency coordination that meets the requirements of section 101(a)(8)(B)(i)-(iv) of the Act between any appropriate public entity, including the State medicaid program, public institution of higher education, and a component of the statewide workforce investment system, and the designated State unit so as to ensure the provision of the vocational rehabilitation services identified in section 103(a) of the Act and subsection 5.1 of this State plan, other than the services identified in paragraph (d) of this subsection, that are included in the individualized plan for employment of an eligible individual, including the provision of such services during the pendency of any dispute that may arise in the implementation of the interagency agreement or other mechanism for interagency coordination.

6.9 Participation of individuals in cost of services based on financial need. (Section 12(c) of the Act; 34 CFR 361.54)

- (a) No financial needs test is applied and no financial participation is required as a condition for furnishing the following vocational rehabilitation services:
- (1) assessment for determining eligibility and priority for services, except those non-assessment services that are provided during an exploration of the individual's abilities, capabilities, and capacity to perform in work situations, consistent with the requirements of sections 7(2)(D) and 102(a)(2)(B) of the Act;
 - (2) assessment for determining vocational rehabilitation needs;
 - (3) counseling and guidance, including information and support services to assist an individual in exercising informed choice;
 - (4) referral and other services to secure needed services from other agencies through cooperative agreements under section 101(a)(11) of the Act and subsection 4.9 of this State plan, if such services are not available under this State plan; and
 - (5) job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services.
- (b) The State unit considers the financial need of eligible individuals, or individuals who are receiving services during an exploration of an individual's abilities, capabilities, and capacity to perform in work situations consistent with subparagraph (1) of paragraph

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(a) of this subsection, in order to determine the extent of the individual=s participation in the costs of vocational rehabilitation services.

Yes X No _____

(c) **IF YES:**

(1) The State unit has written policies on the determination of financial need that are consistent with the provisions of 34 CFR 361.54 and these policies:

(A) are applied uniformly to all individuals in similar circumstances; and

(B) ensure that the level of the individual's participation in the cost of vocational rehabilitation services is:

(i) reasonable;

(ii) based on the individual's financial need, including the consideration of any disability-related expenses paid by the individual; and

(iii) not so high as to effectively deny the individual a necessary service.

(2) Attachment 6.9(c)(2) specifies the services for which the designated State unit has a financial needs test.

6.10 Development of the individualized plan for employment. (Sections 7(2)(B), 101(a)(9), and 102(b)(1) and (2) of the Act)

(a) The designated State unit conducts an assessment to determine the vocational rehabilitation needs for each eligible individual, including the need for supported employment services, or, if the State is operating under an order of selection, for each eligible individual to whom the State is able to provide services, for the purpose of identifying the provisions to be included in the individualized plan for employment that meets the requirements of section 102(b) of the Act.

(b) The development of the individualized plan for employment meets the following procedural requirements.

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- (1) The individualized plan for employment is developed and implemented in a timely manner subsequent to the determination of the eligibility of the individual for services under this State plan, except if the State is operating under an order of selection, the individualized plan for employment is developed and implemented only for individuals to whom the State is able to provide services.
- (2) The designated State unit provides to the eligible individual or the individual's representative, in writing and in an appropriate mode of communication, information on the individual's options for the development of the individualized plan for employment, including:
 - (A) information on the availability of assistance, to the extent determined appropriate by the eligible individual, from a qualified vocational rehabilitation counselor in developing all or part of the individualized plan for employment for the individual, and the availability of technical assistance in developing all or part of the individualized plan for employment for the individual;
 - (B) a description of the full range of components that must be included in an individualized plan for employment;
 - (C) as appropriate,
 - (i) an explanation of agency guidelines and criteria associated with financial commitments concerning an individualized plan for employment;
 - (ii) additional information the eligible individual requests or the designated State unit determines to be necessary; and
 - (iii) information on the availability of assistance in completing designated State agency forms required in developing an individualized plan for employment;
 - (D) a description of the rights and remedies available to the eligible individual, including, if appropriate, recourse to mediation and the impartial due process hearing consistent with the provisions of section 102(c) of the Act and subsection 4.16 of this State plan; and

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- (E) a description of the availability of the client assistance program and information about how to contact the program.
- (3) The individualized plan for employment is developed as a written document prepared on forms provided by the designated State unit and is developed and implemented in a manner that affords eligible individuals the opportunity to exercise informed choice in selecting an employment outcome, the specific vocational rehabilitation services to be provided under the plan, the entity that will provide the vocational rehabilitation services, the settings in which the services will be provided, the employment setting, and the methods used to procure the services consistent with the provisions of section 102(d) of the Act.
- (4) The individualized plan for employment is agreed to and signed by the eligible individual or, as appropriate, the individual's representative, and approved and signed by a qualified vocational rehabilitation counselor employed by the designated State unit with a copy of the individualized plan for employment provided to the individual or, as appropriate, to the individual's representative, in writing and, if appropriate, in the native language or mode of communication of the individual or, as appropriate, of the individual's representative.
- (5) The individualized plan for employment is reviewed at least annually by a qualified vocational rehabilitation counselor and the eligible individual or, as appropriate, the individual's representative and amended, as necessary, by the individual or, as appropriate, the individual's representative, in collaboration with a representative of the designated State agency or a qualified vocational rehabilitation counselor, as determined to be appropriate by the individual.
- (6) If there are substantive changes in the individualized plan for employment with respect to the employment outcome, the vocational rehabilitation services to be provided, or the providers of the services, such amendments to the individualized plan for employment do not take effect until agreed to and signed by the eligible individual or, as appropriate, the individual's representative, and by a qualified vocational rehabilitation counselor employed by the designated State unit.

6.11 Mandatory components of the individualized plan for employment. (Sections 101(a)(9), 102(b)(3), and 625(b)(6)(C),(E), and (F) of the Act)

- (a) Each individualized plan for employment includes, at a minimum, the following mandatory components describing the:

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- (1) specific employment outcome that is chosen by the eligible individual, consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the eligible individual, and, to the maximum extent appropriate, results in employment in an integrated setting;
- (2) specific rehabilitation services that are:
 - (A) needed to achieve the employment outcome, including, as appropriate, the provision of assistive technology devices and assistive technology services, and personal assistance services, including training in the management of such services; and
 - (B) provided in the most integrated setting that is appropriate for the service involved and is consistent with the informed choice of the eligible individual;
- (3) timelines for the achievement of the employment outcome and for the initiation of services;
- (4) entity chosen by the eligible individual or, as appropriate, the individual's representative, that will provide the vocational rehabilitation services, and the methods used to procure the services;
- (5) criteria to evaluate progress toward achievement of the employment outcome;
- (6) terms and conditions of the individualized plan for employment, including, as appropriate, information related to the:
 - (A) responsibilities of the designated State unit;
 - (B) responsibilities of the eligible individual, including those related to:
 - (i) the achievement of the employment outcome;
 - (ii) participation, if applicable, in the paying the costs of the plan; and

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- (2) makes maximum efforts, including the identification and provision of vocational rehabilitation services, reasonable accommodations, and other necessary support services, to assist the individuals described in subparagraph (a)(1) in engaging in competitive employment.
- (b) The individual with a disability, or, if appropriate, the individual's representative has input into the review and reevaluation, and acknowledges through sign-off that such review and reevaluation have been conducted.

STATE PLAN SUPPLEMENT FOR THE STATE SUPPORTED EMPLOYMENT SERVICES PROGRAM

SECTION 7: PROGRAM ADMINISTRATION

7.1 Designated state agency. (Section 625(b)(1) of the Act; 34 CFR 363.11(a))

The designated State agency for vocational rehabilitation services identified in subsection 1.2 of the title I State plan is the State agency designated to administer the State Supported Employment Services Program authorized under title VI, part B of the Act.

7.2 Statewide assessment of supported employment services needs. (Section 625(b)(2) of the Act; 34 CFR 363.11(b))

Attachment 4.12(a) describes the results of the comprehensive, statewide needs assessment conducted under section 101(a)(15)(a)(1) of the Act and subparagraph 4.12(a)(1) of the title I State plan with respect to the rehabilitation needs of individuals with significant disabilities and the need for supported employment services, including needs related to coordination.

7.3 Quality, scope, and extent of supported employment services. (Section 625(b)(3) of the Act; 34 CFR 363.11(c) and .50(b)(2))

Attachment 7.3 describes the quality, scope, and extent of supported employment services to be provided to individuals with the most significant disabilities who are eligible to receive supported employment services.

7.4 Goals and plans for distribution of title VI, part B funds. (Section 625(b)(3) of the Act; 34 CFR 363.11(d) and .20)

Attachment 4.12(c)(3) identifies the State's goals and plans with respect to the distribution of funds received under section 622 of the Act.

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- 7.5 Evidence of collaboration with respect to supported employment services and extended services.** (Sections 625(b)(4) and (5) of the Act; 34 CFR 363.11(e))

Attachment 4.9(c)(4) describes the efforts of the designated State agency to identify and make arrangements, including entering into cooperative agreements, with other State agencies and other appropriate entities to assist in the provision of supported employment services and other public or nonprofit agencies or organizations within the State, employers, natural supports, and other entities with respect to the provision of extended services.

- 7.6 Minority outreach.** (34 CFR 363.11(f))

Attachment 4.12(d)(2) describes the designated State agency's outreach procedures for identifying and serving individuals with the most significant disabilities who are minorities.

- 7.7 Reports.** (Sections 625(b)(8) and 626 of the Act; 34 CFR 363.11(h) and .52)

The designated State agency submits reports in such form and in accordance with such procedures as the Secretary may require and collects the information required by section 101(a)(10) of the Act separately for individuals receiving supported employment services under part B of title VI and individuals receiving supported employment services under title I of the Act.

SECTION 8: FINANCIAL ADMINISTRATION

- 8.1 Five percent limitation on administrative costs.** (Section 625(b)(7) of the Act; 34 CFR 363.11(g)(8))

The designated State agency expends no more than five percent of the State's allotment under section 622 of the Act for administrative costs in carrying out the State Supported Employment Services Program.

- 8.2 Use of funds in providing services.** (Sections 623 and 625(b)(6)(A) and (D) of the Act; 34 CFR 363.6(c)(2)(iv), .11(g)(1) and (4))

- (a) Funds made available under title VI, part B of the Act are used by the designated State agency only to provide supported employment services to individuals with the most significant disabilities who are eligible to receive such services.

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- (b) Funds provided under title VI, part B are used only to supplement, and not supplant, the funds provided under title I of the Act, in providing supported employment services specified in the individualized plan for employment.
- (c) Funds provided under part B of title VI or title I of the Act are not used to provide extended services to individuals who are eligible under part B of title VI or title I of the Act.

SECTION 9: PROVISION OF SUPPORTED EMPLOYMENT SERVICES

9.1 Scope of supported employment services. (Sections 7(36) and 625(b)(6)(F) and (G) of the Act; 34 CFR 363.11(g)(6) and (7))

- (a) Supported employment services are those services as defined in section 7(36) of the Act.
- (b) To the extent job skills training is provided, the training is provided on-site.
- (c) Supported employment services include placement in an integrated setting for the maximum number of hours possible based on the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of individuals with the most significant disabilities.

9.2 Comprehensive assessments of individuals with significant disabilities. (Section 625(b)(6)(B); 34 CFR 363.11(g)(2))

The comprehensive assessment of individuals with significant disabilities, including the assessment of rehabilitation, career, and employment needs, conducted under section 102(b)(1)(A) of the Act and paragraph 6.10(a) of this State plan and funded under title I of the Act includes consideration of supported employment as an appropriate employment outcome.

9.3 Individualized plan for employment. (Sections 102(b)(3)(F) and 625(b)(6)(C) and (E) of the Act; 34 CFR 363.11(g)(3) and (5))

- (a) An individualized plan for employment that meets the requirements of section 102(b) of the Act and subsections 6.10 and .11 of this State plan is developed and updated using funds under Title I.
- (b) The individualized plan for employment:

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- (1) specifies the supported employment services to be provided;
 - (2) describes the expected extended services needed; and
 - (3) identifies the source of extended services, including natural supports, or, to the extent that it is not possible to identify the source of extended services at the time the individualized plan for employment plan is developed, a statement describing the basis for concluding that there is a reasonable expectation that sources will become available.
- (c) Services provided under an individualized plan for employment are coordinated with services provided under other individualized plans established under other Federal or State programs.

