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U.S. DEPARTMENT OF EDUCATION

REHABILITATION SERVICES ADMINISTRATION

ANNUAL REPORT

FISCAL YEAR 2004

Report on Federal Activities
Under the *Rehabilitation Act*

REHABILITATION SERVICES ADMINISTRATION

Annual Report

Fiscal Year 2004

REPORT ON FEDERAL ACTIVITIES
UNDER THE *REHABILITATION ACT*

U.S. Department of Education
Office of Special Education and Rehabilitative Services

U.S. Department of Education

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March 2007

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ABBREVIATIONS

AART	Advanced Rehabilitation Research Training
ABA	<i>Architectural Barriers Act</i>
ADA	<i>Americans with Disabilities Act</i>
AIVRS	American Indian Vocational Rehabilitation Services
AT	Assistive Technology
ATSC	Advanced Television Systems Committee
BAC	Business Advisory Councils
BEP	Business Enterprise Program
CAP	Client Assistance Program
CBII	Commission for the Blind and Visually Impaired
CFR	Code of Federal Regulations
CHIEF	Craig Hospital Inventory of Environmental Factors
CIL	Centers for Independent Living
CM	Common Measure
CRD	Civil Rights Division
CRP	Community Rehabilitation Programs
CSPD	Comprehensive System of Personnel Development
DBTAC	Disability and Business Technical Assistance Center
<i>DD Act</i>	<i>Developmental Disabilities Assistance and Bill of Rights Act</i>
DOL	Department of Labor
DRRP	Disability and Rehabilitation Research and Related Projects
DSU	Designated State Unit
EEOC	Equal Employment Opportunity Commission
FCC	Federal Communication Commission
FIP	Field-Initiated Projects
FY	Fiscal Year
<i>GPRA</i>	<i>Government Performance and Results Act</i>
GSA	General Services Administration

ICDR	Interagency Committee on Disability Research
IL	Independent Living
IPE	Individualized Plan for Employment
IRI	Institute on Rehabilitation Issues
ISU	Idaho State University
KDU	Knowledge Dissemination and Utilization
MS	Multiple Sclerosis
MSFW	Migrant and Seasonal Farmworker
NAMSFVR	National Alliance Migrant & Seasonal Farmworkers Voc Rehabilitation
NCD	National Council on Disability
NCRTM	National Clearinghouse of Rehabilitation Training Materials
NFI	New Freedom Initiative
NIDRR	National Institute on Disability and Rehabilitation Research
NVRTAC	National Vocational Rehabilitation Technical Assistance Center
OCIO	Office of Chief Information Officer
OCR	Office for Civil Rights
OFCCP	Office of Federal Contracts Compliance Programs
OMB	Office of Management and Budget
OSEP	Office of Special Education Programs
OSERS	Office of Special Education and Rehabilitative Services
P & A	Protection & Advocacy
PAAT	Protection and Advocacy for Assistive Technology
PAIR	Protection and Advocacy of Individual Rights
PART	Program Assessment Rating Tool
PPMD	Program Performance Management Database
PWI	Projects With Industry
RESNA	Rehab Engineering & Assistive Technology Society of North America
RERC	Rehabilitation Engineering Research Center
RRCEP	Regional Rehabilitation Continuing Education Programs
RRTC	Rehabilitation Research and Training Center

RSA	Rehabilitation Services Administration
SBEC	State Board for Educator Certification
SBIR	Small Business Innovative Research
SCI	Spinal Cord Injury
SHRM	Society for Human Resource Management
SILC	Statewide Independent Living Council
SILS	State Independent Living Services
SRC	State Rehabilitation Council
TBI	Traumatic Brain Injury
UK	United Kingdom
VR	Vocational Rehabilitation
WIA	<i>Workforce Investment Act</i>
WISCI	Walking Index for Spinal Cord Injury

FOREWORD

The *Rehabilitation Act of 1973*, as amended (the act), provides the legislative basis for programs and activities that assist individuals with disabilities in the pursuit of gainful employment, independence, self-sufficiency and full integration into community life.

This report is intended to provide a description of accomplishments and progress made under the act during fiscal year 2004 (October 2003 through September 2004). To that end, the report identifies major activities that occurred during that fiscal year, and the status of those activities during that specific time period.

The report provides a description of the activities of the Rehabilitation Services Administration (RSA), a component of the Office of Special Education and Rehabilitative Services (OSERS), U.S. Department of Education. RSA is the principal agency for carrying out Titles I, III, VI, and VII, as well as specified portions of Title V of the act. RSA has responsibility for preparing and submitting this report to the president and Congress under Section 13 of the act.

The act also authorizes research activities that are administered by the National Institute on Disability and Rehabilitation Research (NIDRR) and the work of the National Council on Disability (NCD), and includes a variety of provisions focused on rights, advocacy and protections for individuals with disabilities. A description of those activities also is provided in this report.

**THE *REHABILITATION ACT*:
AN OVERVIEW**

THE *REHABILITATION ACT*: AN OVERVIEW

Federal interest and involvement in rehabilitation issues and policy dated initially from the enactment of the *Smith-Fess Act of 1920*. The *Smith-Fess Act* marked the beginning of a federal and state partnership in the rehabilitation of individuals with disabilities. Although the law was passed shortly after the end of World War I, its provisions were specifically directed at the rehabilitation needs of persons who were industrially disabled rather than those of disabled veterans.

A major event in the history of the federal rehabilitation program was passage of the *Rehabilitation Act of 1973* (the act). The act, as amended, provides the legislative basis for programs and activities that assist individuals with disabilities¹ in the pursuit of gainful employment, independence, self-sufficiency and full integration into community life. Under the act, the following federal agencies and entities are charged with administering a wide variety of programs and activities: the departments of Education, Labor and Justice, the Equal Employment Opportunity Commission, the Architectural and Transportation Barriers Compliance Board and the National Council on Disability.

The U.S. Department of Education has primary responsibility for administering the act. The Department's Office of Special Education and Rehabilitative Services (OSERS) is the administrative entity responsible for oversight of the programs under the act that are funded through the Department. Within OSERS, the Rehabilitation Services Administration (RSA) and the National Institute on Disability and Rehabilitation Research (NIDRR) share responsibility for carrying out the administration of those programs. RSA is the principal agency for carrying out Titles I, III, VI and VII, as well as specified portions of Title V of the act. NIDRR is responsible for administering Title II of the act. (See fig. 1 for title names.)

Figure 1 The *Rehabilitation Act of 1973*, as Amended: Names of Titles

Title	Name
I	Vocational Rehabilitation Services
II	Research and Training
III	Professional Development and Special Projects and Demonstrations
IV	National Council on Disability
V	Rights and Advocacy
VI	Employment Opportunities for Individuals with Disabilities
VII	Independent Living Services and Centers for Independent Living

¹ An individual with a disability is defined, for purposes of programs funded under the act, at Section 7(20) of the act (see Appendix C: Definition of "Individual With a Disability" as listed in Section 7(20) of the *Rehabilitation Act*).

RSA staff, which in fiscal year (FY) 2004 was located in Washington, D.C. and 10 regional offices across the nation, provided technical assistance and leadership to states and other grantees in carrying out the purposes and policy outlined in the act. [These regional offices were closed on Sept. 30, 2005. RSA currently administers its programs from its headquarters office in Washington, D.C.] RSA administers grant programs that provide direct support for vocational rehabilitation, independent living and individual advocacy and assistance. The agency also supports training and related activities designed to increase the number of qualified personnel trained in providing rehabilitation and other services. RSA also provides training grants to upgrade the skills and credentials of employed personnel.

In addition, RSA conducts model demonstrations and systems-change projects to improve services provided under the act, and evaluates programs to assess their effectiveness and identify best practices. Finally, RSA provides consultative and technical assistance services and disseminates information to public and nonprofit private agencies and organizations to facilitate meaningful and effective participation by individuals with disabilities in employment and in the community.

By far, the largest program administered by RSA is the Vocational Rehabilitation (VR) Services Program, also known as the Vocational Rehabilitation State Grants Program (hereinafter referred to as the VR program). This program funds state VR agencies to provide employment-related services for individuals with disabilities so that they may prepare for and engage in gainful employment that is consistent with their strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice.

For more than 80 years, the VR program has helped individuals with disabilities prepare for and enter into the workforce. Nationwide, the VR program serves more than 1 million people with disabilities each year. More than 91 percent of the people who use state VR services have significant physical or mental disabilities that seriously limit one or more functional capacities. These individuals often require multiple services over an extended period of time. For them, VR services are indispensable to their becoming employed and reducing their reliance on public support.

Under Title II of the act, NIDRR conducts comprehensive and coordinated programs of research, demonstration projects, training and related activities. NIDRR-funded programs and activities are designed to promote employment, independent living, maintenance of health and function, full inclusion and integration into society, and the transfer of rehabilitation technology to individuals with disabilities. The intent is to improve the economic and social self-sufficiency of individuals with disabilities and the effectiveness of programs and services authorized under the act.

Toward that goal, NIDRR supports rehabilitation research and development, demonstration projects and related activities, including the training of persons who provide rehabilitation services or who conduct rehabilitation research. In addition, NIDRR supports projects to disseminate and promote the use of information concerning developments in rehabilitation procedures, methods and devices. Information is provided

to rehabilitation professionals, persons with disabilities and their representatives. NIDRR also supports data analyses on the demographics of disability and provides that information to policymakers, administrators and other relevant groups. Awards are competitive, with applications reviewed by panels of experts, including rehabilitation professionals, rehabilitation researchers and persons with disabilities.

The act has been a driving force behind major changes that have since affected the lives of millions of individuals with disabilities in this country. With passage of the *Workforce Investment Act of 1998 (WIA)*, the act was reauthorized for another five years. This report, covering FY 2004, describes all of the major programs and activities authorized under the act, and the success of the federal government in carrying out the purposes and policy outlined in the act.

The president's New Freedom Initiative (NFI) continues to inspire and complement RSA's work which directly advances three of the major goals of the NFI, specifically, increasing employment, expanding access to assistive technology and improving integration into the community. RSA's work indirectly furthers the fourth goal — improving education of students with disabilities. RSA has begun close collaboration with the Office of Special Education Programs (OSEP), another component of OSERS, to ensure a smooth, seamless and successful transition of students with disabilities into postsecondary education and work.