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ATTACHMENTS REQUIRED OF ALL AGENCIES

Attachment 4.9(c): Cooperation and Coordination with Other Agencies and Other Entities

- (1) Cooperation with Agencies That Are Not in the Statewide Workforce Investment System and with Other Entities
- (2) Coordination with Education Officials
- (3) Cooperative Agreements with Private Non-profit Vocational Rehabilitation Service Providers
- (4) Evidence of Collaboration Regarding Supported Employment Services and Extended Services

Attachment 4.11(b): Comprehensive System of Personnel Development

Attachment 4.12 Assessments; Estimates; Goals and Priorities; Strategies; and Progress Reports

- (a): Results of Comprehensive Statewide Assessment of the Rehabilitation Needs of Individuals with Disabilities and Need to Establish, Develop, or Improve Community Rehabilitation Programs
- (b): Annual Estimates of Individuals to Be Served and Costs of Services
- (c)(1): State's Goals and Priorities
- (c)(3): Goals and Plans for Distribution of Title VI, Part B Funds
- (d): State's Strategies and Use of Title I Funds for Innovation and Expansion Activities
 - (1) To Address Needs Identified in the Comprehensive Assessment and to Achieve Identified Goals and Priorities
 - (2) To Carryout Outreach Activities to Identify and Serve Individuals with the Most Significant Disabilities Who are Minorities
 - (3) To Overcome Identified Barriers Relating to Equitable Access to and Participation of Individuals with Disabilities in the State Vocational Rehabilitation Services Program and the State Supported Employment Services Program.
- (e): Evaluation and Report of Progress in Achieving Identified Goals and Priorities and Use Of Title I Funds for Innovation and Expansion Activities

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Attachment 4.16(b)(2): Mediation and Impartial Due Process Hearing Procedures

Attachment 7.3: Quality, Scope, and Extent of Supported Employment Services

ATTACHMENTS CONTINGENT ON OPTIONS SELECTED

The following attachments identified by an "X" are also submitted as part of the State plan.

- X **Attachment 4.2(c):** Summary of Input and Recommendations of the State Rehabilitation Council; Response of the Designated State Unit; and Explanations for Rejection of Input or Recommendations
- Attachment 4.5:** Local Administration
- Attachment 4.6(a)(3):** Request for Waiver of Statewideness
- Attachment 4.7(b):** Shared Funding and Administration of Joint Program
- Attachment 4.12(c)(2)(A):** Order of Selection
- Attachment 4.12(c)(2)(B):** Explanation to Support the Decision Not to Establish an Order of Selection
- Attachment 6.9(c)(2):** Services Subject to Financial Needs Test

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Summary of Input and Recommendations
from the State Rehabilitation Council;
Response of the Designated State Unit; and
Explanations for Rejection of Input Recommendations

The Rehabilitation Council of Texas (RCT) includes: individuals with disabilities representing various disability groups; parents of children with disabilities; recipients of vocational rehabilitation services; a representative of the Statewide Independent Living Council; a representative of the Client Assistance Program; a vocational rehabilitation counselor; representatives of community rehabilitation programs; a representative of the state educational agency; and a representative of the State workforce investment board.

Members of the RCT are appointed by the Governor of Texas.

Summary of Input and Recommendations from the RCT

EMPLOYMENT OPPORTUNITIES

1. DBS should continue to pursue and utilize all available funding streams which create referral, placement, and training opportunities for people with blindness.
2. DBS should continue creating employment opportunities and services for people with disabilities, through definitive relationships with relevant local, regional, and state agencies and other service providers.
3. DBS should continue to actively pursue options and provide appropriate supports which move people with disabilities out of sheltered employment and into community employment.
4. DBS should continue to pursue and maintain relationships with employers in business and industry, to develop collaborative efforts to employ people with disabilities.
5. DBS should continue to support the Interagency Workgroup for Supported Employment.

6. DBS should continue to work with the workforce system in Texas, to identify and

apply resources toward the development of employment opportunities for people with disabilities, including supported employment opportunities appropriate to individual needs and choice.

7. RCT recognizes the importance of the job coach in the success of supported employment outcomes. DBS should continue to evaluate ways to enhance the recruitment and retention of service providers essential for the quality and continuity of care.

CONSUMER INPUT

1. RCT supports DBS's current Consumer Satisfaction Survey. RCT and DBS should continue to work to analyze subgroup data, and jointly develop plans to address areas of improvement.
2. RCT encourages DBS to continue collaborating with employers in order to better meet their needs and the needs of people with disabilities.
3. RCT supports the current project for gathering data on consumer perceptions of quality throughout the vocational rehabilitation process.
4. RCT supports a review of the current system for measuring client satisfaction with services, to determine if there is a more cost-effective way to obtain the information while maintaining the quality of data.

VOCATIONAL REHABILITATION STAFF

1. RCT will continue to work with DBS to increase the knowledge, skills, abilities, and sensitivities of VR Counselor staff.
2. RCT will continue to request ongoing information on the process to measure the effectiveness of counselor training, including evaluation by the counselor of the relevancy of the training, and measured improvement in job performance outcomes as a result of the training.
3. RCT will continue to work with DBS to develop dynamic strategies for maintaining and/or improving employee retention.

DBS Response to Input and Recommendations

The Division for Blind Services has reviewed and agrees with each of the RCT recommendations.

As the result amendments to state law, the former Texas Commission for the Blind is now the Division for Blind Services. The Texas Commission for the Blind, as an independent State Commission, did not have an established state rehabilitation council. The Rehabilitation Council of Texas now fulfills this role. The Division for Blind Services has been working with the RCT for less than a full year. Together, we have made progress in terms of developing a mutual understanding of each others' role and responsibilities. DBS appreciates the positive attitude demonstrated by the RCT in terms of working with our Division. We look forward to the opportunity to continue developing this positive and productive working relationship with the RCT, and to more in-depth discussions regarding these recommendations.

Cooperation with Agencies That Are Not in the Statewide Workforce Investment System and with Other Entities

The Division for Blind Services falls with the purview of the Texas Health and Human Services Commission, and is part of the Department of Assistive and Rehabilitative Services. Other Departments within Health and Human Services include:

- The Department of Aging and Disability Services,
- The Department of Family and Protective Services, and
- The Department of State Health Services.

The Division for Blind Services has cooperative and collaborative working relationships with each of these departments. Department Commissioners meet on a regular basis to discuss issues of mutual concern and to identify and resolve problems related to service delivery.

The Division for Blind Services works closely with the Division for Rehabilitation Services, which is the designated state unit for vocational rehabilitation for persons with disabilities other than blindness and is also part of the Department of Assistive and Rehabilitative Services. As the result of the reorganization that has taken place within the last year, the two Divisions have worked together in areas such as policy and procedures; purchasing of consumer services, specialized services for specific disability groups, and a common database to collect and report consumer information.

The Division for Blind Services works with the Texas Education Agency and local school districts in providing services for transition age consumers. There is also close collaboration with the Texas School for the Blind and Visually Impaired. A number of specialized services have been developed to prepare students at TSBVI as they move toward the world of work.

There is also interaction with other agencies, such as the Texas Department of Transportation since lack of adequate transportation is often a major factor in terms of a consumer's ability to maintain employment. Transportation issues are the focus of the Agency Transportation Coordinating Council established to enhance transportation for HHSC agency consumers.

Interaction at the local level also occurs on a routine basis. Field staff participate in resource planning designed to assist those consumers who need assistance from multiple agencies. Efforts to maximize employment are pursued through local Chambers of Commerce and local Mayor's Committees for People with Disabilities to promote full integration and opportunity within the local community.

Coordination with Education Officials

The Division for Blind Services (DBS) works closely with the education system through the DBS's Transition Program.

Training Coordination. DBS works in conjunction with Texas Education Agency's (TEA) Special Education Division, Texas School for the Blind and Visually Impaired (TSBVI), Texas School for the Deaf, educational service centers (ESC), and local education agencies to provide a wide variety of training opportunities. One such training is the DBS sponsored Working with Children and Family. A key component is extensive training in the Special Education process, which includes transition planning in the Individualized Education Programs (IEP).

Educational Counseling. Twenty four transition counselors located throughout the state take a strong advocacy role in preparing students with visual losses for entry into the world of work. Staff work closely with parents, education staff, and community service providers to promote the development of skills needed for the student to become as independent as possible and competitive in the workforce.

In addition to training parents and consumers on their Special Education rights and responsibilities, DBS provides educational support by working with the team to develop and implement the IEP. The goals developed in the IEP are included in the DBS's Individualized Plan for Employment (IPE) to facilitate the successful completion of the goals developed in the IEP. Agency staff offer current vocational information to assist the student in identifying a potential career pursuit.

Referral. DBS staff work closely with local education agencies, TEA, TSBVI, and the Education Service Centers, to ensure youth who are blind and visually impaired are referred to DBS. In turn, DBS's rules specify timely referral to Education.

Interagency Agreements. DBS and TSBVI have a long-standing Interagency Agreement to coordinate services between organizations providing services to blind and visually impaired youth. DBS and TSBVI co-produce the SEE/HEAR Newsletter, a publication that has a worldwide readership. Additionally, coordination and facilitation occur in the provision of a post-secondary program and a summer work experience for transition consumers.

Fiscal Coordination with Educational Resources. Fiscal responsibility for services and accommodations, which are outlined in the IEP, are the responsibility of the local education agency. DBS will purchase services and provide a Technology Evaluation for equipment while a student is in secondary school for use in post-secondary education or training, or in the pursuit of their long-term vocational goal. This is done so that students have an opportunity to gain the skills needed for success in making the transition to post-secondary education, training or employment.

Other Coordination Activities. DBS has representatives participating in the Children's Policy Council and local Community Resource Coordination Groups to help facilitate cooperation and coordinated services among agencies and organizations.

This fiscal year, DBS is working with the Division for Rehabilitation Services (DRS) and the TEA to develop an interagency agreement that establishes the respective roles and responsibilities of the TEA and the Department of Assistive and Rehabilitative Services (to include DBS and DRS) for the provision of transition planning services that are necessary to prepare students receiving special education services for a successful transition to life outside the public school system.

This interagency agreement represents the agencies' commitment to collaborative efforts and sharing of resources in providing effective transition services to students receiving special education services.

Cooperative Agreements with Private Non-Profit Vocational Rehabilitation Service Providers

Division for Blind Services (DBS) has a long history of utilization of private non-profit community rehabilitation service providers. These were originally limited to facilities designed to provide opportunities for individuals with visual loss, namely organizations in the Lighthouse Industries for the Blind of Texas (LIBT) network. Contractual agreements covered basic services such as vocational evaluation, orientation and mobility, work adjustment, job readiness and placement, specific training programs, etc. Establishment grants were also used within this network to promote training and employment assistance directed toward integrated competitive employment.

Over the last few years, the number and diversity of non-profit vendors has grown extensively. A wide variety of community organizations are now involved in service delivery to DBS consumers. The system was expanded via publication of several Request for Proposals (RFPs) soliciting potential vendors, including non-profit community rehabilitation service providers. These RFPs are the foundation for contracts for services such as vocational evaluation, vocational adjustment training, job readiness training, and job development training.

To further promote consumer options, a database has been developed that includes related community services important in helping a consumer achieve and maintain employment. Transportation, for example, is a big issue for consumers in many parts of the state. This database is available to community organizations to help promote full community inclusion and has been shared with a variety of entities (centers for independent living, lighthouses, areas on aging, local information and referral programs).

The DBS "Guide to Consumer Resources in Texas" has been a popular publication. It includes information on local community resources as well as state and national resources that might be helpful to individuals who are blind or visually impaired.

A system is in place for electronic postings via the Texas Marketplace, an internet notification to vendors potentially interested in providing services for DBS consumers. This will further expand the visibility of DBS within the community and increase the availability of service providers around the state.

Evidence of Collaboration Regarding Supported Employment Services and Extended Services

Because of the multitude of resources, both human and fiscal, typically required for successful employment for these consumers needing supported employment services, we have learned that collaboration with all available entities is essential. We continue to collaborate with the community organizations directly providing services to individuals and also with other State agencies, which fund the various components of supported employment for various disability populations.

Division for Blind Services (DBS) has implemented contracts and standards for supported employment services that require the community organizations to make the commitment to provide for the time limited services and to provide or arrange for the extended services. It is the responsibility of these organizations to not only locate or create the needed extended services for each individual consumer, but also to secure any necessary funding. The extended services are provided or arranged by the community organizations themselves and through the development of natural supports. Medicaid waivers, social security work incentives, the state mental health division, Department of State Health Services, and the state mental retardation division, Department on Aging and Disabilities and a variety of local community level sponsorships are potential funding sources for the extended services.