**PROGRAMS UNDER
THE *REHABILITATION ACT***

PROGRAMS UNDER THE *REHABILITATION ACT*

RSA directly funds or supports through partnerships with other federal and nonfederal agencies, a wide variety of programs, initiatives or activities that are authorized under the act. For the purpose of this report, these programs, initiatives, and activities are organized into five major areas. Within each area, the report provides a description of the discrete program, initiative or activity. Descriptions include RSA budget allocations for FY 2004 and reporting of major outcomes and accomplishments. Programs, organized by these areas, are:

Employment Programs

- Vocational Rehabilitation Services Program
- Supported Employment Services Program
- American Indian Vocational Rehabilitation Services Program
- Demonstration and Training Program
- Migrant and Seasonal Farmworkers Program
- Projects With Industry
- Business Enterprise Program

Independent Living and Community Integration

- Independent Living Services Program
- Centers for Independent Living Program
- Independent Living Services for Older Individuals Who Are Blind
- Recreational Programs

Technical Assistance, Training and Support

- Program Improvement
- Capacity-building for Traditionally Underserved Populations
- Rehabilitation Training Program

Evaluation, Research and Information Dissemination

- Program Evaluation
- *American Rehabilitation Magazine*
- Information Clearinghouse
- National Institute on Disability and Rehabilitation Research

Advocacy and Enforcement

- Client Assistance Program
- Protection and Advocacy of Individual Rights
- Employment of People With Disabilities
- Architectural and Transportation Barriers Compliance Board
- Electronic and Information Technology
- Employment Under Federal Contracts
- Nondiscrimination Under Federal Grants and Programs
- National Council on Disability

EMPLOYMENT PROGRAMS

RSA administers seven programs that assist individuals with disabilities to achieve employment outcomes². Two of these programs, the Vocational Rehabilitation Services Program (VR program) and the Supported Employment Services Program, are state formula grant programs. The American Indian Vocational Rehabilitation Services, Demonstration and Training, Migrant and Seasonal Farmworkers and the Projects With Industry programs are discretionary grant programs that make competitive awards for up to a five-year period. RSA also provides oversight of the Business Enterprise Program operated by state VR agencies for individuals who are blind or visually impaired. Each of these programs is described below.

Vocational Rehabilitation Services Program Authorized Under Sections 100–111 of the Act Managed by the Program Administration Division of RSA

The Vocational Rehabilitation Services program assists states in operating VR programs as an integral part of a coordinated, statewide workforce investment system. The program is designed to provide VR services to eligible individuals with disabilities so that they may achieve an employment outcome that is consistent with their strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice.

**FY 2004 Federal Funding
\$2,553,362,000**

The federal government covers 78.7 percent of the program's costs through financial assistance to the states³ for program services and administration. Federal funds are transferred to the states based on a statutory formula in Section 8 of the act. The formula takes into consideration a state's population and per capita income. To match the federal funds allotted to the states for the VR program, states expended \$763,256,216 of their own funds.

Each state designates a state agency to administer the VR program. The act provides flexibility for a state to have two state VR agencies — one for individuals who are blind and one for individuals with other types of disabilities. All 56 states have VR agencies;

² Employment outcome means: with respect to an individual, entering or retaining full-time or, if appropriate, part-time competitive employment ... in the integrated labor market; supported employment; or any other type of employment in an integrated setting, including self-employment, telecommuting or business ownership, that is consistent with an individual's strengths, resources, priorities, concerns, abilities, capabilities, interest and informed choice, according to the program regulations at 34 CFR 361.5(b)(16).

³ States include, in addition to each of the several states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, according to the act, Section 7(32).

however, in FY 2004, 24 states also had separate agencies serving blind or visually impaired individuals, for a total of 80 state VR agencies.

The act also provides flexibility to the states with respect to the organizational positioning of the VR program within the state structure. The VR program can be located in one of two types of state agencies — one that is primarily concerned with VR, or VR and other rehabilitation of individuals with disabilities, or in an agency that is not primarily concerned with VR, or VR and other rehabilitation of individuals with disabilities. For the latter, the act requires the agency to have a designated state VR unit that is primarily concerned with VR, or VR and other rehabilitation of individuals with disabilities. Of the 80 VR agencies, 25 are primarily concerned with VR and other rehabilitation of individuals with disabilities. Of these, 10 are consumer-controlled agencies. Of the 55 agencies that are not primarily concerned with VR, or VR and other rehabilitation of individuals with disabilities, the VR program is located in 12 education agencies; 14 labor/workforce agencies; and 28 human services/welfare agencies. For American Samoa, the act identifies the Governor's Office as the VR agency.

The VR program is committed to providing services to individuals with significant disabilities⁴ and assisting consumers to achieve high-quality employment outcomes. RSA, in its relationships with the states, has continued to emphasize the priorities of high-quality employment outcomes and increased services to individuals with significant disabilities. To this end, in FY 2004, RSA continued to articulate the following policy priorities and principles for the VR program that began in FY 2003.

- Individuals with disabilities, including those with the most significant disabilities,⁵ are capable of achieving high-quality, competitive employment⁶ in integrated settings and living full and productive lives in their communities.

⁴ The program regulations at 34 CFR 361.5(b)(31) defines an individual with a significant disability as an individual with a disability:

- (i) Who has a severe physical or mental impairment that seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance or work skills) in terms of an employment outcome;
- (ii) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and
- (iii) Who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia, and other spinal cord conditions, sickle cell anemia, specific learning disability, end-stage renal disease, or another disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocation rehabilitation needs to cause comparable substantial functional limitation.

⁵ An individual with a most significant disability means an individual with a significant disability who meets the designated state unit's criteria for an individual with a most significant disability. These criteria must be consistent with the requirements in 34 CFR 361.36(d)(1) and (2).

⁶ Competitive employment means work (i) In the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and (ii) For which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled, see 34 CFR 361.5(b)(11).

- The low expectations and misunderstandings that society, some service providers, or consumers themselves have about their abilities, capacities, commitment, creativity, interests and ingenuity are major barriers to the employment and independence of individuals with disabilities.
- Individuals with disabilities are able to make informed choices about their own lives — including their employment options, the types of services they need, the selection of service providers — and are able to assume responsibility for their decisions.
- The primary role of VR agencies and other RSA-funded entities is to provide individuals with disabilities with information, skills training, education, confidence and support services so that the individual is empowered to make informed choices about his or her professional and personal life.
- Services are best delivered within a framework of accountability, flexibility and the least administrative burden necessary.
- Collaboration between rehabilitation service providers and community-based organizations comprised of individuals with disabilities enhances the quality of services and improves outcomes.

Initiatives

Within the context of the above policy priorities and principles, RSA undertook a variety of leadership, technical assistance and monitoring initiatives to strengthen the VR program. Examples of key initiatives are in the areas of Transition, Employer Partnerships, Ticket-to-Work, State Rehabilitation Councils and Monitoring as highlighted below.

Transition

- To enhance the delivery of transition services to youth with disabilities, RSA continues to initiate joint activities with OSEP and other transition partners. In particular, RSA and OSEP refined the joint state monitoring review process that began in FY 2002 and conducted a joint monitoring visit to one state during FY 2004. A second visit, planned for FY 2004, was postponed until FY 2005, due to the aftermath of the hurricanes during FY 2004. The purpose of the joint monitoring was to examine the nature and scope of collaborative efforts between the VR agencies and the schools in meeting the transition needs of students with disabilities; to determine compliance with the transition-related requirements of the act and the Individuals with Disabilities Education Act; and, to collect data on promising transition practices.
- During FY 2004, RSA convened a committee with broad representation from federal and state agencies to plan for a national transition conference for FY 2005. The first

of its kind for RSA, this groundbreaking conference brought together vocational rehabilitation and education practitioners and policymakers working in the field of transition for purposes of capacity building, highlighting model programs, and developing strategies to improve this process.

Employer Partnerships

- Employers, and state VR agencies' partnerships with employers, were a main focus of RSA activities during FY 2004. RSA hosted its fifth biennial National Employment Conference, Employment and DisAbility 2004: The VR–Business Partnership. The FY 2004 event represented a significant departure from previous conferences by focusing on information specific to the needs of state VR agency leadership and professional staff who are responsible for creating and maintaining employer development, business relations and large-scale job placement. Nearly 500 state VR agency staff attended. Employers from all parts of the country and the economy participated as trainers, including: Washington Mutual Bank, CVS/Pharmacies, Manpower, Starbucks Coffee and others.
- To prepare for and to continue the efforts of the FY 2004 National Employment Conference, RSA worked with state VR agencies to identify 85 individuals within these agencies to act as single points of contact for employers who wish to hire qualified workers with disabilities in all parts of the country. The Employer Development Network will provide a seamless approach to the VR program for employers with multi-state locations, whether they need employees in Connecticut or California, North Carolina or North Dakota. RSA has completed the next phase of this effort by placing the contact information for the network, state-agency-featured effective practices and other details on the RSA Web site.

Ticket-to-Work

- RSA contracted for an analysis of the Lewin Group's Evaluation Design for the Ticket to Work Program: Preliminary Process Evaluation. The Lewin Group's evaluation focused on employment networks under the *Ticket to Work and Work Incentives Improvement Act (TWWIIA)*, reflecting concerns that agreements developed between state VR agencies and employment networks were unfair to the employment networks and did not provide sufficient funding for the employment networks to operate in partnership with VR. RSA analyzed each of the agreements referenced in the Lewin Group document and found that, while some agency agreements had been accurately characterized in the Lewin document, others had not, and still other states had altered their agreements since publication of the Lewin evaluation. As a result of the analysis, RSA developed efforts to provide technical assistance about such agreements.
- In March of 2004, the then-Acting Assistant Secretary Troy R. Justesen testified before the House of Representatives Subcommittee on Social Security for a hearing on the Social Security Administration's management of the Ticket to Work Program.

Justesen reported on the current level of VR participation in the Ticket program and the willingness of RSA to support its continued evolution.

State Rehabilitation Councils

- Another key initiative was the development of curriculum and materials for training the State Rehabilitation Councils (SRCs) on needs identified by representatives of the councils and the state VR agencies. The training was intended to empower the SRCs so that they may better carry out their consultation responsibilities related to the VR program and advocate for improvements in the VR program, including high-quality employment outcomes for VR participants. The curricula included information on the VR program, the SRC's legal responsibilities, and methods for enhancing the partnership between the SRC and the state VR agency. The SRC training was conducted for each RSA region during FY 2005.

Monitoring

- RSA continued to conduct on-site monitoring in state VR agencies to ensure accountability in the VR program, to support ongoing efforts to promote continuous quality improvement, and to assess the nature and scope of technical assistance needed by state VR agencies. RSA focused its monitoring efforts on the following:
 - A service-record review to examine eligibility determinations, timeliness and substantiality of VR services, quality of employment outcomes, and the use of the homemaker role as an acceptable outcome. The reviews assessed not only compliance with legal requirements but also examined agency performance with respect to the quality of rehabilitation practice and service provision. Review questions related to homemaker outcomes probed the circumstances under which the homemaker goal was identified, both in the original individualized plan for employment (IPE) and any subsequent amendments, and explored the role of consumer choice in the selection of a homemaker outcome.
 - Performance monitoring, including a review of a state VR agency's performance on the evaluation standards and indicators and an analysis of possible factors that may impact on their performance.
 - Review of state VR agency written policies governing the provision of VR services to determine whether agency policies fall within the broad legal parameters for policy development and to determine how the agency is balancing two legal requirements: 1) the obligation to meet the service needs of each individual; and 2) the obligation to manage fiscal resources by assuring that service costs are necessary and reasonable.
 - The first year of a multi-year review of the use of third-party cooperative arrangements by state VR agencies, including those arrangements created by interagency transfers of funds and use of local funds. For FY 2004, review

activities focused on identifying the sources of these alternative funds and whether the agency has established mechanisms to address the requirements related to such arrangements.