The State level Interagency Workgroup for Supported Employment comprised of representatives of state agencies providing supported employment services in Texas continues working toward cross-agency system changes. Primary goals of this interagency collaboration are:

- increased quality of services and resulting employment outcomes across disabilities;
- consistency in implementation of supported employment best practices across the community providers; and,
- consistency in the funding agencies' standards for supported employment, in the fee structures, quality of service measures, monitoring, and data collection and reporting.

A 3 year interagency initiative, the Supported Employment Pilot Project, between the human services State agencies in Texas who serve adults and transition age persons with disabilities ended February 28, 2005. Objectives of this project included a 3-tiered payment system based on consumer support needs, an outcome based payment system, and cooperation among the participating agencies in the development of seamless supported employment services.

The Interagency Workgroup for Supported Employment is preparing a final report that will include objectives accomplished in the Pilot, outcome, and recommendations for continued collaborative efforts among the participating agencies and future directives. The Division for Blind Services and the Division for Rehabilitative Services will also evaluate the feasibility of expanding an outcome based payment methodology for services leading to supported employment.

Procedures and Activities
Regarding the Establishment and Maintenance of a
Comprehensive System of Personnel Development

The Department of Assistive and Rehabilitative Services (DARS) Division for Blind Services (DBS) is committed to providing quality services, which enable individuals who are blind to achieve employment outcomes. Rehabilitation counselors, who are responsible for making decisions about consumer eligibility and for assisting consumers in making informed choices, are the focal point through which services are provided. Counselors are most effective when adequately prepared for and trained in their responsibilities. Section 101(a)(7) of the Rehabilitation Act Amendments of 1992, known as the Comprehensive System of Personnel Development (CSPD), requires all state vocational rehabilitation agencies to establish qualified personnel standards that are consistent with any national or state approved or recognized certification, licensing, or registration requirements that apply. The DBS has taken steps to ensure that CSPD standards are being met.

STATE OF TEXAS POLICIES

In hiring personnel, the DBS is governed by the State's position classification plan and the salary rates and provisions in the General Appropriations Act. This is reviewed by the Legislature every two years. The State Classification Office has the final responsibility for the content of the official state descriptions and salary levels of the employees. Other changes to the classification plan require approval of the Legislature to become effective. Complete data on current employees is maintained in the Health and Human Services Administrative System database, which was implemented in December 2003. Information is initially entered at employment and is updated when employees are promoted or change jobs.

PROJECTED STAFFING NEEDS

In 2004 the Texas Commission for the Blind (now the Division for Blind Services) was authorized 102 Vocational Rehabilitation and Transition Counselor positions. Fourth quarter figures for 2004 indicate the average active caseload size was one Vocational Rehabilitation Counselor per 62 consumers and one Transition Counselor per 54 consumers. Projections for the numbers of employees needed are, and continue to be, based on historical turnover rates for each position, projected turnover, and population increases in Texas. According to figures contained in the most recent State Strategic Plan, we anticipate the number of people potentially eligible for services will have increased by 6.9% between 2003 and 2007. Three major factors account for this figure: an expected 6.2% growth

in the overall population of the State, the aging of the Texas population with the increased incidence of severe visual impairment that occurs over the age of 65, and the relationship between membership in certain ethnic groups and conditions which may cause blindness, such as diabetes. Since the Hispanic population is increasing by larger numbers than any other segment of the Texas population, and this group is twice as likely to be affected by diabetes as are Caucasians, this is the most significant single demographic factor to be considered in projecting needs for additional counselors. We anticipate that the largest increased demand for services is most likely to occur in San Antonio, El Paso, Houston, and the Valley - areas with higher Hispanic concentrations. Three additional counselors would have been required over the next five years to maintain a consumer/counselor ratio of no greater than 75 to one. In August 2003, the DBS converted a number of the FTE's dedicated to the agency's children's program to Transition Counselor positions and dropped the age for eligibility to 10. Although this effectively increased the number of counselors available to serve young consumers with the most severe disabilities and raised the number of rehabilitation counselor positions from 98 to 102, realistically, we anticipate that caseload sizes and counselor/consumer ratios will continue to increase throughout the State. We do not expect to obtain authorization for additional positions in the near future.

Future personnel needs will be affected by our turnover experience but will be further complicated by the statewide restructuring of service delivery systems mandated by House Bill 2292, passed during the 2003 Texas Legislative session. The end goal of this legislation was to reduce both expenses and the number of state employees. The Texas Commission for the Blind, the Texas Rehabilitation Commission, the Commission for the Deaf and Hard of Hearing, and Early Childhood Intervention were all abolished and became divisions of the Department of Assistive and Rehabilitative Services (DARS) effective March 1, 2004. Restructuring to date has meant that a significant number of FTEs previously assigned to DBS and used to manage human resources, purchasing, accounting, budget, audit, information technology, and other administrative functions were reallocated to either the Health and Human Services Commission (HHSC) or to DARS administration. Although none of these positions provided direct services to consumers, the loss of specialized knowledge, clearly delineated processes and procedures, and internal control over assignments and priorities has created challenges. We are working with these new systems to ensure more timely reimbursements to counselors and universities

Additionally, some very attractive incentives were legislated to encourage state employees to retire at their earliest date of eligibility. Between 2001 and 2003, six counselors retired from state service and did not return, while eleven counselors retired and then returned to their previous positions. It is probable that these returning retirees will permanently leave the work force within the next five years.

Finally, given the state's tight budget, significant cost of living increases are not likely to be forthcoming, while the overall job market is projected to continue to improve. These two factors will add to retention difficulties as counselors with bachelor's degrees are forced into either completing educational requirements or making other career choices, while qualified personnel will find it easier to obtain more lucrative positions in the private sector. Regional and statewide summaries have been prepared noting position, location, and reason for leaving. In 1999-2004 an average of 18 Vocational Rehabilitation or Transition Counselors per year either retired, left the organization or moved into non-counseling positions within the DBS. During the first quarter of FY 2005 five counselors had already left their caseloads. If this trend continues, our turnover rate will be higher than usual. Considering the historical trends, and factoring in the effects of consolidation, retirement incentives, and an improving economy, we project 108 replacement counselors will be needed over the next five years to maintain current staffing levels and consumer/counselor ratios. However, we do not expect to obtain authorization for additional positions.

PERSONNEL PREPARATION

There are six universities in Texas offering a Master's degree that is accredited by the Council on Rehabilitation Education. They reported a total of 117 graduates in 2004 who would be immediately eligible for credentialing as Certified Rehabilitation Counselors. While all six schools reported a combined enrollment of 390 students, it is worth noting that many of these students are already employed by public rehabilitation agencies and are working to meet CSPD requirements. In addition, schools reporting the largest number of students are providing instruction in a distance format. Many of these students live elsewhere in the United States and may never be available to fill vacant positions in Texas. That means the total number of new qualified graduates available to meet the replacement needs of the Department of Assistive and Rehabilitative Services will be significantly less than the number enrolled. Demand for qualified personnel for the Texas Division for Blind Services and Division for Rehabilitation Services continues to exceed the available supply of trained professionals.

Because the DBS hires Vocational Rehabilitation Teachers and Orientation and Mobility Specialists to provide training in specific skills necessary for the independent functioning of people who are blind, we are fortunate that three State universities offer a major in Rehabilitation Services at the Bachelor's level. In addition to being an appropriate source of employees for the aforementioned positions, when it is not possible to hire a Vocational Rehabilitation Counselor with a Master's degree from a CORE accredited program, then the pool of candidates can be expanded by considering graduates with Bachelor's degrees in Rehabilitation. A condition of employment is that the new employee will meet

Certified Rehabilitation Counselor academic eligibility requirements within seven years of the hire date.

University - Degrees in Rehabilitation	2003-2004 Graduates - Bachelor's level	2003-2004 Enrollment Master's programs	2003-2004 Graduates - Master's level
Stephen F. Austin	13	14	2
University of North Texas - on campus	45	33	8
University of North Texas – distance (TX students only)	N/A	108	50
University of Texas – Austin, on campus	N/A	7	5
University of Texas - Austin, distance	N/A	35	13
University of Texas Pan American	24	70	18
University of Texas Southwestern Medical Center	N/A	33	9
Texas Tech University	N/A	90	12
2003-2004 Totals	82	390	117

RECRUITMENT AND RETENTION

In an effort to recruit applicants with the highest entry-level qualifications and certification, licensing, or registration applicable to a particular profession, the DBS has forged productive and proactive working relationships with Texas universities, which train rehabilitation service professionals. Not only do representatives from the DBS serve on Rehabilitation Education Advisory Committees, but experienced professionals also act as guest lecturers upon request. DBS involvement on campus has resulted in a growing number of pre-

service students requesting practicum and internship placements with the division. Paid internships have been offered since 1999 for students completing their Master's degrees in Rehabilitation Counseling or Rehabilitation Teaching or in completing certification requirements for Orientation and Mobility Instructors. State budgetary cutbacks have impacted the number of paid internships we have been able to offer, and this situation is likely to continue. However, we offered unpaid practicum and internship placements in addition to paid opportunities and hosted a total of 12 graduate level pre-service students in 2003-2004.

Job vacancy notices are routinely posted on the Division's Internet site, with the Governor's Job Bank (now called Work In Texas), and with the Health and Human Services Jobs Center. Beginning in May 2005 many HR functions will be outsourced to a private contractor. It will be important for us to work with these entities to ensure that postings for vocational rehabilitation counselors include language prioritizing educational and experiential qualifications consistent with CRC eligibility criteria. Hiring supervisors have been instructed to weight academic qualifications appropriately when selecting new counselors. The DBS plans to increase participation in university and community job fairs in order to raise awareness of employment opportunities in public rehabilitation and, more specifically, in services for people who are blind and visually impaired.

Traditionally blind individuals who met agency minimum standards were permitted to submit a record of verifiable experience obtained through a practicum, internship, or other related areas in lieu of paid work experience. Although this practice is consistent with the provisions of 34 CFR 361.18 and has proven to be a valuable tool in recruiting individuals with disabilities, the language describing this option is no longer included on HHSC job vacancy notices. The DBS plans to continue this practice to the extent possible. Additional efforts to recruit personnel from minority backgrounds include requiring fluency in Spanish for selected positions located in areas of high Hispanic populations where Spanish is often the first language of a consumer or applicant. Opportunities to promote employment to all sectors of the community continue as job postings are routinely shared with universities and academic programs, including those serving minority populations. Students from rehabilitation programs, including minority institutions, have participated as interns in our regional offices. Regional and Central Office networking with Pan American University will continue to assist the DBS in supporting students and recruiting graduates from the university's rapidly growing Master's program in Rehabilitation Counseling.

While HHSC created a new Human Resource Manual to be used by all eleven legacy agencies, no guidelines have been included to date regarding the CSPD policies affecting the Department of Assistive and Rehabilitative Services. DBS has begun posting a series of pages to the training link on our internal web site to

assist counselors in complying with CSPD requirements. We will need to explore additional avenues to communicate this information to DARS employees.

The DBS strives to ensure that the diversity of its staff is representative of the diversity of the state as well as the diversity of the consumers we serve. Ethnic distribution of DBS employees is 59.66% White, 14.45% Hispanic, 24.20% Black, and 1.69% Other (including Asian American and American Indian). Significant changes in ethnic distribution patterns can be attributed to staff transfers as part of the Health and Human Services consolidation effort. In terms of disability, approximately 20.83% of the agency's employees have a reported disability (primarily blindness or visual impairment). Gender distribution is 75.98% female and 24.02% male. Whenever possible the DBS will strive to continue application of the above actions and strategies which have proven effective in hiring staff from minority backgrounds and staff with disabilities.

The DBS traditionally has enjoyed a turnover rate that was the lowest among all health and human service agencies in the state and was well below the average for the entire state workforce. Although the State Auditor's report for 2004 again highlights a below average agency turnover rate, figures are not directly comparable to those of previous years as a result of consolidation restructuring. More generous Legislative guidelines related to returning retirees and earnings encouraged staff to retire at their earliest eligibility date to receive retirement benefits and then reapply for their former positions. DBS employees took early advantage of this opportunity in 2002-2003. However, this trend has now slowed. It is worth noting a significant increase in the number of counselors who reported leaving state employment in FY 2004 for a position in the private sector paying more money. This parallels statewide findings published in the State Auditor's Report. We now anticipate a continuation of higher turnover rates, largely due to the combined effects of consolidation, retirement incentives, and an improving economy.

The Texas Legislature sets the state's classification schedule (which determines the pay grade for Counselors and other classified positions) as well as the salary schedule (which sets the pay range that agencies must use for compensation). In an effort to attract and retain a larger number of qualified counselors, the Division for Blind Services and the Division for Rehabilitation Services submitted a proposal to the Health and Human Services Commission (HHSC) to consider reallocating the counselor classifications to higher salary groups and to expand the career ladder by adding a new, upper-tier classification because of the more stringent federal standards. This proposal was forwarded to the State Auditor's Office for review and possible inclusion in their recommendations to the 79th Legislature. The 2004 Auditor's Report drew attention to the fact that state employee salaries are, on average, 17% less than average salaries for the civilian worker population and identified this as one of the work force challenges

for the State of Texas. If legislative changes were enacted during the impending session, they could take effect no earlier than September 2005.

Working within the current classification and salary schedules, creative use of alternative options to reward staff have been implemented. Prior to consolidation the Division for Blind Services had instituted a series of one-time monetary awards for counselors reaching certain milestones in their academic progress and in achievement of the CRC. These financial incentives have been slightly restructured and now are also offered by the Division for Rehabilitation Services. In addition, the DBS has obtained authority to provide Continuing Education Units for certain agency- sponsored trainings. With counselors having the opportunity to earn CEUs in-house, they are spared some of the expense of maintaining professional licensure/certification. Finally, a succession planning work group has been formed to research and implement strategies specifically designed to retain effective employees and develop future agency leaders. An assessment questionnaire was electronically distributed to all staff in order to gather baseline information, which will be used to create long-range career development opportunities. We believe these three strategies may assist with retention.

PERSONNEL STANDARDS

State of Texas hiring procedures do not require:

- personnel standards for rehabilitation counselors to be based on the highest entry-level academic degree needed for national or state approved or recognized certification, licensing, or registration;
- newly hired individuals to obtain or work toward certification in a field once employed; or,
- a degree higher than that required in the original job posting.

For this reason, the DBS opted to base new hiring and personnel development policies for Rehabilitation Counselors on those educational qualifications “consistent with” the national requirements of Certified Rehabilitation Counselors (CRC). Job vacancy notices were developed with Master’s degrees in Rehabilitation Counseling identified as the preferred academic preparation. Because of the shortage of qualified candidates, additional educational options were delineated with various combinations of relevant work experience being required. In any case, candidates were informed of the expectation that they would meet CRC academic eligibility criteria within seven years of the hiring date. Because of the inconsistency in the content of HHSC job vacancy notices, hiring

supervisors must be especially mindful of CSPD requirements when selecting new Rehabilitation Counselors.

An additional difficulty this year hinges on the expiration of the D.4 Category. In 1999, the Commission on Rehabilitation Counselor Certification (CRCC) created a temporary category (D.4) to allow persons with Master's Degrees in fields not related to counseling to earn the CRC. Category requirements included completion of a minimum of 18 graduate hours drawn from three core areas and 36 months of acceptable employment experience, 12 months of which must have been under the supervision of a CRC. Transcripts of current employees likely to fall into the D.4 category were submitted to the CRCC for review before the November 2004 cut-off date. However, future counselors who would have been considered D.4 will no longer have this option. We believe that counselors who have completed the educational requirements specified in the D.4 category will possess the necessary knowledge and skills to be considered qualified even though they will no longer be able to take the examination and earn the CRC credential. While the DBS has encouraged counselors to obtain the CRC, this has not been a requirement. We find the course work outlined by the D.4 category to be extremely appropriate and sufficient to meet the educational qualifications mandated by the 1998 Amendments to the Rehabilitation Act. Therefore, if a vocational rehabilitation counselor has a Master's degree in an unrelated field and completes a minimum of 18 graduate hours drawn from the three core areas identified in the D.4 category, then we will consider that counselor to be qualified. We believe this solution will address the inadequate supply of available individuals with graduate degrees in Rehabilitation Counseling and will make prudent use of diminishing financial resources without compromising the spirit of the law.

Analysis of Current Personnel

The DBS has continued to monitor the academic and experiential qualifications held by Vocational Rehabilitation and Transition Counselors, and staff qualifications have been compared to national CRC requirements. Comparison data for the current period is shown in the following table.

Counselors	Bachelor's Degree	Master's Degree	Total
Meet Academic Standards	0	50	50
Don't Meet Academic Standards	42	7	49
Total	42	57	99 (3 vacancies)

The number of counselors who meet academic standards is not growing as quickly as we would like, partly due to the fact that counselors who have earned their graduate degrees and CRC certification have then left public rehabilitation for higher paying positions in the private sector. In addition, many of the experienced counselors who have recently retired held advanced degrees, and it has not always been possible to hire replacements with equivalent qualifications. However, two D.4 candidates completed their course work and four counselors were awarded their Master's degrees in Rehabilitation Counseling in 2004. In addition eight more are projected to graduate in FY 2005. At the time of this report, 25 counselors have enrolled in graduate programs, 13 hold CRC certification, and six more hold the highest State-awarded credential, Licensed Professional Counselor (LPC). Because the course work required to obtain an LPC would make a candidate academically eligible for the CRC under categories D.1, D.2, or D.3, the DBS finds the LPC to be an acceptable alternate credential.

To the extent that Rehabilitation and Transition Counselors do not meet the highest requirements in the State, the DBS has adopted the following short-term and long-term strategies and actions.

Short-Term Strategies

1. The DBS has revised standard job postings for Vocational Rehabilitation and Transition Counselors to give priority to applicants who have a Master's degree in Rehabilitation Counseling. No work experience is required with this degree, provided the applicant has successfully completed a 600-hour practicum supervised by a CRC. Second priority is given to applicants who have Master's degrees in Counseling and Guidance or in another closely related field. These applicants are required to have one year of relevant work experience. Third priority is given to applicants who have a Master's degree in an unrelated field and two years of relevant work experience. These candidates will be expected to complete an additional 18 hours of graduate course work specific to rehabilitation within five years of their hire date.
2. The DBS also recognizes Bachelor's degree programs in rehabilitation. Applicants with a Bachelor's degree in Rehabilitation Services must have extensive work-related experience and must complete their Master's degree within seven years of their date of employment. Because of the inadequate supply of individuals with Master's degrees, the DBS anticipates the need to continue hiring at the Bachelor's level (particularly in rural areas) if Texans who are blind are to receive vocational rehabilitation services.
3. The DBS has implemented a plan for upgrading the educational preparation of VR counselors, prioritizing those with Master's degrees in fields other than

Rehabilitation Counseling who require minimal coursework in order to meet academic standards consistent with CRC eligibility as formerly outlined in the D.4 category. The second training priority includes counselors with an undergraduate degree. Lowest training priority is given to counselors who have declared their intention to retire by September 2006, which is seven years from the implementation date of the DBS CSPD plan.

4. The DBS has not traditionally subsidized staff pursuing graduate degrees. Policies and procedures have been developed to address funding, use of agency equipment, and time spent on academic assignments during work hours. Since April of 1999, 51 counselors have become actively involved in earning a Master's degree, and 18 have graduated to date. Three graduates moved into non-counseling positions within the agency, while three left immediately following graduation to accept more lucrative positions within private rehabilitation. It is anticipated that eight more counselors will complete full graduate programs during the coming year.
5. The DBS has designated a training and development specialist to coordinate academic and internship activities with universities in Texas certified to provide the education necessary to meet the highest standards in the State (University of North Texas, Texas Southwestern Medical Center, University of Texas at Austin, Pan American University, Stephen F. Austin University and Texas Tech University). Four of these universities have developed alternatives to traditional degree programs such as distance education, weekend classes, mini-semester, and evening classes to serve employees who have been unable to earn their Master's degrees in Rehabilitation Counseling because of the constraints of distance or work responsibilities. Because the Texas Southwestern Medical Center program only admits full-time, on-campus students, and because the program at Stephen F. Austin University is too small to have developed non-traditional educational options, DBS has not been able to refer counselors to these schools to complete CSPD requirements. In addition to tracking the academic progress of current DBS staff pursuing graduate degrees, it will be the specialist's responsibility to gather and maintain information concerning the number of students involved in such college programs and the number of students graduating annually with professional credentials.
6. The DBS has committed Section 110 funds, In-Service Training grant funds and other available resources to support retraining of current Vocational Rehabilitation and Transition Counselors who do not meet CRC academic guidelines. Three universities have committed a number of their RSA training grant slots to DBS employees, while DBS is subsidizing tuition and books for non-scholarship students. The reduced amount of CSPD scholarship money available to universities is of immediate concern. The fewer the number of

counselors receiving RSA stipends, the greater the number that DBS will need to subsidize. If demand for tuition sponsorship begins to negatively affect additional programs funded by the DBS In-Service Training grant, it may be necessary to apply retraining priorities (# 3) more stringently.

7. The prior system of one-time monetary awards instituted for counselors reaching certain milestones in their academic progress and in achievement of the CRC has been restructured and is now also offered by DRS. In 2003-2004 four counselors received awards for completing their Master's degree programs in Rehabilitation Counseling.
8. The DBS' Personnel Evaluation System will be used to track counselor progress. This will also be the basis for Division-wide tracking of progress on the CSPD plan's overall objectives. Performance results will be reviewed twice a year to monitor progress and adjust future planning.

Longer-Term Strategies

1. The DBS has developed a cooperative agreement with the University of Texas at Austin to obtain partial graduate credit for two in-service training programs: Employment Assistance Training and Eye Medical. Since these in-service programs are part of the required training for all newly-hired Vocational Rehabilitation and Transition Counselors, transferable college credits will maximize counselor time, thus making more time available to provide services to consumers. Both courses were opened to pre-service students in hopes that early exposure to the Division for Blind Services would raise awareness of employment opportunities. Two students applied for positions with DBS following graduation and were subsequently hired. Negotiations had begun with three additional universities to adapt Eye Medical training as a Special Problems course to be offered in a distance format for both DBS and interested pre-service graduate students. However, a combination of time and funding restraints experienced by both the DBS and the universities has put this project on hold.
2. The DBS has contracted with universities in Region VI to provide paid internships to recruit qualified Rehabilitation Counselors, Teachers, and Orientation and Mobility Instructors. Three times a year the DBS has contacted the universities in Texas offering professional degree programs to plan appropriate placement and supervision. Of the 12 pre-service students hosted by DBS in 2003-2004, six were internships and four were practicum placements for a Master's in Rehabilitation Counseling, one was an undergraduate internship for a Vocational Rehabilitation Teacher,

and one was for an Orientation and Mobility Specialist. Despite that fact that only four were paid internships, the number of pre-service students interested in DBS continues to grow annually. These placements have proven to be a valuable recruitment and marketing tool. Although vacancies are not always available when interns complete their degree programs, a growing number of graduates apply for and obtain positions with DBS as soon as jobs become available.

3. The DBS has participated in Region VI education forums for several years and will continue this involvement. These education forums have provided excellent networking opportunities for agency administrators and key university faculty.
4. The DBS continues to share insights and strategies regarding CSPD compliance with other agencies during national conferences and with the Division for Rehabilitation Services as part of the state's consolidation effort. Collaborative efforts will continue.
5. The DBS plans to continue monitoring distance learning options with universities within Region VI. Training opportunities will be needed for the 12 unenrolled staff members who are not nearing retirement eligibility and who need a full graduate program, as well as for five D.4 candidates. However, programs within Region VI are likely to meet the agency's educational needs, despite normal turnover and any retraining requirements which new staff may have.
6. The DBS has implemented a system enabling current Master's level staff to obtain the CRC credential when they have met the academic and employment requirements prerequisite to taking the examination but lack the required CRC supervision.
7. The DBS has obtained authority to provide Continuing Education Units for certain agency-sponsored trainings, which meet the professional development standards of the Texas State Board of Social Worker Examiners and the Texas Board of Examiners of Professional Counselors. Pre-approved CEUs assisting staff to maintain Social Work or Licensed Professional Counselor credentials can also be submitted to the Commission on Rehabilitation Counselor Certification for post-approved continuing education credit. With counselors having the opportunity to earn CEUs in-house, they are spared some of the expense of maintaining professional licensure/certification. This benefit may assist with retention of qualified personnel.

8. The DBS has begun development of a long-term plan to promote career development of all employees. The goal of this program is to retain high performing staff and assist them in preparing for more responsible, leadership roles if they so choose.

Other Factors

Despite efforts to hire and retain Rehabilitation and Transition Counselors holding Master's degrees in Rehabilitation Counseling, there are a number of internal and external factors requiring the DBS to hire counselors with other degrees.

External factors include an inadequate pool of qualified applicants, inadequate compensation, an inadequate number of annual graduates from educational programs, and recent sweeping legislative changes.