- Assessment of state VR agency policies, procedures, and practices related to homemaker outcomes to determine the use of this outcome, the impact on service provision, and the impact on the state VR agency's performance on the standards and indicators related to employment outcomes and wages.
- Fiscal monitoring of state VR agency cost allocation agreements and practices under *WIA*; matching and earmarking federal funds; financial and statistical reports; and closeout grant activities.
- RSA developed additional monitoring instruments to examine areas such as implementation of the state's workforce system, agency policies that affect the individual's progress through the VR program, organizational unit requirements, appropriate use and implementation of order of selection requirements, due process procedures, the composition and functions of the SRC, and implementation of a comprehensive system of personnel development.
- To facilitate consistent implementation of the VR program across the nation, RSA conducted a week-long training event for all RSA program and fiscal specialists that focused on: 1) review and approval of Title I state plans; 2) monitoring practices required by Section 107; and 3) the provision of technical assistance. The training included methods for researching VR policy in the provision of technical assistance, using data in assessing state VR agency performance, developing consistent monitoring strategies, and producing consistent reports and corrective action plans.

Program Performance

RSA has a long history of ensuring accountability in the administration of the various programs under its jurisdiction, especially the VR program. Since its inception in 1920, the VR program has been one of the few federal grant programs that has had outcome data on which to assess its performance, including its performance in assisting individuals to achieve employment outcomes. Over the years, RSA has used these basic performance data, or some variation, to evaluate the effectiveness of state VR agencies. In FY 2000, RSA developed two evaluation standards and performance indicators for each evaluation standard as the criteria by which the effectiveness of the VR program is assessed. The two standards establish performance benchmarks for employment outcomes under the VR program and the access of minorities to the services of the state VR agencies.

Evaluation Standard 1 focuses on employment outcomes achieved by individuals with disabilities subsequent to the receipt of services from a state VR agency, with particular emphasis on individuals who achieve competitive employment. The standard has six performance indicators, each with a required minimum performance level to meet the

indicator. For any given year, calculations for each performance indicator for agencies that exclusively serve individuals with visual impairments or blindness are based on aggregated data for the current and previous year, i.e., two years of data. For VR agencies serving all disability populations other than those with visual impairments or blindness, or all disability populations, the calculations are based on data from the current year only, except for Performance Indicator 1.1, which requires comparative data for both years.

Three of the six performance indicators have been designated as "primary indicators" since they reflect a key VR program priority of empowering individuals with disabilities, particularly those with significant disabilities, to achieve high-quality employment outcomes. High-quality employment outcomes include employment in the competitive labor market that is performed on a full-time or part-time basis and for which individuals with disabilities are compensated in terms of the customary wage (but not less than the minimum wage) and level of benefits paid by the employer for the same or similar work carried out by individuals who are not disabled.

Listed below are each of the six performance indicators as found in the program regulations at 34 CFR 361.82 and 361.84, the minimum performance level for each indicator, and the number of state VR agencies that met the minimum level for FY 2004. **The three primary performance indicators are highlighted by an asterisk(*)**.

Performance Indicator 1.1

The number of individuals exiting the VR program who achieved an employment outcome [got a job] during the current performance period compared to the number of individuals who exit the VR program after achieving an employment outcome during the previous performance period.

Required Performance Level: Performance in the current period must equal or exceed performance in the previous period.

Fiscal Year 2004 Performance: Of the 80 state VR agencies, 44 agencies met the required performance level.

Performance Indicator 1.2

Of all individuals who exit the VR program after receiving services, the percentage who are determined to have achieved an employment outcome.

Required Performance Level: For agencies serving individuals who are blind, the level is 68.9 percent; for other agencies, the level is 55.8 percent.

Fiscal Year 2004 Performance: Of the 24 agencies serving individuals who are blind, 15 met the required performance level. Of

the 56 other agencies, 37 met the required performance level.

*Performance Indicator 1.3 **

Of all individuals determined to have achieved an employment outcome, the percentage that exit the VR program and enter into competitive, self-, or BEP [Business Enterprise Program] employment with earnings equivalent to at least the minimum wage.

Required Performance Level: For agencies serving individuals who are blind, the level is 35.4 percent; for other agencies, the level is 72.6 percent.

Fiscal Year 2004 Performance: Of the 24 agencies serving individuals who are blind, 22 met the required performance level. Of the 56 other agencies, 55 met the required performance level.

*Performance Indicator 1.4 **

Of all individuals who exit the VR program and enter into competitive, self-, or BEP employment with earnings equivalent to at least the minimum wage, the percentage who are individuals with significant disabilities.

Required Performance Level: For agencies serving individuals who are blind, the level is 89.0 percent; for other agencies, the level is 62.4 percent.

Fiscal Year 2004 Performance: Of the 24 agencies serving individuals who are blind, 24 met the required performance level. Of the 56 other agencies, 54 met the required performance level.

*Performance Indicator 1.5 **

The average hourly earnings of all individuals who exit the VR program and enter into competitive, self-, or BEP employment with earnings equivalent to at least the minimum wage as a ratio to the state's average hourly earnings for all individuals in the state who are employed (as derived from the Bureau of Labor Statistics report on state average annual pay for the most recent available year, U.S. Department of Labor 2004).

Required Performance Level: For agencies serving individuals who are blind, the ratio is .59; for other agencies, the level is a ratio of .52.

Fiscal Year 2004 Performance: Of the 24 agencies serving individuals who are blind, 21 met the required performance level. No state wage data exists for three of the 56 other agencies (Guam, Northern Marianas, and American Samoa). Of the remaining 53 agencies, 39 met the required performance level.

Performance Indicator 1.6

Of all individuals who exit the VR program and enter into competitive, self-, or BEP employment with earnings equivalent to at least the minimum wage, the difference between the percentage who report their own income as the largest single source of economic support at the time they exit the VR program and the percentage who report their own income as the largest single source of support at the time they apply for VR services.

Required Performance Level: For agencies serving individuals who are blind, the level is an arithmetic difference of 30.4; for other agencies, the level is an arithmetic difference of 53.0.

Fiscal Year 2004 Performance: Of the 24 agencies serving individuals who are blind, 15 met the required performance level. Of the 56 other agencies, 45 met the required performance level.

Table 1 on the following page summarizes the FY 2004 performance of the 80 state VR agencies on the performance indicators for Evaluation Standard 1. In order for an agency to "pass" Evaluation Standard 1, it must meet or exceed at least four of the six performance indicators, including two of the three "primary" performance indicators. For FY 2004, of the 80 state VR agencies, 15 or 18.8 percent passed all six performance indicators, 32 or 40 percent passed five of the performance indicators, and 22 or 27.5 percent passed four of the performance indicators. In total, 69 agencies or 86.2 percent passed Evaluation Standard 1. The 11 agencies or 13.8 percent that failed Evaluation Standard 1 include three separate agencies that serve individuals with visual impairments and blindness (Delaware, Missouri and New York) and eight agencies that serve either all disability populations or disability populations other than individuals with visual impairments (California, Illinois, Nebraska, North Carolina, Northern Mariana Islands, Virginia, Virgin Islands and Wisconsin).

**Table 1 Evaluation Standard 1 and Performance Indicators:
State VR Agency Performance, Fiscal Year 2004**

Performance Indicators	General and Combined VR Agencies ^a		VR Agencies Serving the Blind ^b	
	Pass ^c	Fail	Pass ^c	Fail
1.1 Number of Employment Outcomes ^d	30	26	14	10
1.2 Percentage of Employment Outcomes After Provision of VR Services	37	19	15	9
1.3 Percentage of Employment Outcomes in Competitive Employment ^{e*}	55	1	22	2
1.4 Percentage of Competitive Employment Outcomes Individuals with Significant Disabilities ^{f*}	54	2	24	0
1.5 Ratio of Competitive Employment Earnings to State Average Weekly Wage [*]	39 ^{**}	14 ^{**}	21	3
1.6 Percentage Difference Earnings as Primary Source of Support at Competitive Employment Outcome Versus at Time of Application ^g	45	11	15	9

(*) Primary indicator

(**) Since no state wage data exists for Guam, Northern Mariana Islands and American Samoa, Indicator 1.5 cannot be computed for these VR agencies.

^a Agencies serving persons with various disabilities as well as providing specialized services to persons who are blind and visually impaired.

^b Separate agencies in certain states providing specialized services to blind and visually impaired persons.

^c To pass standard 1, agencies must pass at least four of the six performance indicators and two of the three primary performance indicators.

^d The number of individuals exiting the VR program securing employment during the current performance period compared with the number of individuals exiting the VR program employed during the previous performance period.

^e Percentage of those exiting the VR program that obtained employment with earnings equivalent to at least the minimum wage.

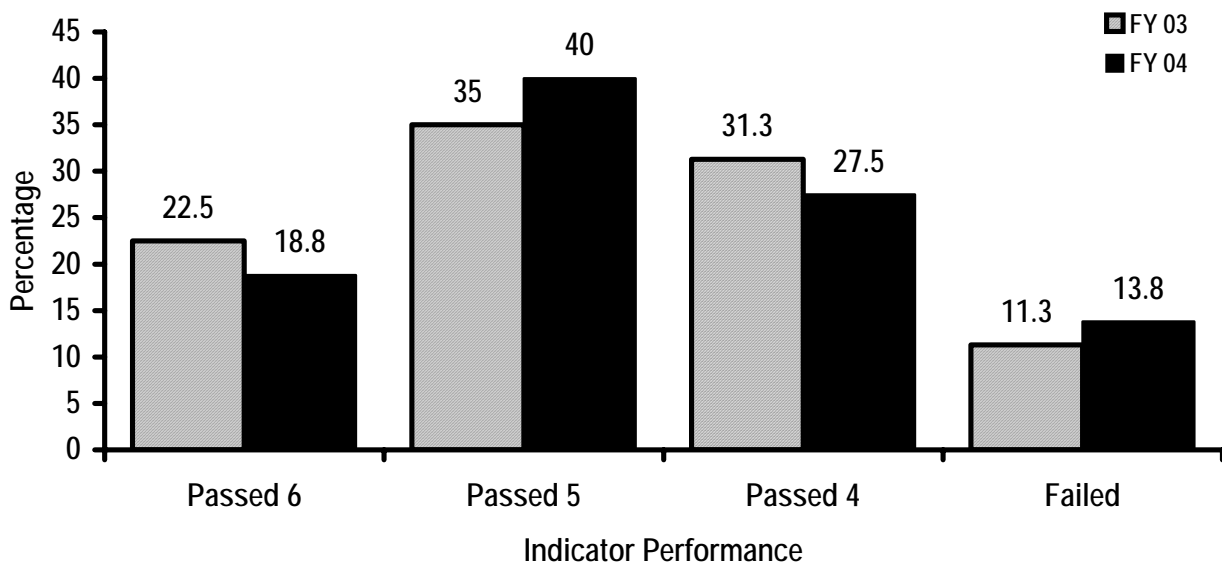
^f See footnote 4 on page 10.

^g Time frame from application for VR services to exiting the program with competitive employment.

Source: USED/RSA 2004a.

Figure 2 on the following page compares overall agency performance for fiscal years 2003 and 2004 for Evaluation Standard 1.

Figure 2 Overall State VR Agency Performance for Evaluation Standard 1, Fiscal Years 2003 and 2004



Source: USED/RSA 2004b.