There is an inadequate labor pool of qualified applicants across the nation, especially in a state the size of Texas. The applicant pool grows even smaller in areas farther away from university programs or in metropolitan areas containing more lucrative career opportunities. In some areas it is difficult to recruit even Bachelor's level staff with appropriate work experience.

According to the most recent Survey of Organizational Excellence, inadequate compensation continues to be a factor. Mean salaries still lag behind those earned by employees in the private sector. In fact, three counselors left state employment for a position in private rehabilitation immediately upon earning their Master's degrees in Rehabilitation Counseling and the CRC. Inflation and erosion in the value of State employee benefits further decrease the agency's ability to attract staff with the highest entry-level academic degree needed for national or state approved certification, licensing, or registration. Historically, one of the most attractive benefits of state employment was a greater degree of job security during economic downturns. However, the consolidation mandated by HB 2292 has introduced a degree of uncertainty leading many new graduates to avoid employment in the public sector, particularly since positions in private rehabilitation are more lucrative and the national economy seems to be improving.

Six universities in Texas offer a Master's degree program in Rehabilitation Counseling that is accredited by the Council on Rehabilitation Education (CORE). The annual number of graduates from these programs is not sufficient to meet the need in Texas. Competition for these graduates with the Division for Rehabilitation Services and private organizations providing rehabilitation services increases the DBS' recruiting difficulties. Although three in-state universities offer distance coursework toward a Master's in Rehabilitation Counseling,

educational slots must be shared with students in pre-service training as well as with counselors from other state agencies bound by CSPD requirements.

During the last session the Texas Legislature gave increased fiscal and personnel authority to the Health and Human Services Commission. HHSC is now charged with oversight of the four new consolidated departments and plans to reduce operating expenses wherever possible while maintaining the scope and quality of services to recipients. Significant restructuring has already occurred with supervision and tasking for a number of administrative areas being moved away from DBS and subsumed under HHSC management. Positions were eliminated during the initial consolidation, and more losses are projected with the outsourcing of Human Resource functions to a private contractor. Our challenge will be to effectively address those stressors generated by multiple rapid changes so they do not result in an increased turnover rate. .

Internal factors include the effects of instituting new standards on present counselors. When the CSPD plan was implemented in April of 1999, the DBS had 67 counselors who did not meet certain standards within the meaning of "qualified" in the Rehabilitation Act. Despite positive communication and supportive financial plans, nine counselors left their caseloads as a direct result of the new policy. Turnover as a direct response to the CSPD initiative has slowed since the first surge. However, five additional counselors have opted to prematurely end their careers with the DBS rather than earn a Master's degree, and it is probable that five more will follow suit in the next three years. The DBS will continue to closely monitor turnover to adjust future planning.

A second internal factor that will impact DBS' ability to fully comply with CSPD standards is the growing number of experienced counselors who have begun retiring. Many of these seasoned counselors took advantage in 2002-2003 of the more liberal policies allowing retirees to receive their pensions and return to previous jobs. Now these returning retirees are beginning to leave the workforce permanently – a trend which is likely to continue for the next five years. Positions that have been stable for years must now be added to hiring demands caused by normal turnover rates. This increased demand for qualified, professionally trained staff, coupled with an insufficient number of graduates from CORE accredited Master's programs, will, in all probability, extend the need to hire at the Bachelor's level.

A third factor, which may increase turnover among rehabilitation counseling personnel, is the possible need to learn a new automated caseload management system. An independent contractor has been hired to evaluate the systems currently used by the DBS and the DRS and to recommend strategies permitting both agencies to use a single system. While implementation of a new system is

not likely to occur in the near future, it will impact caseload carrying staff within the next five years.

Additional Standards

The DBS employs other professional staff in full-time or contractual capacities. Physical therapists, occupational therapists, psychologists, psychiatrists, and psychotherapists all are required to hold valid licenses from the certifying bodies appropriate to their professions. The DBS also employs Deaf/blind Program specialists who are State certified at various levels of signing.

Adaptive Communication

Adaptive communication needs are met in several ways. For example, the availability of AT&T's "Language Line" enables staff to establish a communications link with agency consumers in dozens of different languages, including those commonly found in Texas.

Many consumers and staff members who are blind or visually impaired need alternate formats for printed communications. The DBS' Adapted Media Unit employs a full-time employee who prepares documents in Braille, large print, or computer disk. In addition, dedicated computers are available in each field office with Braille translation software and Braille embossers. These units are used by staff to produce miscellaneous documents such as letters to consumers or meeting agendas.

The DBS has hired an Adaptive Technology Specialist to support the organization's staff who use adaptive programs in conjunction with standard agency software to complete their job duties. It is this specialist's responsibility to assess staff skill levels, recommend training approaches, and coordinate service delivery statewide. The AT Specialist also tests accessibility of internal electronic forms, proposes training software, has worked closely with the developers of the automated caseload management system, advises outside vendors (such as universities) to ensure that electronic educational options are equally accessible to all staff, and has played a crucial role in testing accessibility within the new Health and Human Services Commission system.

General Staff Development

The DBS supports a wide range of learning activities for all staff, both job specific and more inclusive training leading to a greater understanding and practice of the Division's mission and policies. All staff participate in a weeklong program

providing orientation to the organization, familiarization with skills and techniques used by blind individuals to develop independence, and extensive exposure to the legislation that enables the continuum of DBS services, such as the Americans with Disabilities Act and the Rehabilitation Act Amendments of 1998. All staff are encouraged to stay abreast of research findings by accessing the Blindness Resource Center link, which has been placed on the Divisions' Intranet site. Information disseminated by the National Institute on Disability and Rehabilitation Research (NIDRR) can be reached from the Blindness Resource Center link. A series of four-hour overviews have been presented to employees who previously worked in other human service agencies but whose jobs have been transferred into the Department of Rehabilitative Services (DARS). These people may have had no knowledge of adaptive techniques or experience with people who are blind but now may interact with blind employees on a regular basis. The overviews included some historical information, experiential activities conducted under blindfold, and panel presentations by blind consumers and employees. Although this was originally planned as an immediate response to develop awareness and sensitivity when working with people who are blind, these overviews may continue to be offered periodically to new DARS employees.

The DBS Diversity Task Force, which was begun in the mid 1990s has remained active, sharing information electronically with all staff to develop an appreciation of historically important contributions made by members of minority groups. Annual celebrations which focus on the festive traditions of different cultures are also scheduled.

In 1998, a major initiative was begun to increase staff awareness of the capabilities of people who are blind. All staff participated, and much of the training took place under blindfold. The initiative has been incorporated as a basic training requirement for all first year employees and expanded to include four weeks of immersion training for all newly hired Vocational Rehabilitation Teachers. Participants experience all aspects of rehabilitation teaching under blindfold. When space has been available, immersion opportunities have also been extended to rehabilitation counselors and regional directors. One of the goals of the Texas Confidence Builder's initiative is to reinforce staff belief in a blind person's ability to function competently and independently as a fully integrated member of society.

Training on TCBWorks, the division's automated caseload management system, is conducted monthly via two three-hour teleconferences to familiarize new staff with navigation and operation of the system. With consolidation the system was renamed TWorks, and many HelpDesk responsibilities were assumed by members of an IT group composed of specialists from the TCB and TRC legacy

agencies. DBS will continue to provide support to the HelpDesk to ensure that accurate and timely responses are provided to callers.

Training plans for new employees are developed to foster competency in the skills required for different job categories. Structured on-the-job training supervised by an experienced colleague is common to all positions, while more formal and extensive training for caseload carrying staff is provided or coordinated by the Division's Blindness Training and Development (BT&D) unit. Complete training transcripts for each employee are maintained in Registrar, a packaged database system. It is anticipated that Registrar will be replaced within the next year by a Human Resource Management System module entitled "Administer Training." This module is part of PeopleSoft, which was purchased by the Health and Human Services Administrative System for use across all human service agencies. "Administer Training" should allow self enrollment in classes and independent monitoring of transcripts. At last testing there were portions of the module inaccessible to staff using adaptive software. We will continue to advocate for equal electronic access for all state employees.

Ongoing training for all DBS employees is provided through the BT&D's course offerings in the annual training calendar or through the use of outside training vendors. The DBS provides a wide array of courses on blindness-specific topics such as Eye Medical Training and Counseling/Adjusting with Blindness. "Choices", a packaged software program designed to assist with career exploration, assessment, and planning, was purchased in 2004. Regional hands-on training has begun for counselors, teachers, and support staff and will continue throughout 2005. Training provided on more general topics, such as computer software, Sexual Harassment, or management are now the responsibility of the Health and Human Services Commission.

All staff participate with their supervisors in planning annual goals and in identifying training needs and goals in their Employee Development Plans. This goal setting process—combined with input received from DBS managers and administrators—provides the foundation for identifying training needs (needs assessment process) which determines the offerings in the annual training calendar.

The DBS is aggressively working on capacity building and leadership development through participation in programs offered by the Texas Governor's Center for Management Development, and the Regional Continuing Education Center's Community Leadership Institute for Change Knowledge (CLICK). Most recently the DBS has begun creation of a long-term program, "Futures," to promote career development of all employees. The goal of this program is to ensure that the agency has a supply of well-trained, well-developed workers throughout the organization who will be ready and qualified to assume leadership

roles. With the help of personnel from the Region VI Rehabilitation Continuing Education Center, a workgroup has distributed a preliminary survey to assess previous avenues informally used for advancement. A rough outline for a succession program has been drafted. Further development, refinement, and rudimentary implementation of this plan is projected for the coming year. We anticipate that participants in the "Futures" program will be motivated to commit to careers in public rehabilitation and will be a prepared pool of candidates to help fill key positions as they become vacant due to retirements and other reasons.

In the area of current research, the DBS works closely with the Mississippi State University's Research and Training Center on Blindness and Low Vision (and other R&T Centers) to stay current in the field of blindness. Many DBS staff members are leaders or active members of the Association of Education and Rehabilitation of the Blind and Visually Impaired (AER), the national professional organization focused on the field of blindness. The DBS also participates in the national Institute on Rehabilitation Issues and has been involved in prime study groups working on current issues and trends in the field of rehabilitation. Additionally, the DBS has been actively involved in some of the background research and discussion related to distance learning efforts in the field of rehabilitation, especially as it applies to educational opportunities for counselors.

New Counselor Training

A three-year Initial Training Plan is developed for all Vocational Rehabilitation Counselors, normally within two weeks of hiring. Almost seven non-consecutive weeks of mandatory training during the first year of employment provide counselors with critical information regarding process and procedures, medical issues surrounding blindness, and employment assistance strategies. In the second and third year, counselors receive training in the skills needed to facilitate career choice and decision-making as well as counseling techniques to help consumers adjust to blindness. Many of these courses directly mirror university graduate level work in Rehabilitation Counseling programs while providing opportunities for practical application on actual caseloads. Counselors, as well as other staff, learn about assistive technology (including screen readers, Braille devices, closed circuit televisions, portable note taking devices, etc.) as part of an intensive Employment Assistance Training program. Process and Procedures training for new counselors includes training on the 1998 VR Amendments, the Workforce Investment Act (WIA), the Ticket to Work and Work Incentives Improvement Act (TWWIIA) and informed choice for consumers. Information related to the Ticket to Work has been placed on the DBS Intranet site, and a series of telecourses were provided to all counselors prior to the

Ticket distribution in Texas. The informed choice concept is a common thread throughout many of the programs included in the new Counselor's three-year training plan.

New Teacher Training

Teachers also are provided with a three year Initial Training Plan, which includes four weeks under blindfold at the Criss Cole Rehabilitation Center participating in classes with consumers, four weeks of teaching skills training, and process and procedures training for VR teachers. All teachers are provided extensive training in Braille and are required to demonstrate competency on an annual examination. Training transcripts, letters of recommendation from a certified vocational rehabilitation teacher, and funding have been made available to help interested teachers become Academy certified.

IDEA Coordination

The DBS works closely with the education system through the agency's Blind Children's Vocational Discovery and Development Program (BCVDDP) and Transition Programs. Caseworkers and counselors from these two programs participate in training covering the Admission, Review and Dismissal process; Individualized Family Service Plans; and Individualized Transition Plans. Trainers involved in the program are parents and representatives from the Special Education Division of the Texas Education Agency; Advocacy, Inc.; Partners Resource Network, Inc.; the Department of Assistive and Rehabilitative Services, Division for Early Childhood Intervention; and Texas School for the Blind and Visually Impaired. DBS staff members also participate in cross training with other entities involved in education for students with visual loss, such as TAER, and sponsor and participate in workshops/seminars to assist education staff to develop expertise in working with students with visual loss.

Performance Evaluation System

The DBS maintains a formal system for evaluating the performance of all agency staff. This program requires that supervisory personnel formally appraise an employee's performance in the essential functions of the employee's position. The personnel evaluation system has proven valuable in documenting performance, providing a development plan as needed, improving performance, providing a basis for personnel management decisions, and facilitating open communication.

Variables considered in evaluating VR performance include the number of individuals with the most severe disabilities served, the extent of services provided, employment outcomes, and consumer satisfaction. The system has

been used to monitor Vocational Rehabilitation and Transition Counselor academic progress twice a year. A new personnel evaluation system is being implemented as part of the health and human services consolidation effort. DBS will be transitioning to this system in the fall of 2005. However, when this system is adopted, the goal of ensuring quality performance will remain the same.

Review by the State Rehabilitation Council

The Rehabilitation Council of Texas (RCT) has reviewed and commented on this attachment.

Results of Comprehensive Statewide Assessment of Rehabilitation Needs of Individuals with Disabilities and Need to Establish, Develop, or Improve Community Rehabilitation Programs

Background

Individuals who are blind or significantly visually impaired are typically confronted with challenges in multiple aspects of their life. For these individuals, a number of daily life functions may be of concern in terms of becoming employed or maintaining a job.

Several areas are recognized as particularly critical to being successful in today's workforce: confidence, Braille; orientation & mobility; education and training; technology; employment; independent living skills; transportation; adjustment to blindness counseling; and low vision services.

Independent Living with Confidence: DBS understands, and consumers agree, that self-confidence is the key building block to success. To that end, DBS is committed to building confidence in consumers by developing and promoting a positive attitude toward blindness, providing consumers with appropriate tools, training on informed choices, and empowering them to acquire essential skills to succeed in employment and living independently. This commitment, called Texas Confidence Builders, is characterized by six core services: adjustment to blindness, independent living skills, travel skills, communication skills, identifying an adequate support system, and vocational skills.

Braille: Texans who are blind do not have the same access to printed job information and community resources as the sighted population. Braille is a valuable communication tool for many Texans who are blind. Even though technology has provided a voice to much of what is written, the ability to read and write Braille increases the options for consumers in the classroom and on the job. Braille instruction is a typical service. Unlike regular educators, rehabilitation teachers bring the instruction to the consumer to enhance their skills in their home or work setting.

Orientation & Mobility: Proper orientation and mobility skills provide consumers with the ability to independently and safely travel to educational, employment, and community activities. Having access to training resources close to home increases the relevance of mobility training to the consumer and reduces dependence.

Education and Training: Children and young people in transition who are visually impaired participate more fully in learning activities when technology adapted for their use is available. To level the playing field, the Commission works with

educational authorities to find or develop resources to provide adaptive technology to create job readiness and to improve communication, social, recreation, and leisure skills.

Training for families with children who are blind or visually impaired may be provided individually or in groups. Group training is usually a joint collaboration with the Texas Commission for the Blind, the Texas School for the Blind and Visually Impaired, and the Texas Education Agency. Currently, these three agencies are developing-parent-training videos addressing educational needs specific to children who are blind.

Consumers are effectively prepared for work when they receive training matched to their needs, aptitudes, and career requirements. The availability of technology training tailored to their needs and close to home rather than in a central site creates job-readiness faster.

Technology: High technology solutions to workplace tasks have opened many doors to people who are blind or visually impaired. However, the speed at which innovations in information technology occur continue to challenge developers and vendors of hardware and software to maintain accessibility.

Assistive technology for persons with low vision is based primarily on character and image enlargement (i.e., large print), which may be achieved through larger computer screens and zoom software programs. Magnification cameras and closed-circuit television (CCTV) systems may also be used for character and image enlargement, as well as hand-held or head-mounted magnification lenses.

Assistive technology for persons who are blind is based primarily on tactile and auditory devices. Tactile devices include Braille displays for computers, electronic note takers with Braille input, and 3D image generators. Auditory devices include speech output systems for computers, as well as optical character recognition (OCR) systems for printed material.

As part of its overall consumer-training program, DBS maintains an Assistive Technology Unit (ATU). In addition, a special computer-learning lab is currently being developed, complete with various adaptive technologies.

Employment: Misconceptions about blindness still exist that inhibit employers from hiring people who are blind and inhibit consumers themselves from aiming as high as their potential allows. Assistance in finding and keeping jobs is an essential need of consumers and an integral service of the Commission. Employers are a source of valuable information about employment opportunities and local employment trends. Maximizing state and local efforts to collect relevant employment data from employers and sharing the information with

consumers will boost the ability of consumers to make more informed career choices.

Success and job satisfaction are more likely assured when the consumer's career choice matches their abilities, interests, and labor demands. The task of evaluating and pulling these factors together requires a staff with the requisite knowledge and training. Focusing more training energy on staff proficiency in these elements will be beneficial to consumers.

Jobs may be at risk when employees experience a severe vision change or when employment-related adaptations for an employee with a vision loss do not keep up with technology. Further, employers are usually unaware of the training and technology that make jobs accessible for people with visual impairments. To address these issues effectively, technology specialists within DBS work continuously to stay on the cutting edge of technology for people who are blind or visually impaired. The result is a service delivery system that saves jobs, creates employment opportunities, and gets up-to-date technology into the hands of consumers as fast as possible. Without the intervention of highly skilled counselors and technology specialists experienced in the field of blindness, jobs are lost and new job opportunities are not identified. More importantly, the potential of current and future employees is diminished and persons who are blind or visually impaired are faced with the loss of personal and economic independence.

Independent Living Skills: Blindness leaves no aspect of a person's life untouched. At the onset of visual loss, people are often unaware that training can keep them active and independent. Employers are usually unaware of the training and technology that makes jobs accessible for people with visual limitations. Without intervention and training, jobs are lost; potential jobs are overlooked; independence is needlessly sacrificed. Staff with specialized knowledge in teaching adaptation to blindness are necessary to help the blind person make the necessary adaptations or adjustments.

Transportation: Without sight a person cannot drive and therefore must make other arrangements to move about their community. Transportation is a recurrent need cited throughout Texas. Training in mobility allows consumers to move freely within their home, neighborhood, city and state. This includes training using public transportation and alternative ways to get around town.

In Texas border counties, transportation is an issue preventing residents from accessing needed services, including medical services. Many employment opportunities are dependent on access to reliable public transportation, which continue to pose challenges for all agency consumers.

Adjustment to blindness counseling: The agency maintains an extensive and ongoing staff development program that concentrates on communication skills, counseling and planning with consumers. Consumers and their counselors carefully map out the individual's employment goals and determine the training, services, and counseling to facilitate adjusting to the vision loss the consumer will need to achieve their goals.

Low vision: The person with low vision may have similar needs to the person who is totally blind; but, frequently, the needs are different. Learning how to benefit from contrast in light and color, how to use special visual aids, and getting training in fully using available vision are some of the common needs. Adaptive technology for persons with low vision is based primarily on character and image enlargement (i.e., large print), which may be achieved through larger computer screens and zoom software programs. Magnification cameras and closed-circuit television (CCTV) systems may also be used for character and image enlargement, as well as hand-held or head-mounted magnification lenses.

Purpose of the Comprehensive Statewide Assessment

A Comprehensive Statewide Assessment was done to identify the rehabilitation needs of individuals who are blind or significantly visually impaired residing within the state, particularly the vocational rehabilitation service needs of:

- Individuals with the most significant disabilities, including their need for supported employment;
- Individuals who are minorities and who have been unserved or underserved by the vocational rehabilitation program;
- Individuals with disabilities served through other components of the statewide workforce system; and,
- The need to establish, develop, or improve community rehabilitation programs within the state.

Methodology

The following activities were undertaken to complete the Comprehensive Statewide Assessment.

- Literature Review
- Consumer Satisfaction Review
- Survey of Key Informants
- Consumer Data Analysis
- Stakeholder Input

The literature review was useful, primarily providing information regarding secondary disabilities and causes of blindness. Diabetes is the leading cause of

blindness in adults from ages 20 to 74. In Texas, 16.3% of adults ages 65 and older and 13.3% of adults ages 45 to 64 have diabetes. Diabetes however has a particular impact on Hispanics and African-Americans. The incident rate for these two groups is higher than other populations. As a result, it is anticipated that the percentage of Hispanics and African Americans served is likely to be higher when compared to the general population.

The Division for Blind Services, in coordination with the Division for Rehabilitation Services, developed an instrument to survey persons knowledgeable about the needs of people who are blind or significantly visually impaired. The purpose of the survey was to determine their opinions regarding who they would consider to be unserved or underserved by the VR program. In addition, the survey asked for recommendations regarding those populations identified as unserved or underserved, and intervention strategies that could potentially be used to with those populations. Recommendations regarding the establishment, development, or improvement of Community Rehabilitation Programs was also sought. Respondents were asked to identify barriers to serving those identified as unserved or underserved as well as recommendations regarding potentially effective intervention strategies. The surveys were developed with assistance from the Region VI Regional Rehabilitation Continuing Education Center and staff from the Texas Health and Human Services Commission's Program Performance and Evaluation Team. The survey was designed as an accessible web-based application. Invitations were sent by email to approximately 100 potential respondents. The invitations generated 25 responses, representing various organizations as well as individuals.

The Consumer Satisfaction Survey for Fiscal Year 2004 was reviewed as part of the comprehensive assessment. The percentage of consumers satisfied with services continues to be high, greater than 96%. No significant issues were identified as the result of this review.

The Rehabilitation Council of Texas, the Division for Blind Services and the Division for Rehabilitation Services conducted two public meetings to gather input from the general public. One meeting was held in Tyler on October 21, 2004 and the other in San Antonio on November 16, 2004. Information gathered at the public meetings was used as part of the analysis. In addition, comments and recommendations from the Rehabilitation Council of Texas and other advocacy groups was considered as part of the comprehensive assessment.

Barriers to Serving Unserved and Underserved Populations

The Comprehensive Statewide Assessment identified the following barriers to serving unserved and underserved populations.

- The number of service providers is limited, especially in some areas of the state.
- Many consumers and potential providers are unfamiliar with the Division for Blind Services.
- Supported employment services should be expanded.

Rehabilitation Needs of Minority, Unserved and Underserved Populations

The table below reflects the DBS' FY 2004 consumer experience compared to the general population. This is the percentage of each ethnic group served.

DBS Consumer Experience SFY 2004

Group	General Population	Served				
			Status 08	Status 26	Status 28	Status 30
White	52.3%	46.4%	36.9%	49.6%	44.8%	45.2%
Black	11.5%	17.9%	16.0%	13.6%	19.7%	23.5%
Hispanic	34.1%	33.4%	46.0%	34.8%	33.6%	28.6%
Other	2.1%	2.3%	2.1%	2.0%	1.9%	2.7%
TOTAL	100%	100%	100%	100%	100%	100%

Initial analysis reflects that, in general, minorities are served in higher ratios overall in relation to the general population. This likely is best explained by the fact that diabetes is a leading cause of blindness in adults, and the incidence rate is higher in the Hispanic and African-American populations.

Success in rehabilitation is directly affected by:

- limited availability of service providers in rural areas,
- lack of adequate language skills,
- reluctance of consumers to leave rural areas for training or pursuing employment,
- high incidence of diabetes in the Hispanic and Black populations,
- high incidence of glaucoma in the Black population,
- influence of the extended family in the Hispanic culture,
- the increasing importance of technology in the labor market, and
- other factors which may interrupt the rehabilitation process.

The impact of cultural differences on the rehabilitation experience of individuals can be a barrier to successful completion of rehabilitation services. Gender roles, concept of family, expectations, and reliance on the community rather than on outside sources all influence the success of an individual's program.

Possessing the economic ability to meet the medical needs for one's family and self is of primary concern to most Texans. A person who is at or below the poverty line is twice as likely to be without health insurance compared to persons above the poverty line. The interactive effect of living at or below the poverty line and being without health insurance is obvious. What may not be so obvious is the increased need and the resulting impact these effects have upon those state agencies that provide services, especially medical services, in high poverty/low health insurance regions of the state.

Economic success in today's workplace is tied directly to education and skills. This is true across the board, but particularly critical for minority populations challenged by the variables noted above. As the technology gap widens, availability of unskilled labor is dramatically reduced. Many entry-level jobs require literacy and some computer usage. Being fluent in the language within the community is a key factor in successful employment.

Our experience suggests these factors may influence the rehabilitation success of individuals with disabilities who are minorities, and who may be within unserved or underserved populations.