Evaluation Standard 2 focuses on equal access to VR services by individuals from a minority background. For purposes of this standard, the term "individuals from a minority background" means individuals who report their race and ethnicity in any of the following categories: American Indian or Alaska Native; Asian; Black or African American; Native Hawaiian or Other Pacific Islander; or Hispanic or Latino. For this standard, there is but one indicator (34 CFR 361.82 and 361.84).

Performance Indicator 2.1

The service rate⁷ for all individuals with disabilities from minority backgrounds as a ratio to the service rate for all individuals with disabilities from non-minority backgrounds.

Required Performance Level: All agencies must attain at least a ratio level of .80.

If an agency does not meet the required performance level, or if an agency had fewer than 100 individuals from a minority background exit the VR program during the reporting period, the agency must describe the policies it has adopted or will adopt and the steps it has taken or will take to ensure that individuals with

⁷ For purposes of calculating this indicator, the numerator for the service rate is the number of individuals whose service records are closed after they receive services under an IPE whether or not they achieved an employment outcome; the denominator is the number of all individuals whose records are closed after they applied for services whether or not they had an IPE.

disabilities from minority backgrounds have equal access to VR services.

Fiscal Year 2004 Performance: Of the 80 state VR agencies, 75 agencies either passed Evaluation Standard 2 or had fewer than 100 individuals from a minority background exit the VR program during the reporting period. The five agencies that did not meet the required performance level for Evaluation Standard 2 were agencies that serve either all disability populations or disability populations other than individuals with visual impairments (Iowa, Nebraska, New Hampshire, North Dakota and Wisconsin).

The following table summarizes the FY 2004 performance of the 80 state VR agencies on the performance indicator for Evaluation Standard 2.

**Table 2 Evaluation Standard 2 and Performance Indicators:
State VR Agency Performance, Fiscal Year 2004**

Performance Factors	General and Combined VR Agencies Serving the	
	VR Agencies ^a	Blind ^b
Ratio of .80 or Higher	47	10
Ratio of Less than .80	5	0
Fewer than 100 Individuals From Minority Backgrounds Exiting the State VR Program	4	14

^a Agencies serving persons with various disabilities as well as providing specialized services to persons who are blind and visually impaired.

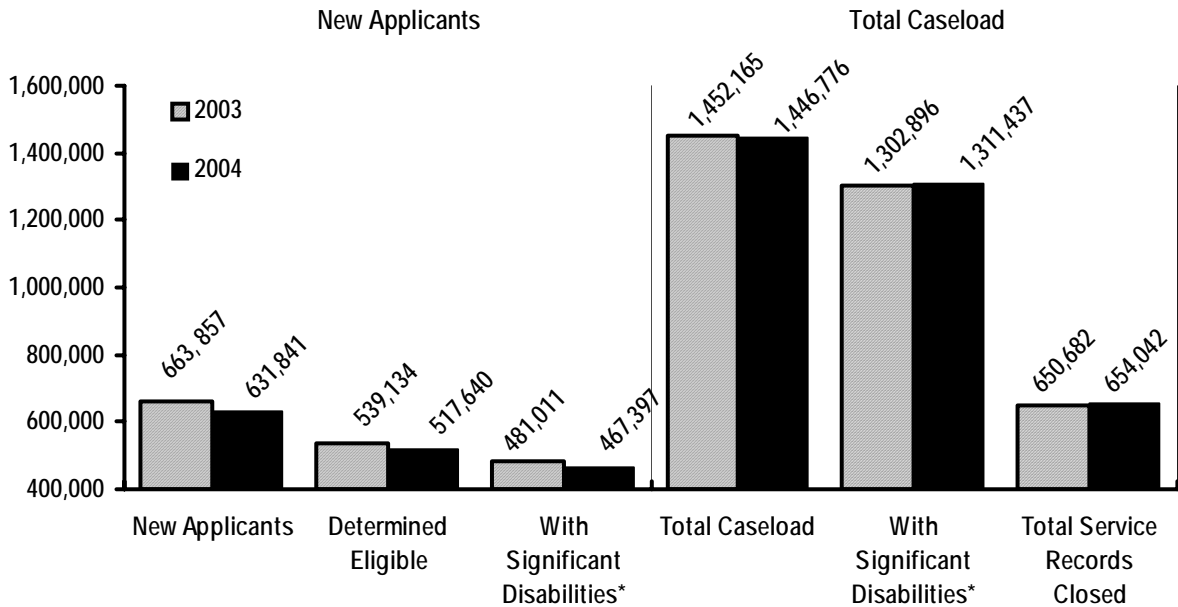
^b Separate agencies in certain states providing specialized services to blind and visually impaired persons.

Source: USED/RSA 2004a.

A state-by-state breakdown of VR agency FY 2004 performance for both evaluation standards is provided in Appendix A of this report.

Figure 3 on the next page compares statistical information from fiscal years 2003 and 2004 on a variety of key indices for the VR program. In FY 2004, nearly 632,000 individuals with disabilities applied for VR services. Of this number, 517,640 individuals or 82 percent of the applicants were determined eligible to participate in the VR program. Of the individuals determined eligible for VR services, 467,397 individuals or 90 percent were individuals with significant disabilities.

Figure 3 VR Program Participants, New Applicants and Total Caseload, Fiscal Years 2003 and 2004

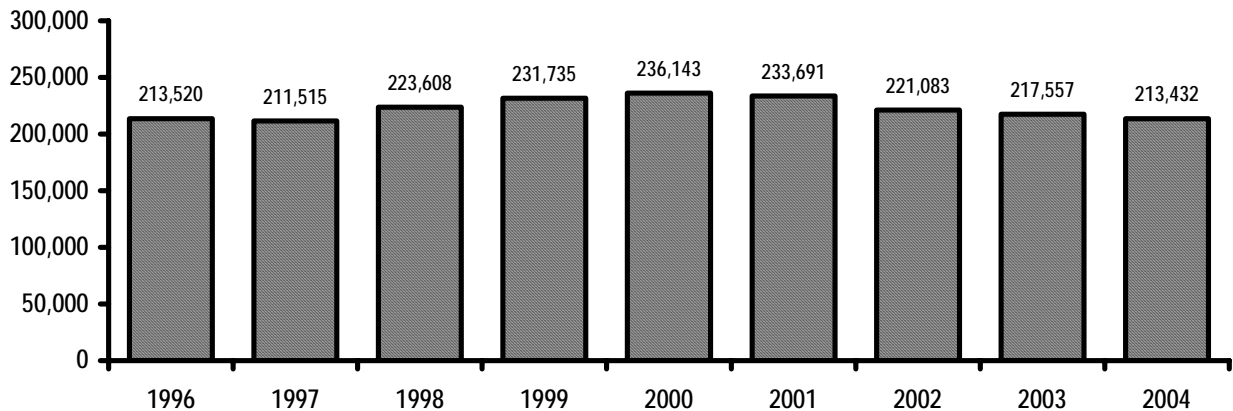


* See footnote 4 on page 12.

Source: USED/RSA 2004b.

During FY 2004, 1.45 million individuals were involved in the public vocational rehabilitation process, actively pursuing the achievement of their employment aspirations and choices. In that same year, approximately 92 percent of the individuals receiving services under an IPE were individuals with significant disabilities.

Figure 4 VR Program Participants Achieving Employment, Fiscal Years 1996–2004



Source: USED/RSA 2004a.

In FY 2004, there were 213,432 individuals who achieved an employment outcome. Figure 4 above shows the number of individuals who achieved employment outcomes after receiving VR services for each FY from 1996 through 2004. The declines beginning in FY 2001 are judged to be the result of several factors that have impacted the VR program. Some of these contributing factors include:

- The elimination in FY 2001 of extended employment⁸ as an allowable employment outcome under the VR program. Immediately prior to the date for the implementation of this new policy, state VR agencies reported that 7,359 persons had achieved an employment outcome in extended employment.
- RSA policies that stimulate VR agencies to serve individuals with significant disabilities, especially those with the most significant disabilities, and that focus efforts on assisting these individuals to achieve high-quality employment outcomes that are consistent with their aspirations and informed choices.
- Reduction in state matching funds for VR federal funds and the difficulties experienced by several states in satisfying their maintenance of effort requirements.
- VR agencies' implementation of an order of selection. Agencies operating under an order of selection must give priority to serving individuals with the most significant disabilities. In FY 2004, of the 80 state VR agencies, 42 reported that they could not serve all eligible individuals and implemented an order of selection. At the end of FY 2004, there were 52,128 individuals on the waiting list, 41 percent more than at the end of FY 2003. Only 48 of the 52,128 individuals were awaiting services from separate agencies serving blind or visually impaired individuals.
- Increases in cost of services, such as tuition costs, that reduce the availability of resources for individuals with disabilities for other services that lead to employment outcomes.

The success of individuals with significant disabilities achieving employment outcomes is reflected in the data provided in table 3 on the next page. The number of individuals with significant disabilities who exited the VR program after receiving VR services and achieving employment increased each FY from 1995 through 2001. While this trend was halted in FY 2002 for the reasons cited above, the number of individuals with significant disabilities as a percentage of all individuals achieving employment outcomes has increased annually since FY 1995. In that year, individuals with significant disabilities represented just 76 percent of all individuals with disabilities who obtained employment

⁸ Extended employment is defined as work in a nonintegrated or sheltered setting for a public or private nonprofit agency or organization that provides compensation in accordance with the Fair Labor Standards Act. See 34 CFR 361.5(b)(19). Although extended employment is no longer an allowable employment outcome under the VR program, state VR agencies may continue to serve eligible individuals who choose to continue to train or otherwise prepare for competitive employment in an extended employment setting, unless the individual through informed choice chooses to remain in extended employment.

after receiving VR services. During FY 2004, about 91 percent of individuals who got jobs after receiving VR services were individuals with significant disabilities.

Table 3 Individuals Obtaining Employment After Exiting Vocational Rehabilitation, Fiscal Years 1995–2004

Fiscal Year	Individuals With Significant Disabilities*	Individuals Without Significant Disabilities	Percentage With Significant Disabilities
1995	159,138	50,371	76.0
1996	165,686	47,834	77.6
1997	168,422	43,093	79.6
1998	184,651	38,957	82.6
1999	196,827	34,908	84.9
2000	205,444	30,699	87.0
2001	205,706	27,985	88.0
2002	196,286	24,799	88.8
2003	195,787	21,770	90.0
2004	193,695	19,737	90.8

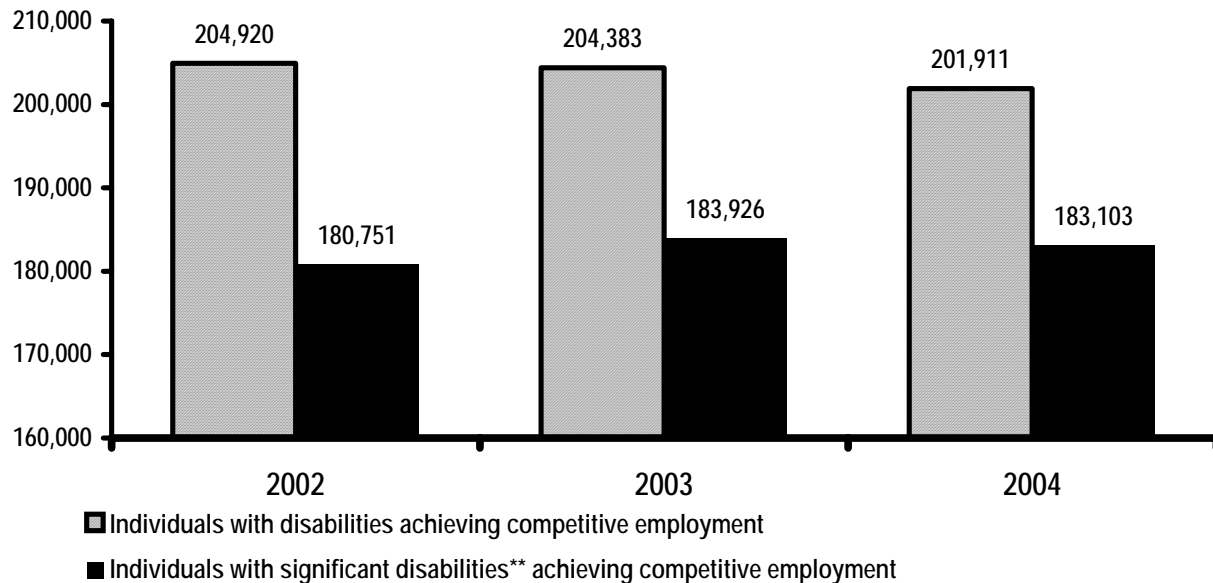
* The program regulations at 34 CFR 361.5(b)(31) defines an individual with a significant disability as an individual with a disability:

- (i) Who has a severe physical or mental impairment that seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance or work skills) in terms of an employment outcome;
- (ii) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and
- (iii) Who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), spinal cord conditions (including paraplegia and quadriplegia), sickle cell anemia, specific learning disability, end-stage renal disease, or another disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs to cause comparable substantial functional limitation.

Source: USED/RSA 2004b.

As shown in table 3 above, the number of individuals with significant disabilities achieving competitive employment outcomes under the VR program steadily increased on an annual basis during from 1995 through 2001. However, as figure 5 on the following page shows for the past three fiscal years there was a slight decrease in overall competitive employment outcomes, while competitive employment outcomes for individuals with significant disabilities remained relatively stable.

Figure 5 VR Program Participants Achieving Competitive Employment,* Fiscal Years 2002–04



*See footnote 6 on page 12

**See footnote 4 on page 12

Source: USED/RSA 2004b.

An important aspect of employment for anyone, particularly individuals with disabilities, is employer-provided medical benefits. In FY 2004, almost 130,000 individuals got competitive jobs with medical benefits, of whom almost 121,000 were individuals with significant disabilities.

A more detailed, state-by-state breakdown of statistical information regarding the VR program for FY 2004 is provided in Appendix B of this report. Additional information is also available by calling the RSA State Monitoring and Program Improvement Division’s Data Collection and Analysis Unit at 202-245-7258 or going to the RSA Web site at <http://www.ed.gov/about/offices/list/osers/rsa/research.html>.

Program Assessment Rating Tool Results

The VR program was one of the first programs in the Department to be assessed using the Program Assessment Rating Tool (PART) during the FY 2002 mid-session budget review (USED/RSA 2002). The program was formally reviewed in early FY 2003 and received an overall rating of “Adequate;” the PART assessment noted that the Longitudinal Study of the VR program (RTI forthcoming, a) indicated the program has been successful in achieving positive results (USED/RSA 2003a). Data from the longitudinal study showed benefits to program participants, particularly in terms of improvements in employment and earning status. Results from this study also indicated

that VR consumers remained employed over a sustained period of time. The assessment pinpointed a number of areas needing improvement, including the development of long-term goals and the use and timeliness of performance data.

At the time the PART assessment was conducted, RSA had not begun the process of developing long-term goals for its programs. The PART review noted that the VR program has performance goals that focus on outcomes and meaningfully reflect the purpose of the program, but they are not ambitious long-term performance goals (USED/RSA 2003a). Since that time RSA has revised the program's annual goals and adopted a long-term performance goal. Along with other components in the Department, RSA has also initiated a review of its programs with regard to the development of program efficiency measures. In addition, RSA is working to assist states in collecting the necessary data to implement the Job Training Common Measures to aid in the measurement of outcomes across federal job training and employment programs.

The PART assessment acknowledged that the agency regularly collects credible performance information. RSA uses evaluation standards and performance indicators to increase state accountability while monitoring state programs and providing them with technical assistance. However, the PART identified the following concerns in relation to the performance data: (1) use of the performance data in managing the overall program; (2) delays in the receipt and reporting of the data, including its accessibility to the public; (3) wide variation in individual state agency performance; and (4) use of the data to increase federal accountability (USED/RSA 2003a).

RSA's weakness in using performance information to manage the overall program has been, in large part, due to the fact that the data were not timely. RSA is working to improve both the timeliness and accessibility of the data. RSA has taken a number of steps to improve the timeliness of its VR data and to promote the use of the data for program improvement by RSA and the state VR agencies funded under this program. RSA has made significant progress in making the data it collects from state VR agencies available sooner to consumers and their families, public administrators and researchers. By automating data submission and improving the data editing process, RSA's FY 2004 data were available only four months after the close of the fiscal year, a significant improvement over previous years. Improving the timeliness of the data will enhance RSA's ability to use its data for enhanced program management and monitoring.

In addition to posting the performance of state agencies on the program's standards and indicators on the Department's Web site, RSA has developed detailed data tables and outcome reports that are being used by both program staff and state VR agencies to manage the program. In addition, RSA has revised its VR program measures to address the wide variation in individual state agency performance. The measures now focus on the percentage of agencies that meet an established criterion rather than overall program averages. In FY 2005, RSA began the development of a long-term plan focused on using data together with strategic interventions to increase employment outcomes, particularly high-quality employment.

**Supported Employment Services Program
Authorized Under Sections 621–628 of the Act
Managed by the Program Administration Division of RSA**

The Supported Employment Services program implements an approach to the rehabilitation of persons with the most significant disabilities* that has been proven effective and enjoys wide support. The

**FY 2004 Federal Funding
\$38,152,000**

concept of supported employment was developed to assist in the transition of persons with mental retardation and other developmental disabilities into a work setting through the use of on-site job coaches and other supports. By federal regulation, state VR agencies must provide ongoing support services needed by individuals with the most significant disabilities to maintain supported employment. Such supports may include monthly monitoring at the work site, from the time of job placement until transition to extended services⁹.

Under the program, state VR agencies collaborate with appropriate public and private nonprofit organizations to provide supported employment services. State VR agencies provide eligible individuals time-limited services for a period not to exceed 18 months, unless a longer period to achieve job stabilization has been established in the IPE. Once this period has ended, the state VR agency must arrange for extended services to be provided by other appropriate state agencies, private nonprofit organizations or other sources for the duration of that employment. Supported employment placements are achieved when the short-term VR services are augmented with extended services by other public or nonprofit agencies or organizations.

An individual's potential need for supported employment must be considered as part of the assessment to determine eligibility for the VR program. The requirements pertaining to individuals with an employment goal of supported employment are the same in both the Title I VR program and the Title VI-B Supported Employment Services Program. A state VR agency may support an individual's supported employment services solely with VR program (Title I) grant funds, or it may fund the cost of supported employment services in whole or in part with Supported Employment Services (Title VI-B) grant funds. Title VI-B supported employment funds may only be used to provide supported employment services and are essentially used to supplement Title I funds.

Data from the FY 2004 Case Service Report (RSA 911) (USED/RSA 2004a) show that a total of 39,518 individuals whose cases were closed that year after receiving services had a goal of supported employment on their individualized plan for employment at

* See footnote 5 on page 12.

⁹ Extended services is defined in the program regulations at 34 CFR 361.5(b)(20) as ongoing support services and other appropriate services that are needed to support and maintain an individual with a most significant disability in supported employment and that are provided by a state agency, a private nonprofit organization, employer or any other appropriate resource, from funds other than funds received under this part and 34 CFR Part 363 after an individual with a most significant disability has made the transition from support provided by the designated state unit.

some time during their participation in the VR program. About half of those individuals received at least some support for their supported employment services from Title VI-B funds. These numbers do not include those individuals who were still receiving supported employment services at the close of the fiscal year.

Approximately 22,400 individuals, or about 57 percent of the total individuals with a supported employment goal (including those funded solely by Title I and those who received some Title VI-B support) achieved an employment outcome. Of those achieving an employment outcome, 7,637 individuals received funding for supported employment services solely under the Title I VR program and 14,783 received partial funding for supported employment services through the Title I VR program with the remainder of their funding coming from the Title VI-B supplement.

Fiscal year 2004 data also show that 67.9 percent of 14,783 individuals receiving some funding for supported employment services through the Title VI-B program and achieving an employment outcome obtained a supported employment outcome. Of those who obtained a supported employment outcome, 90 percent were in competitive employment. In FY 2004, the mean hourly wage for individuals with supported employment outcomes closed in competitive employment was \$6.89.

Some individuals who have an initial goal of supported employment achieve an employment outcome other than a supported employment outcome. Of those individuals receiving some funding for supported employment services through the Title VI-B program who obtained other types of employment outcomes, 31.1 percent were employed in an integrated setting without supports and 1 percent were self-employed, employed in a state VR agency managed BEP program, or were a homemaker or unpaid family worker.

As state VR agencies serve an increasing number of individuals with the most significant disabilities, the number of individuals receiving supported employment services will likely continue to increase. The prevalence of supported employment outcomes in the VR program illustrates its acceptance as a viable rehabilitation alternative, President Bush's budget requests to Congress for fiscal years 2002 through 2004 have included the consolidation of Title VI-B funding into the broader Title I program.

The *Government Performance and Results Act (GPRA)* indicator for the Supported Employment Services Program assesses the effectiveness of state agency efforts to increase the number of individuals with the most significant disabilities* who have received supported employment services to achieve competitive employment outcomes. Individuals in supported employment can achieve competitive employment (with wages at or above minimum wage), although not all individuals in supported employment do achieve these competitive wages. RSA is encouraging state agencies to help individuals in supported employment to achieve these competitive employment outcomes. In FY 2004, 92.8 percent of the individuals with a supported employment goal achieved a competitive employment outcome. In fiscal years 2002 through 2004, state VR agencies

* See footnote 5 on page 12.

surpassed their targets of 77 to 78 percent for this indicator. As a result, targets for future years have been adjusted from 78 percent in FY 2004 to 93 percent in FY 2005 and FY 2006.

American Indian Vocational Rehabilitation Services Program
Authorized Under Section 121 of the Act
Managed by the Special Projects Division and
Program Administration Division of RSA

The American Indian Vocational Rehabilitation Services (AIVRS) program provides grants to governing bodies of Indian Tribes to deliver VR services to American Indians with disabilities who live on or near federal or state reservations. The term “reservation” includes Indian reservations, public domain Indian allotments, former Indian reservations in Oklahoma, and land held by incorporated Native groups, regional corporations and village corporations under the provisions of the *Alaska Native Claims Settlement Act*.