Individuals Served Through Other Components of the Statewide Workforce Investment System

Although some persons who are blind or visually impaired are successfully using the local workforce centers, services still are not accessible for many of these persons. The appropriate adaptive equipment often is not available, and staff at the workforce center sometimes are unfamiliar with disability related issues. Following are actions taken by DBS to make these services more accessible for persons who are blind or visually impaired.

DBS has entered into a Memorandum of Understanding that includes all of the state agencies involved in the workforce system. The purpose of this agreement is to ensure that the workforce system operates effectively and efficiently for all persons needing employment services, including persons with disabilities. DBS has also developed agreements with each of the 28 local workforce boards across the state. These local agreements address issues related to effective working partnerships. One of the key issues addressed is that of accessibility, with the intended result being that persons with disabilities will have increased opportunities related to employment services.

In addition, a DBS staff person has been assigned liaison responsibilities with each of the Local Workforce Development Boards. Some of these responsibilities include:

- informing the board and workforce centers about vocational rehabilitation services and eligibility criteria;
- processing referrals from the workforce centers;
- referring to the workforce centers consumers who can benefit from employment services provided at the workforce centers;
- providing technical assistance to the local workforce boards regarding adaptive technology; and,
- providing sensitivity and awareness of blindness training to staff of the workforce centers.

The Division for Blind Services has a designated program specialist for whom a major responsibility is the Workforce Investment Act. This program specialist provides technical assistance and coordinates activities related to Workforce Investment Act at all levels within DBS.

Need to Establish, Develop, or Improve Community Rehabilitation Programs

The Lighthouses for the Blind of Texas network is the segment of the service delivery community with whom DBS has the longest history. These programs are challenged to stay current in their offerings to prepare consumers for the current job marketplace.

The service delivery network has expanded over the years to include an assortment of community rehabilitation programs. However, other potential service providers frequently lack knowledge or experience in working with individuals who are blind. Efforts to increase this expertise have been limited and are affected by staff scheduling with other consumers, and budget restrictions. Expanding provider expertise remains a main agency concern.

The Commission follows legislative and other regulatory directives in contracting for services such as vocational evaluation, vocational adjustment training, job readiness training, and job development training. We continue to promote a diverse service delivery system within available resources.

Supported employment is an area in which both the availability and quality of services are lacking. Many parts of Texas still have no services available. Much work remains to be done to implement the best practices identified via the interagency workforce. A full systems change is needed to realize significant benefit for agency consumers needing supported employment. A wide array of issues will have to be addressed for this to occur: training, reimbursement systems, interagency relationships, vendor choice, funding mechanisms, etc.

Additional resources are also needed for technology related services. Currently, technology evaluations and on-site facility training are limited to some metropolitan areas. Individuals in rural areas must travel long distances to acquire basic computer literacy because local communities (e.g. business schools, community colleges) are unaware of and untrained in the use of adaptive products. Efforts are underway to assure the technology trainers have both the technical and teaching skills to train consumers in this critical area. All trainers will be required to show proficiency in order to maintain their contract with the Commission.

Annual Estimates of Individuals to Be Served and Costs of Services

The Division for Blind Services' projections for FFY 2006 are reflected in the table below.

Measurement	Projection
Estimate the number of people in the state for FFY 2006 who are blind or significantly visually impaired	308,388
Estimate the number of individuals that will be served in the VR program in FFY 2006	8,600
Estimate the number of individuals that will receive supported employment services in FFY 2006	200
Projected cost of VR services in FFY 2006 (excluding supported employment)	\$15,912,192
Projected cost of supported employment services in FFY 2006	\$510,375

State's Goals and Priorities

The Division for Blind Services will focus on the following areas in terms of its goals and priorities for FY 2006. DBS developed these goals and priorities in conjunction with the Rehabilitation Council of Texas.

Consolidation Issues

- The Division for Blind Services (DBS) will continue providing specialized VR services for eligible blind individuals.
- DBS will identify and implement ways to ensure that consumers receive seamless services provided in a timely and consistent manner, with excellent customer service as a priority.
- DBS will continue to provide specialized purchasing and knowledgeable purchasers to ensure timely and effective service delivery for consumers.
- DBS will continue development of an administrative structure that is accessible and supports all administrative activities; including human resources, purchasing, budget and information resources.
- DBS will recommend that new membership on the State Rehabilitation Council include representation from the blind community.
- DBS will participate on workgroups regarding "regionalization", to ensure that restructuring does not negatively impact the quality of services for consumers.

Communication

- DBS will enhance partnerships with consumer advocacy groups.
- DBS will improve methods for internal and external communications.

Standards and Indicators

DBS will focus on those indicators where performance historically has been below the required level.

- Indicator 1.1 (number of closures) – DBS will continue to increase the percentage of competitive employment outcomes.
- Indicator 1.6 (primary source of support) – DBS will continue to identify the reasons for the lower than expected performance on this measure, in order to implement changes that might result in meeting the required performance goal.
- Indicator 2.1 (minority service rate) – DBS will continue to work with those areas of the state where a high percentage of applicants do not meet the eligibility criteria.

Comprehensive System of Personnel Development (CSPD)

DBS will continue to increase the number of counselors holding graduate level degrees in rehabilitation or a closely related field and to encourage qualified candidates to earn the CRC.

- Newly hired counselors with undergraduate degrees will be expected to enroll in an accredited Master's program in Rehabilitation Counseling or Counseling after one year of on-the-job and agency training.
- Counselors with graduate degrees in fields unrelated to rehabilitation or counseling will be expected to complete a maximum of 18 graduate hours identified by the CRCC D.4 category as critical knowledge areas within five years of their hire date.
- Study time, exam fees and transportation costs will be provided for counselors opting to sit for the CRC.
- The Texas Legislature will be requested to expand the career ladder for VR Counselors in order to assist with retention efforts.

Ticket to Work

- DBS will continue to develop effective partnerships with Employment Networks that provide services for blind SSDI beneficiaries and SSI recipients, with a goal of providing comprehensive services that best meet the needs of consumers.

Goals and Plans for Distribution of Title VI, Part B Funds

With the availability of the separate Federal allotment for supported employment, the Division for Blind Services' goal is to serve VR consumers with the most significant disabilities. In addition to vision loss, these individuals have multiple disabilities or functional limitations which result in the requirement of extended support services to retain community integrated employment.

Goals for the distribution of the separate supported employment funds include the following:

- Continue increasing the number of consumers receiving supported employment services within their home communities.
- Continue expanding the availability of supported employment services statewide.
- Continue promoting the increased provider use of "best practice" approaches for quality employment outcomes through contracts and standards.
- Continue providing training for field staff, including on-going administration and program specialist support for field staff.
- Find ways to more effectively assimilate supported employment within the vocational services system.

In 2004, the Division for Blind Services once again exceeded it's goal of increasing consumer services by 10% above the past three years' average. Twenty eight percent more consumers were served in 2004. Although the number of consumers served increased, roadblocks remain:

- lack of a consistently available fund source for the extended services;
- a limited number of service providers statewide;
- marginal commitment on the part of community organizations to train direct service staff in blindness-related issues and nationally recognized best practices in Supported Employment.

Individuals who are blind represent a small portion of the total number of individuals in the State's disability community. They comprise a relatively small percentage of people served in VR and an even smaller percentage of people served in Supported Employment. Consequently, community organizations are often reluctant or unwilling to expend fiscal and/or operational resources to train staff to work with individuals who are blind.

The Division for Blind Services continues participation in the Interagency Workgroup for Supported Employment and is involved in wrapping up the end of the Supported Employment Pilot Project. With the continued focus on collaborative efforts among the participating human service agencies and community organizations who provide supported employment services and the potential statewide implementation of an outcome based payment system, DBS sees this as its best opportunity to bring quality SE services to more consumers who are blind.

Consistent with prior years, the VI-B allotment will be used primarily to purchase supported employment services for individual consumers on a statewide basis. It is anticipated that the 5% administrative allowable on the allotment amount will be used toward:

- Partial salary and fringe benefits of the statewide program coordinator for supported employment; and
- Training and related materials for VR staff of the State unit.

**State's Strategies and Use of Title I Funds for Innovation and Expansion
Activities to Address Needs Identified in the Comprehensive Assessment
and to Achieve Identified Goals and Priorities**

Innovation and expansion activities include unique and original community strategies to enhance employment and independent living services for individuals who are blind or visually impaired. Following are the innovation and expansion projects planned for FY 2006.

Public Image of Blindness

One particularly pressing concern expressed repeatedly is the limited knowledge about blindness that exists in the general community as well as among medical and education professionals. Few people are aware of the services provided by the Division for Blind Services (DBS), especially because of the recent name change from the "Texas Commission for the Blind". Fewer people are aware of the interests, abilities or capabilities of individuals who are blind or visually impaired. Employers may not see these individuals as equally strong candidates for job vacancies.

Strategies must be developed to (1) improve awareness of blindness-related issues, (2) align the general population's perception of "a blind person" with the factual reality of each individual's ability to contribute to their community, and (3) expand awareness of DBS's role in providing services to help people who are blind or visually impaired achieve independent, self-sufficient lifestyles. We intend to explore a variety of options to get these messages before the public and target audiences.

Expanding the Number of Service Providers

The results of the comprehensive assessment indicate that, especially in some areas of the state, the number of service providers is limited. This is especially true for specialized services such as orientation and mobility training, and Braille training. There is a critical shortage of orientation and mobility (O&M) instructors nationwide as well as statewide. There are only two university programs in Texas that offer a specialized degree in orientation and mobility training. To fill in the gap, DBS staff are being trained to provide very basic indoor orientation and mobility skills while O&M instructors provide the more intensive specialized training. Since most university training programs do not employ the structured discovery method of instruction, it is critically important for providers to understand the need for confidence building as integral part of the training process. Therefore O&M vendors will be trained to integrate this knowledge into their already established curriculum as a means to provide the outcome of independence and confidence for DBS consumers.

Colonias

It is estimated that the 500,000 people residing in Texas colonias (unincorporated rural neighborhoods, many on the Texas/Mexico border) have largely been unserved by Texas human service agencies. With the rural environment, lack of improved road and public transportation, and many of the basic community infrastructures, services to individuals in these areas are less likely to be available. DBS staff has taken the lead in improving this situation by development of a coordinated network of service delivery to this population. The purpose of this multi-agency program is to promote streamlined services and community awareness about resources for persons with disabilities interested in obtaining or retaining employment. This creative approach involves vocational rehabilitation agencies, local eye care professionals, eye screening organizations, university programs targeting this population, and resources for subsequent services such as glasses, medication, etc.

In 2006, we anticipate continuing a service delivery model that features monthly eye screenings for preliminary assessments and subsequent pathology exams when needed. Prior to scheduled vision screenings the outreach workers, known as Promotoras, canvas designated colonias with information about the screening and services of the agency. Promotoras may provide transportation to the screening sites. Those attending make up a captive audience for sharing information about community services that could further assist these individuals with disabilities in connecting with the resources they may need to be part of the work force.

Supported Employment

The comprehensive assessment revealed concerns about the growing number of individuals with significant multiple disabilities who will be reaching employment age. Supported employment services may be particularly beneficial for this population; however, the number and quality of supported employment resources currently available in Texas fall far short of being adequate. Additionally, there are obstacles to overcome in coordinating efforts between the education and the vocational rehabilitation systems. State and federal requirements and guidelines do not completely align between the two entities in the provision of supported employment services to transition age individuals.

DBS will develop methodologies to expand the availability of supported employment providers. One means of accomplishing this will be to utilize the supported employment statewide provider pool developed by the Division for Rehabilitation Services as potential providers for DBS consumers.

Support of the State Rehabilitation Council

The Division for Blind Services in coordination with the Division for Rehabilitation Services will provide funding for the Rehabilitation Council of Texas (RCT). It is anticipated that the Division for Blind Services will contribute approximately \$10,000 toward the support of the RCT for FY 2006.

**State's Strategies and Use of Title I Funds for Innovation and Expansion
Activities to Carry out Outreach Activities to Identify and Serve Individuals
with the Most Significant Disabilities Who are Minorities**

The extent to which individuals with the most severe disabilities who are minorities participate in vocational rehabilitation and other services available within their community can be very culturally driven. Value systems regarding appropriate roles, expected behavior, and family relationships influence individual consumer options within those settings. Not being functional in English is a major deterrent for individuals attempting to work and live in this country.

Similar, yet unique factors have a bearing in other ethnic communities. Concerns about potential loss of benefit programs, particularly health care, are often a hurdle for someone with a disability who is contemplating employment yet faces extensive medical costs.