FY 2004 Federal Funding
\$30,800,000

Awards are made through competitive applications for a period of up to five years to provide a broad range of VR services including, where appropriate, services traditionally used by Indian tribes, designed to assist American Indians with disabilities to prepare for and engage in gainful employment. Applicants assure that the broad scope of rehabilitation services provided shall be, to the maximum extent feasible, comparable to the rehabilitation services provided by the state VR agencies, and that efforts will be made to provide VR services in a manner and at a level of quality comparable to those services provided by the state agencies.

The AIVRS program is supported through funds reserved by the RSA commissioner from funds allocated under Section 110, Title I, Part B of the act. As table 4 shows, the program has grown in the last several years; this growth was a result of increases in the minimum amount of funds required to be reserved for the program.

Table 4 American Indian VR Services Grants: Numbers and Funding Amounts, Fiscal Years 1999–2004

Fiscal Year	Total Number of Grants	Funding Amount
1999	53	\$17,243,871
2000	64	\$23,343,067
2001	66	\$23,986,113
2002	69	\$25,552,272
2003	69	\$28,398,635
2004	70	\$30,504,115

Source: USED/RSA 2004c.

The number of grantees funded increased from 53 in FY 1999, to 70 in FY 2004. The funding for each award (both new and continuations) has

increased also. The average award size in FY 1999 was about \$325,400 and it was over \$435,700 in FY 2004, about a 33 percent increase. Established projects that

recompete for new grants often request higher levels of funding because they have increased their capacity to effectively serve more individuals with disabilities.

In addition, the 1998 amendments to the act extended the grant period from three years to five years, providing more program stability. The evaluation of the program has shown that experienced grantees are more efficient and effective and continue to show significant improvements in their performance. The *GPR*A program goal is to improve employment outcomes of American Indians with disabilities who live on or near reservations by providing effective tribal vocational rehabilitation services. Program outcome data extrapolated from the AIVRS program performance database and reported in the Department's Program Performance Management Database (PPMD), in response to *GPR*A, are shown in tables 4 and 5.

Table 5 Number of Individuals Achieving Employment Through American Indian VR Services, Fiscal Years 1997–2004

Fiscal Year	Number Served	Total Number Exiting After Receiving Services	Number Achieving Employment
1997	2,617	819	530
1998	3,243	1,047	598
1999	3,186	1,109	678
2000	4,148	1,530	951
2001	4,473	1,683	1,088
2002	5,003	2,047	1,311
2003	5,105	2,200	1,452
2004	5,681	2,005	1,238

Source: USED/RSA 2004c.

As table 5 shows, the number of American Indians with disabilities who achieved employment outcomes increased from 530 in FY 1997 to 1,238 in FY 2004. In addition, of the American Indians who exited the program after receiving services, the percentage who achieved employment outcomes increased from 57 percent in FY 1998 to 62 percent in FY 2004.

Technical assistance to the tribal VR projects is provided by a variety of sources, including: RSA, state VR agencies, Regional Rehabilitation Continuing Education Programs, NIDRR and its grantees, and the

capacity-building grantees funded under Section 21 of the act. Tribal VR projects, for example, are building strong relationships with state VR agencies. These relationships, in turn, are promoting cross-training in which state VR agencies are providing the tribal VR staff techniques of VR service delivery and the tribal project staff are providing the state VR agencies' staff techniques on delivering VR services designed for diverse cultures. As another example, the technical assistance network sponsors annual conferences for the AIVRS projects, focusing on training and networking. Other grantees funded under the act participate in the conferences as both trainers and learners, further promoting strong partnerships within the program and among RSA grantees.

RSA continues to monitor tribal VR projects, but has changed its monitoring strategy from the conduct of on-site reviews to the provision of self-assessment tools designed to assist tribal projects to identify issues and needs requiring training and technical assistance. In FY 1999,

RSA awarded a grant for a two-year study (DAI 2003) to initiate the first comprehensive evaluation of the AIVRS program. The study was designed to examine consumer characteristics, services provided, outcomes and management of the AIVRS program. The study also compared AIVRS program performance to the performance of the VR program.

The study results were published in a final report on Dec. 11, 2002. Study findings are being used to assist RSA in evaluating program performance and developing appropriate strategies for program improvement. The program is also a participant in the Job Training Common Measures Initiative. RSA is currently supporting efforts to assist in the implementation of these measures and to devise methods to collect employment information for individuals who are not included in the state unemployment insurance data system.

In FY 2002 the Office of Management and Budget (OMB) developed a PART to assess and improve performance in federal programs to achieve better results (USED/RSA 2003b). The AIVRS program underwent a PART evaluation in FY 2004 and overall, the program was judged to be adequately achieving its purpose (USED/RSA 2004d). However, certain aspects of the program were identified as needing improvement. RSA is undertaking the following activities to address these concerns:

1. Examine reporting inconsistencies and develop guidance to grantees in time to collect FY 2006 data.
2. Develop an implementation strategy for collecting the necessary data to support the administration's Job Training Common Measures and establish specific performance targets.
3. Implement an outcome efficiency measure.
4. Improve use and transparency of project data to manage and improve the program, including posting summary analyses and key data on the Web.

Demonstration and Training Programs
Authorized Under Section 303 of the Act
Managed by the Special Projects Division of RSA

Demonstration and Training Programs provide funding through competitive grants to, or contracts with, eligible entities to expand and improve the provision of rehabilitation and other services authorized under the act. The grants and contracts are to further the purposes and policies of the act, and are to support activities that increase the provision, extent, availability, scope and quality of rehabilitation services under the act, including related research and evaluation activities.

FY 2004 Federal Funding
\$24,285,863

Sections 303(a), (c), and (d) of the act authorize demonstration projects designed specifically to increase client choice in the rehabilitation process, make information and training available to parents of individuals with disabilities, and provide Braille training.

Section 303(b) of the act authorizes the support of projects that provide activities to demonstrate and implement methods of service delivery for individuals with disabilities, including activities such as technical assistance, systems change, special studies and evaluation, and the dissemination and utilization of project findings. Entities eligible for grants under this section include state VR agencies, community rehabilitation programs, Indian tribes or tribal organizations, or other public or nonprofit agencies or organizations. Competitions may be limited to one or more type of entity. The program supports projects for up to 60 months. During that period, many projects provide comprehensive services that may demonstrate the application of innovative procedures that could lead to the successful achievement of employment outcomes.

Section 303(b) projects develop strategies that enhance the delivery of rehabilitation services by community-based programs and state VR agencies to meet the needs of underserved populations or underserved areas. Projects have been successful in creating intensive outreach and rehabilitation support systems, including benefits counseling, career development and job placement assistance.

Although special demonstration project types vary, the objective for a majority of the projects is to provide comprehensive services for individuals with disabilities that lead to employment outcomes. The common measures used to evaluate these projects are the number of individuals served and the number of individuals placed into employment. The *GPRA* program goal is “to expand, improve, or further the purposes of activities authorized under the act,” with an objective that specifically sets out to “expand and improve the provision of rehabilitation services that lead to employment outcomes”. There are two performance indicators that support this goal and objective. They are as follows:

- Projects will be judged to have successfully implemented strategies that contribute to the expansion of services for the employment of individuals with disabilities according to the percentage of individuals served and placed into employment by the projects.
- The increase in referrals of individuals to or from VR agencies and subsequent expansion of service provision due to the impact of interactions, presentations and information made to and by state VR agencies.

Program Outcome Data extracted from the special demonstration programs Web-based performance report instrument, and reported in the Department’s PPMD in response to *GPRA*, are identified in the table below for fiscal years 2001, 2002, 2003 and 2004.

Table 6 Special Demonstration Programs Outcome Data, Fiscal Years 2001–04

Fiscal Year	Number of Projects	Served	Placed
2001	45	8,247	1,635
2002	36	6,718	1,249
2003	47	11,769	3,744
2004	38	16,495	2,576*

* The decrease in individuals placed from fiscal year 2003 through fiscal year 2004 resulted from a decline in the number of funded projects with an employment placement goal.

Source: USED/RSA 2004i.

Twenty-eight field-initiated grants were continued in FY 2004. These projects are model demonstration grants reflecting diverse and innovative approaches and methodologies that provide services for individuals with disabilities that increase employment outcomes. The projects focus on various priorities that include the provision of affordable transportation for individuals with disabilities, services to increase self-employment outcomes, business ownership opportunities for Native Americans with disabilities, and employment opportunities with career advancement for individuals with disabilities who are homeless or reside in supportive or subsidized housing.

Five systems-change grants were continued in FY 2004. These projects are designed to identify and eliminate barriers to competitive employment for individuals with disabilities who receive public support.

Three awards to technical assistance centers that reach out to persons with disabilities, including Native Americans and Alaskan Natives, Asian Americans and Pacific Islanders, and Hispanics were continued in FY 2004, to provide technical assistance leading to employment opportunities, vocational skills, and educational advancement for these populations.

Five model demonstrations to improve the literacy and employment outcomes of individuals with disabilities were continued in FY 2004. These projects will assess whether certain specific literacy services raise the literacy levels and consequently the earnings of individuals with disabilities compared to individuals who receive the usual VR services.

Seven parent information and training projects, and the technical assistance center that supports them, received continuation grants. These projects provide training and information to enable individuals with disabilities and parents, family members, guardians, advocates or other authorized representatives of the individuals to participate more effectively with professionals in meeting the vocational, independent living, and rehabilitation needs of individuals with disabilities.

Nine new model demonstration projects, Mentoring for Transition-Age Youth and Young Adults with Disabilities, were funded. The projects must demonstrate research-based mentoring models that are effective in increasing meaningful community integration, postsecondary education, and employment outcomes.

Two new Braille training grants received funding. These projects provide training to youths and adults who are blind and build the capacity of service providers who work with those individuals.

Congress also mandated the funding of 16 one-year earmarked projects. The total amount allocated to these projects was \$5,502,343. In addition, a congressionally-appropriated project for Orthotics and Prosthetics was awarded for \$994,100.

The Demonstration and Training Programs are continuing to monitor the progress and impact of 20 Access-to-Telework grants that were provided funding in FY 2003. These projects provide support for alternative financing mechanisms for individuals with disabilities to obtain a loan to purchase computers and other equipment with the goal of expanding telework opportunities for individuals with disabilities. Projects are designed to continue until there are no longer any funds available and all outstanding loans have been repaid.

The Demonstration and Training Programs continued the use of the Web-based performance report instrument in FY 2004 that was put into practice in FY 2000. This instrument collects data from projects funded under Section 303 (b) of the act.

Migrant and Seasonal Farmworkers Program
Authorized Under Section 304 of the Act
Managed by the Special Projects Division of RSA

The goal for the Migrant and Seasonal Farmworkers (MSFW) program is to ensure that eligible migrant and seasonal farmworkers with disabilities receive rehabilitation services and increased employment opportunities.

FY 2004 Federal Funding
\$2,321,223

The *GPR*A indicator for this program assesses the effectiveness of MSFW projects within states with a MSFW project. The percentage of migrant or seasonal farmworkers with disabilities who achieve employment outcomes and who are served both by the VR program and the MSFW projects is compared to the percentage of migrant or seasonal farmworkers who achieve employment outcomes and who access only the VR program and do not access the MSFW project.

The Migrant and Seasonal Farmworkers Program makes comprehensive VR services available to migrant and seasonal farmworkers with disabilities. Projects under the program develop innovative methods for reaching and serving this population. Emphasis is given in these projects to outreach to migrant camps, to provide bilingual rehabilitation counseling to this population, and to coordinate VR services with services from other sources. Projects provide VR services to migrant and seasonal farmworkers and to members of their families when such services will contribute to the rehabilitation of the worker with a disability.

Migrant and seasonal farmworkers with disabilities and their families are faced with many obstacles in securing employment. They are in need of highly individualized services to meet specific employment needs. The significant barriers to securing employment are: language barriers, culturally different backgrounds, and relocation from state to state so that tracking individuals is difficult if not impossible.

The program is administered in coordination with other programs serving migrant and seasonal farmworkers, including programs under Title I of the *Elementary and Secondary Education Act of 1965*, Section 330 of the *Public Health Service Act*, the *Migrant and Seasonal Agricultural Worker Protection Act*, and *WIA*. In addition, RSA participates as a member of the Federal Migrant Interagency Committee to share information and develop strategies to improve the coordination and delivery of services to this population.

Projects funded in FY 2004 trained migrant and seasonal farmworkers with disabilities to develop other skills that can be applied outside the agricultural area to increase their prospects for entering new occupations. In addition, funded projects worked directly with employers to create opportunities for on-the-job training and job placement. The Case Service Report (RSA 911) (USED/RSA 2004a) collects data on the number of individuals whose cases are closed by state VR agencies during a particular fiscal year. One element in the system reports on the number of persons who also participated in a migrant or seasonal farmworker's project at some time during their VR program. This is the data element used to assess the performance measure for this program. In FY 2004, 13 funded projects served a total of 2,302 individuals and placed a total of 406 individuals into competitive employment.

The targets for the FY 2004 GPRA indicator stated that 62 percent of the migrant and seasonal farmworkers served by both the VR program and the migrant and seasonal farmworkers would achieve employment while only 53 percent of migrant and seasonal farmworkers served only by the VR program would achieve employment. The actual data showed that only 59.8 percent of migrant and seasonal farmworkers who were served by both programs achieved employment while 35.6 percent of migrant and seasonal farmworkers who were served only by the VR program achieved employment (USED/RSA 2004i). Even though the actual targets were not met, the figures still showed that the Migrant and Seasonal Farmworker program is a major factor in assisting the migrant and seasonal farmworkers to achieve employment.

This year, the National Alliance Migrant and Seasonal Farmworkers Vocational Rehabilitation (NAMESFVR) organization, in partnership with RSA, held a National Project Directors' Conference with funding from FY 2004. The conference was organized by and for migrant and seasonal farmworker grantees. Its goal was to improve quality and consistency of services provided by these grantees. This successful initiative provided grantees with a forum for sharing common concerns and solutions regarding services to migrant and seasonal farmworkers with disabilities. As a result of the conference, grantees achieved a more unified approach to serving this population.

Table 7 Migrant and Seasonal Farmworker Program: Number of Grants, Fiscal Years 2000–04

Fiscal Year	Continuation Grants	New Grants	Total Grants
2000	10	4	14
2001	11	4	15
2002	11	4	15
2003	13	1	14
2004	13	0	13

Source: USED/RSA 2004h.

Projects With Industry Program
Authorized Under Section 611–612 of the Act
Managed by the Special Projects Division of RSA

The Projects With Industry (PWI) program creates and expands job and career opportunities for individuals with disabilities in the competitive labor market by engaging the participation of business and industry in the VR process. PWI projects promote the involvement of business and private industry through business advisory councils (BACs) that identify jobs and careers available in the community, and provide advice on the appropriate skills and training for program participants. BACs are required to identify job and career availability within the community, consistent with the current and projected local employment opportunities identified by the local workforce investment board for the community under WIA.

FY 2004 Federal Funding
\$21,798,625

PWI grants are made to a variety of agencies and organizations, including businesses and industrial corporations, community rehabilitation programs, labor organizations, trade associations, Indian tribes, tribal organizations, designated state units and foundations. Grants are awarded for either a 3- or 5-year period, and the federal share may not exceed 80 percent of the total cost of a project. In making awards under this program, the secretary considers the equitable distribution of projects among the states.

PWI grantees must provide to RSA an annual evaluation of project operations in accordance with established program evaluation standards and performance indicators. Specifically, Appendix A to the program regulations at 34 CFR 379 established seven standards to evaluate the performance of a PWI grant.

Evaluation Standard 1: The primary objective of the project must be to assist individuals with disabilities to obtain competitive employment. The activities carried out by the project must support the accomplishment of this objective.

- Evaluation Standard 2:** The project must serve individuals with disabilities that impair their capacity to obtain competitive employment. In selecting persons to receive services, priority must be given to individuals with significant disabilities.
- Evaluation Standard 3:** The project must ensure the provision of services that will assist in the placement of individuals with disabilities.
- Evaluation Standard 4:** Funds must be used to achieve the project's primary objective at minimum cost to the federal government.
- Evaluation Standard 5:** The project's advisory council must provide policy guidance and assistance in the conduct of the project.
- Evaluation Standard 6:** Working relationships, including partnerships, must be established with agencies and organizations to expand the project's capacity to meet its objectives.
- Evaluation Standard 7:** The project must obtain positive results in assisting individuals with disabilities to obtain competitive employment.

RSA established five compliance indicators by which to measure the effectiveness of individual grants found in the program regulations at 34 CFR 379.53. A grantee must meet the minimum performance levels on the two "primary" program compliance indicators identified below and any two of the three "secondary" compliance indicators identified below.

- Compliance Indicator 1 (Primary):** Placement rate. (A minimum of 54 percent of individuals served by the project during fiscal year 2004 must be placed into competitive employment.)
- Compliance Indicator 2 (Primary):** Change in earnings. (Based upon hours worked, projects must have an average increase in earnings of at least \$125 a week per individual placed in employment or \$100 per week for those projects in which at least 75 percent of individuals placed into competitive employment are working fewer than 30 hours per week.)
- Compliance Indicator 3 (Secondary):** Percent placed who have significant disabilities. (At least 50 percent of individuals served by the project who are placed into competitive employment are individuals who have significant disabilities.)

Compliance Indicator 4 (Secondary): Percent placed who were previously unemployed. (At least 50 percent of individuals who are placed into competitive employment are individuals who were continuously unemployed for at least six months at the time of project entry.)

Compliance Indicator 5 (Secondary): Average cost per placement. (The actual average cost per placement of individuals served by the project does not exceed 115 percent of the projected average cost per placement in the grantee's application.)

Three of the compliance indicators also serve as the program's measures established pursuant to *GPR*A. These measures, including FY 2004 performance results based on the reports of 90 grantees, are provided below.

- **Placement Rate** of individuals with disabilities into competitive employment. The placement rate for FY 2004 was 61.5 percent.
- **Change in earnings** of individuals who are placed in competitive employment. In FY 2004, the change in earnings of individuals who were placed in competitive employment was an average of \$253 per week.
- **Percentage of individuals served who were unemployed for 6 months** or more prior to program entry who are placed in competitive employment. In FY 2004, 65.6 percent of individuals served who were unemployed six months or more prior to program entry were placed in employment.

In order to receive continuation funding for the third and subsequent years, PWI grantees must demonstrate compliance with the standards and indicators with submission of data for the most recent complete fiscal year. If a grantee does not demonstrate compliance on the basis of the previous fiscal year's data, the grantee has an opportunity to demonstrate compliance with the standards by submitting data from the first six months of the current fiscal year.

In FY 2004, 13 percent of the projects completed their third and final year of their grant, 79 percent completed their second year of their grant, and 8 percent completed their first year of operation. In FY 2004, about 12 percent of the projects failed the compliance indicators. Of the 10 failed projects, seven projects improved their performance in the first six months of FY 2005 and were able to receive continuation funds. Initial failure rate was much lower in FY 2004 as compared to FY 2003, in which about 28 percent of the projects that completed their first year of operation failed to meet the compliance indicators.

Table 8 below presents selected performance information for the PWI program for fiscal years 2003 and 2004. In general, program performance improved in FY 2004 as compared to FY 2003. The 90 PWI projects operating and reporting data in FY 2004 placed 62 percent of the 10,557 individuals they served. The percentage of individuals placed was 6 percent greater in FY 2004 than in FY 2003 and was comparable to performance in previous years. These projects reported that 88 percent of individuals served were individuals with significant disabilities and 89 percent of those placed in employment were individuals with significant disabilities. In FY 2004, the placement rate for individuals with significant disabilities (percentage of individuals with significant disabilities served who were placed in employment) was 63 percent, which is higher than the previous year's rate of 57 percent. Projects reported that 74 percent of individuals served were unemployed six months or more prior to program entry and the placement rate of individuals who were unemployed six months or more prior to program entry was 66 percent. The placement rate of persons unemployed six months or more increased by 12 percent.

Table 8 Projects With Industry Program Outcomes, Fiscal Years 2003 and 2004

Fiscal Year	2003	2004
Total projects reporting	95	90
Total persons served (new each period)	10,099	10,557
Persons served with significant disabilities	8,482	9,259
Percentage served with significant disabilities	84%	88%
Persons served who were unemployed 6 months or more	7,433	7,792
Percentage served who were unemployed 6 months or more	74%	74%
Total persons placed in employment	5,478	6,493
Percentage of total persons placed in employment	54%	62%
Persons placed with significant disabilities	4,792	5,792
Percentage of total placed in employment who were individuals with significant disabilities	88%	89%
Persons placed in employment who were unemployed six months or more	4,017	5,108
Percentage of total placed in employment who were individuals unemployed six months or more	73 %	79%
Placement rate of individuals with significant disabilities	57%	63%
Placement rate of individuals who were unemployed six months or more	54%	66%

Source: USED/RSA 2004e.

In FY 2004, the Department selected the PWI program to be assessed by the PART. As a result of being assessed, the program was given an “adequate” rating, but the PART cited that many of the program’s activities were redundant with allowable activities under the VR program. Although the program is generally successful in meetings its performance goals, the PART found that these results are undermined by the credibility

of the data collected and reported by grantees and highly variable grantee performance (USED/RSA 2004f).

To address the PART findings, RSA plans to: (1) implement a plan to improve grantee data collection and reporting; (2) revise program measures to be comparable with other job training programs; (3) improve use and transparency of project data to manage and improve the program, including posting summary analysis and key data on the Department's Web site; and (4) develop and implement a plan to meet the program's statutory requirement for onsite compliance reviews.

Business Enterprise Program **Authorized Under Section 103(b) of the Act** **Managed by the Blind and Visually Impaired Division of RSA**

The Business Enterprise program (BEP) is authorized under Section 103(b) of the act. Section 103(b) provides that VR services, when provided to groups, can include management, supervision and other services to improve businesses operated by significantly disabled individuals. Under the BEP program, state VR agencies can use funds under the VR Program to support the Vending Facility Program, which is authorized under the *Randolph-Sheppard Act*. The original intent of the *Randolph-Sheppard Act* was to enhance employment opportunities for blind individuals who are trained and licensed to operate vending facilities.