The innovation and expansion plans identified to-date include opportunities for individuals across cultural lines. As part of the Health and Human Services Commission, there has been considerable focus on minority populations in border areas and their related service needs. The Texas-Louisiana border represents a service population that tends to be significantly older and has a higher Afro-American proportion than the state average. In 14 of the 18 counties in this sector, a higher percentage of people are living below poverty than the state average. Health care is the most prevalent need identified. The Division for Blind Services (DBS) staffing patterns reflect the older population and more rural nature of the area.

The area adjacent to the Texas-Mexico border is home to 46% of the Hispanic population in Texas. All but one of 43 counties have a higher percentage of people living in poverty than the state average—with 12 counties having twice the state level. Successful rehabilitation is influenced by limited health services and concerns for at-risk youth. DBS offices are located in key cities and staffed with bilingual individuals. There is an active outreach program in the “colonias” to help inform residents about vision-related issues and to deliver needed services.

Statewide, the most significant demographic factor affecting DBS's service population into the next century is the expected growth in the Hispanic populations. The growth rate is even more accelerated among individuals over age 65. Frequency of diabetes (the leading cause of blindness in adults ages 20 and over) among the Hispanic population, poverty levels and limited health insurance are all factors related to successful rehabilitation in this rapidly growing population.

As a supplement to the innovation and expansion funds, agency focus on minority populations is already underway. Transition program staff conduct unique workshops developed specifically for individuals with very severe disabilities in those areas of the state with high concentrations of individuals who represent multi-cultural backgrounds.

Internally, DBS has set an internal goal to promote outreach and better employment results among minority populations. Strategies to accomplish this goal involve inclusion of diversity training as a fundamental component of staff training. Likewise, the Diversity Taskforce continues its work in promoting regular activities to enhance awareness of the contributions of various cultures.

A major target population for outreach involves individuals with diabetes. Because of the high frequency rate of diabetes in the Hispanic and Black populations, it is very important that staff have a clear understanding of the relationship between diabetes and blindness. To that end, program specialists conduct one-on-one training with new caseload carrying staff and coordinate statewide training sessions that address best practices and practical implications of diabetes in terms of going to work and living independently. Local workshops provide the opportunity for staff, consumers, and the community for increased awareness of the critical nature of diabetes education and training for self-care, monitoring of blood sugars with adaptive equipment, and diet.

Outreach efforts are facilitated by active participation in the Texas Diabetes Council who sponsors education and screening services in areas with the highest population concentrations at risk for diabetes. DBS staff work closely with the Council to make them aware of appropriate referrals for VR services, and the potential adaptations that may be needed for someone to benefit from educational materials.

Staff in border areas have participated in a public awareness campaign through Spanish speaking radio stations in major metropolitan areas. Migrant and other non-English speaking individuals are likely to miss information routinely available in the Anglo community. The combination of field staff and the expertise of the diabetes specialist enhance the likelihood of reaching individuals in a way that encourages participation and awareness of the correlation between diabetes and blindness.

Networking with local chapters of the American Association of Diabetes Educators is yet another avenue for outreach. Chapter involvement presents an opportunity for DBS staff to stay current with latest developments, network with individuals who may be potential service providers, and promote appropriate referrals for DBS services.

**State's Strategies and Use of Title I Funds for Innovation and Expansion
Activities to Overcome Barriers Relating to Equitable Access to and Participation
of Individuals with Disabilities in the State Vocational Rehabilitation Services
Program and the State Supported Employment Services Program**

Severe vision loss typically affects a relatively small portion of the population. The general public is often unaware of the array of available services and, more importantly, the capabilities of individuals who are blind to be productive citizens within their communities. This general lack of awareness is further compounded within pockets that are removed from the mainstream by language, economics, and culture. Individuals in Texas who are part of a minority population often are less aware than the general population of options. Although individuals in minority populations reside in all parts of the state, some areas have significantly higher percentages of minority populations. For instance, counties in East Texas have greater proportions of African-Americans than the state average. There are higher percentages of Asian-Americans in some of the metropolitan areas of the state. Almost half of the Hispanic population in Texas live in 43 counties along the Texas-Mexico border. In these areas, a higher percentage of persons do not have health insurance and live below the poverty level when compared to the state average. To compound the situation, some of these populations are at a disproportionate risk for diabetes, the leading cause of new blindness annually. Although each of the Division for Blind Services (DBS) offices around the state offer the same wide spectrum of services for consumers, each office tailors its approach to meet the specific needs of their communities.

Reaching these populations is only half the challenge. Cultural issues influence values about appropriate roles, the significance of education, gender expectations, etc. So, even if someone may be aware of vocational rehabilitation services, they may be reluctant to participate in a plan of services or pursue employment because of these cultural factors.

Past analyses reveal that DBS does well in terms of the ratio of minorities served. The intent is to market vocational rehabilitation services in innovative ways that will reach out to minority populations. Participating in a local network with diabetes educators is one way to spread the word. In addition, a significant number of DBS staff are skilled in bilingual communication; and consumers are encouraged to participate in community English as a Second Language programs to enhance their success.

Education of the consumer is only the part of the equation. Much remains to be done to educate employers and the business community of the viability and capability of employees who may be blind.

Technology is a double-edged sword. Many business applications have been created

that would not have been possible even a few years ago. The 21st century workforce will demand literacy skills in technology, even for service jobs only recently considered as non-skilled labor.

Not to be overlooked is the general change in the service delivery network within this country related to education and training programs. As statewide and local discussions are pursued with the Texas Workforce Commission, it will be essential a clear understanding is developed about how to fully promote access to employment services, training, job bank listings, and other services to be available at one stop centers. Representation on local workforce boards by a general rehabilitation agency representative will not assure that issues critical to Texans without sight will be adequately considered. Even in situations where extensive orientation sessions were conducted and information provided about technology to provide equal access, individuals who are blind may not receive the assistance available to their sighted peers. Budget concerns are frequently cited as the cause. We will work closely throughout the state to promote thorough understanding at the local and state level of options for equal access to community services that are intended to support and open doors to community employment.

Achieving Supported Employment is an area particularly challenged by a variety of factors. Although it has been part of the vocational rehabilitation scene for over a decade, SE often remains under-utilized. Staff are challenged by the structural differences built into the enabling legislation. More imposing is the scarcity of skilled vendors for SE services, and particularly, vendors who have expertise in unique placement and support techniques for our target population. With limited service providers and few alternatives for funding of the extended ongoing supports, a relatively small number of individuals is being served.

Transportation remains a major hindrance for many individuals. Some transit systems are unreliable. Public transportation is totally lacking in many parts of Texas. Individuals unable to drive or who lack economic resources to own and operate a car are challenged to find reliable means of transportation, often on limited incomes. In response, The Department of Assistive and Rehabilitative Services will continue to participate as a member of the Health and Human Services Interagency Transportation Workgroup, with a goal of developing transportation services that are accessible and efficient for persons with disabilities.

Limited availability of specialty service providers can influence consumer participation in training. Acknowledged skills important to living independently and working successfully have been identified-- independent travel, daily self-care, written communication (note taking and retrieval). Strategies to enhance the quality and availability of services will be considered as we set priorities for additional innovative and expansion efforts.

**Evaluation and Report of Progress in Achieving Identified Goals and Priorities
and Use of Title I Funds for Innovation and Expansion Activities**

Report on Innovation and Expansion Activities for FY 2004

- **Texas Confidence Builders**

Through Texas Confidence Builders, DBS has focused attention on ways to enhance basic blindness skills (adjustment to blindness, independent living skills, travel, communication, support systems and vocational) to promote consumer confidence. Staff understanding of adjustment to blindness issues is essential to the success of this endeavor. To that end, the Commission made available to staff an intensive 40-hour training in orientation and mobility. Participants experienced training indoors to successfully navigate stairs, elevators, and assigned routes under blindfold. Training outdoors included sidewalk travel and street crossing (under close supervision). As a result of these experiences, staff become more confident in their own ability to function in this environment and understand more clearly the underlying concepts for teaching basic blindness skills. The staff's increased confidence carries over to higher expectations of consumer performance as well as genuine support for consumers who are learning basic blindness skills.

- **Public Image of Blindness**

For some time, DBS has been concerned about the lack of public knowledge regarding the mission of the agency and the critically important services it provides for people who are blind and significantly visually impaired. In FY 2004 DBS worked with a private contractor to redesign a number of brochures describing VR programs and services. These are now being used by DBS staff at all levels to increase the public awareness of who we are and what we do.

In addition, each DBS region developed a strategy for identifying potential referral sources. These strategies have been implemented with some success.

- **Supported Employment**

The initial work to establish an interagency pilot project that incorporates "best practices" in Supported Employment was continued in FY 2004. The goal of this multi-agency approach was to replace the old fragmented service delivery system with one that is holistic. Project standards were developed to address diverse criteria including but not limited to: minimum provider qualifications, requirements for training service providers, a standardized payment structure, consumer self-direction, and natural supports.

This three year initiative, the Supported Employment Pilot Project, between the human services State agencies in Texas who serve adults and transition age

persons with disabilities ended February 28, 2005. Objectives of this project included a 3-tiered payment system based on consumer support needs, an outcome based payment system, and cooperation among the participating agencies in the development of seamless supported employment services. The Interagency Workgroup for Supported Employment is preparing a final report that will include objectives accomplished in the Pilot, outcome, recommendations for continued collaborative efforts among the participating agencies and future directives. The Division for Blind Services and the Division for Rehabilitation Services will also evaluate the feasibility of expanding statewide an outcome-based payment methodology for services leading to supported employment.

Standards and Indicators

Using the Evaluation Standards and Performance Indicators, the DBS has completed a self-assessment for FY 2004. Based on this self-assessment, the DBS achieved successful performance on both Standards 1 and 2.

For Standard 1, the DBS exceeded four of the six indicators, including all three primary indicators. The Commission did not meet indicators 1.1 (Number of Individuals exiting the program who achieved an employment outcome when compared to the previous performance period) and 1.6 (Difference between the percentage of consumers who report own income as the primary source of support at application and at closure).

To successfully meet Indicator 1.1 each year would require that the number of successful closures increase each year. The DBS realizes that this will not always be possible. Over the last five years, DBS has placed an emphasis on reducing the number of consumers with an employment goal of "homemaker". The intent is to increase the number of consumers closed in competitive employment. As a result, the total number of employment outcomes has decreased. The DBS anticipates achieving approximately the same number of employment outcomes for the current fiscal year as achieved in the previous fiscal year. In conclusion, DBS will meet or exceed Indicator 1.1 some years but acknowledges it does not expect to meet or exceed this indicator each year.

Regarding Indicator 1.6, DBS was only slightly below the expected performance. An analysis of the DBS performance reveals that a significant number of applicants are employed at time of application. These are persons who typically develop a visual impairment later in life, and need rehabilitation services in order to maintain employment. Some of these individuals are subsequently unable to retain the job because of factors related to the disabling condition and benefit from retraining and other services leading to employment in a more suitable occupation. However, the fact they were employed at time of application results in lowering the ratio of consumers who move from dependency to being their own source of support.

Quality, Scope, and Extent of Supported Employment Services

Division for Blind Services continues to have concerns about the inconsistency in the quality and availability of supported employment services across the state for its target population. The full scope of services is detailed in early conversations with potential providers, presented in Division for Blind Services (DBS) standards and contracts for supported employment services. Additionally, a central office program coordinator provides technical assistance and training for DBS caseload staff and consultation for the community providers. However, service providers are not available to DBS consumers in all parts of Texas and the issues important in serving consumers with visual loss and other functional limitations are frequently not thoroughly understood by these providers. Although DBS continues to promote SE best practices (e.g., person-directed functional assessment techniques, consumer choice in type of job and location, and work hours preference), these are not always implemented by the providers.

In order to expand the quality, scope and extent of supported employment services, DBS plans to do the following.

- Utilize the VI-B allotment to serve eligible vocational rehabilitation consumers who have the most significant disabilities -- those with a primary disability of vision loss, plus additional functional limitations for obtaining and retaining competitive employment.
- Continue to purchase supported employment services directly out of VR caseloads on a contract basis to expand the services statewide, in both urban and rural communities.
- Increase DBS staff knowledge via training, on-going consultations and through subscriptions to a nationally recognized SE newsletter and linkage to SE websites.
- Continue to apply a time frame for transition to extended services based on individual consumer need, and in accordance with Federal regulations. Procedural material outlines this process for VR counselors, and it is also shared with the community organizations who provide the extended services.
- Continue expanding the availability of supported employment providers by tapping into the Division for Rehabilitative Services supported employment statewide provider pool as potential providers for DBS consumers.