Supported by a combination of RSA program funds, state appropriations, federal vending machine income, and levied set-asides from vendors, the BEP provides persons who are blind with remunerative employment and self-support through the operation of vending facilities on federal and other property. The program recruits qualified individuals who are blind, trains them on the management and operation of small business enterprises, and then licenses qualified blind vendors to operate the facilities.

At the outset, the program placed sundry stands in the lobbies of federal office buildings and post offices selling such items as newspapers, magazines, candies and tobacco products. Through the years, the program has grown and broadened from federal locations to include state, county, municipal and private installations as well as interstate highway rest areas. Operations have also expanded to include military mess halls, cafeterias, snack bars, miscellaneous shops and facilities comprised of vending machines.

A primary focus of RSA is on increasing the number of vendors, the number of facilities, and the average annual earnings of vendors. RSA has established standards and performance indicators to encourage state agencies to increase average earnings of individuals in the program.

The data contained in table 9 were obtained from the Report of Vending Facility Program, Form RSA-15, for FY 2004. The total gross income for the program was \$488.5 million in FY 2004 compared to \$475.9 million in FY 2003, a 2.6 percent

increase. The total earnings of all vendors were \$103.6 million in FY 2004 and \$98.7 million in FY 2003, an increase of 4.9 percent. The national average annual earnings of vendors increased 4.5 percent to \$39,880 in FY 2004 from \$38,147 the previous year.

The number of vendors in FY 2004 was 2,584 compared to 2,631 in FY 2003, a decrease of 47 operators. There were 3,100 vending facilities in FY 2004 and 3,119 the previous year, a decrease of 19 facilities.

Table 9 Business Enterprise Program Outcomes, Fiscal Years 2003 and 2004

	2003	2004
Income and Earnings		
Gross Income ^a	\$475,886,540	\$488,509,896
Vendor Earnings	\$98,694,278	\$103,658,333
Average Earnings ^b	\$38,147	\$39,880
Number of Vendors		
Federal Locations	905	907
Non-federal Locations	1,726	1,677
Total Vendors	2,631	2,584
Number of Vending Facilities		
Federal Locations	1,096	1,106
Non-federal Locations	2,023	1,994
Total Facilities	3,119	3,100

^a Gross income is the amount of money received from consumers for goods and services sold and vending machine income.

^b Average earnings equals total vendor earnings divided by total number of vendor person-years which is calculated by adding the number of months each vendor worked (disregarding fractions of a month of two weeks or less) and dividing by 12.

Source: USED/RSA 2004g.

INDEPENDENT LIVING AND COMMUNITY INTEGRATION

The purpose of the independent living (IL) programs is to maximize the leadership, empowerment, independence and productivity of individuals with disabilities, and to integrate these individuals into the mainstream of American society. Title VII authorizes financial assistance to provide, expand and improve IL services; to develop and support statewide networks of centers for independent living; and to improve working relationships among state IL programs, centers for independent living, statewide independent living councils, other programs authorized by the act, and other federal, state, local and nongovernmental programs.

Independent Living Services Program Authorized Under Title VII, Chapter I, Part B of the Act Managed by the Special Projects Division of RSA

The State Independent Living Services (SILS) program provides formula grants, based on population, to states for the purpose of funding, directly and/or through grant or contractual arrangements, one or more of the following activities:

**FY 2004 Federal Funding
\$22,020,309**

1. Supporting the operation of Statewide Independent Living Councils;
2. Demonstrating ways to expand and improve IL services;
3. Providing IL services;
4. Supporting the operation of centers for independent living;
5. Increasing the capacity of public or nonprofit organizations and other entities to develop comprehensive approaches or systems for providing IL services;
6. Conducting studies and analyses, developing model policies and procedures, and presenting information, approaches, strategies, findings, conclusions and recommendations to federal, state and local policymakers;
7. Training service providers and individuals with disabilities on the IL philosophy; and
8. Providing outreach to populations that are unserved or underserved by IL programs, including minority groups and urban and rural populations.

To be eligible for financial assistance, states are required to establish a Statewide Independent Living Council (SILC) and to submit a state plan for independent living jointly developed and signed by the chairperson of the SILC and the director of the designated state unit.

The SILS program recently participated in the PART review conducted by OMB. The PART is designed to assess performance of federal programs and to develop methods to improve performance in order to achieve better results. The PART evaluation of the SILS program identified certain aspects of the program that needed improvement (USED/RSA 2004j). RSA has taken the following action in accordance with PART recommendations:

- Development of performance measures that address the following:
 - As a result of services provided directly by the SILS program, increase the percentage of consumers who report having access to (previously unavailable) transportation, appropriate accommodations to receive health care services, and/or assistive technology, resulting in increased independence in at least one significant life area.
 - Increase the percentage of consumers reporting satisfaction with the IL services they have received or are currently receiving.
 - Decrease the number of months between the states' data submission due date and RSA's review, analysis and release of data to the public.
- Development of a plan to revise the states' annual performance report forms to include new performance measures, improve data collection and reduce paperwork burdens.

Centers for Independent Living Program
Authorized Under Title VII, Chapter I, Part C of the Act
Managed by the Special Projects Division of RSA

The Centers for Independent Living (CIL) program provides grants to consumer-controlled, community-based, cross-disability¹⁰, nonresidential, private nonprofit agencies for the provision of independent living services. At a minimum, centers funded by the program are required to provide the following four independent living core services: information and referral;

FY 2004 Federal Funding
\$73,563,400

¹⁰ Cross-disability means: with respect to a center for independent living, that a center provides IL services to individuals representing a range of significant disabilities and does not require the presence of one or more specific significant disabilities before determining that an individual is eligible for IL services (according to the program regulations at 34 CFR 364.4).

Centers for Independent Living Program Accomplishments, Fiscal Year 2004

In FY 2004, centers for independent living nationwide served over 215,499 individuals with disabilities. A few examples of their beneficial impact on individuals follow:

- 2,864 individuals were relocated from nursing homes or other institutions to community-based living arrangements.
- 27,843 individuals were reported as having received services that prevented the necessity of their entering into nursing homes or other institutions.
- 94,271 individuals received independent living skills training and life skills training.
- 59,388 individuals received independent living services related to securing housing or shelter.
- 44,215 individuals received services related to transportation.
- 54,328 individuals received personal assistance services.

independent living skills training; peer counseling; and individual and systems advocacy. Centers also may provide, among other services: psychological counseling, assistance in securing housing or shelter, personal assistance services, transportation referral and assistance, physical therapy, mobility training, rehabilitation technology, recreation and other services necessary to improve the ability of individuals with significant disabilities to function independently in the family or community and/or to continue in employment.

The act establishes a set of standards and assurances that eligible centers are required to meet. To continue receiving CIL program funding, centers must demonstrate minimum compliance with the following evaluation standards: promotion of the independent living philosophy; provision of independent living services on a cross-disability basis; support for the development and achievement of independent living goals chosen by the consumer; efforts to increase the availability of quality community options for independent living; provision of independent living core services; resource development activities to secure other funding sources; and community capacity-building activities.

A population-based formula determines the total funding available for discretionary grants to centers in each state. Subject to the availability of appropriations, the RSA commissioner is required to fund centers that existed as of FY 1997 at the same level of funding they received the prior fiscal year and to provide them with a cost-of-living increase. Funding for new centers in a state is awarded on a competitive basis, based on the state's priority designation of unserved or underserved areas and the availability of funds within the state. In FY 2004, there were 344 centers for independent living operating nationwide that received funds under this program.

Centers for independent living are required to submit an annual performance report (USED/RSA 2004h). The report tracks sources, amounts and allocation of funds; numbers and demographic breakdowns of service recipients; services rendered and consumer outcomes achieved; program accomplishments as noted above; challenges; opportunities and other IL program activities within the state.

The CIL program also recently participated in the PART review conducted by OMB. The PART evaluation of the CIL program identified certain aspects of the program that needed improvement (USED/RSA 2004j). RSA has taken the following action in accordance with PART recommendations:

- Development of performance measures that include the following:
 - As a result of services provided directly by a CIL (including referral to another service provider), increase the percentage of CIL consumers who report having access to (previously unavailable) transportation, appropriate accommodations to receive health care services, and/or assistive technology, resulting in increased independence in at least one significant life area.
 - Through the provision of IL services (including the IL four core services), increase the percentage of CIL consumers who move out of institutions into a community-based setting.
 - Decrease the number of months between the CILs' data submission due date and RSA's review, analysis and release of data to the public.
- Plan to revise the CILs' annual performance report forms to include new performance measures, improve data collection and reduce paperwork burdens.
- Development of a plan to improve the fiscal and program site review system for CIL accountability in accordance with RSA's statutory oversight requirements.

Independent Living Services for Older Individuals Who Are Blind
Authorized Under Title VII, Chapter 2 of the Act
Managed by the Special Projects Division of RSA

The Independent Living Services for Older Individuals Who Are Blind Program delivers IL services to individuals who are 55 years of age or older, and whose significant visual impairment makes competitive employment extremely difficult to attain, but for whom IL goals are feasible. The program delivers services designed to improve the ability of older individuals who are blind to maintain a desired level of personal independence. The program includes services that assist an older individual who is blind in coping with activities of daily living and that help correct vision loss. It provides adaptive aids and services, orientation and mobility training, training in communication skills; Braille instruction; information and referral services; peer counseling; and individual advocacy instruction.

FY 2004 Federal Funding
\$31,811,200

The act provides that in any fiscal year in which appropriations to this program exceed \$13 million, grants will be made on a formula basis rather than on a discretionary basis.

Grants to state agencies for the blind or, in states that have no such agency, to state VR agencies have been made on a formula basis since FY 2000. States participating in this program must match every \$9 of federal funds with \$1 in nonfederal cash or in-kind resources in the year for which the federal funds are appropriated.

The program received an increase in federal funding from \$27,818,000 in FY 2003 to \$31,811,200 in FY 2004. This increasing support of the Title VII, Chapter 2 program promotes sustainability of the state-operated programs nationwide, and builds the capacity of states to address the vastly growing numbers of older individuals with blindness and visual impairment. Approximately one in six older individuals over the age of 65 experience age-related vision loss. In FY 2004, approximately 64,915 older individuals nationwide benefited from the independent living services provided through this program, an increase of 2,896 persons over the 62,019 persons served in FY 2003, but short of the projected target of 68,000. The average overall nonfederal support (in cash and in-kind) per state program in FY 2004 was approximately \$255,520, an increase from \$217,619 in FY 2003.

The program continued to see an increase in services delivered by state programs to consumers that have other severe or multiple disabilities in addition to a significant visual impairment. Preliminary results from a National Consumer Satisfaction Survey of Participants served under the Title VII, Chapter 2 program conducted by the Rehabilitation Research and Training Center on Blindness and Low Vision suggest that consumers are overwhelmingly satisfied with the quality of services (95 percent), the timeliness of services (93 percent), and with the program's ability to help them meet their independent living goals (90 percent). The full results of this evaluation will be available in FY 2006. Consistent with measuring outcomes as well as output, RSA is in the process of developing additional performance indicators for the program. These indicators will support the objective to increase the percentage of consumers receiving services who report having access to services and training needed to improve their ability to live more independently and participate fully in their home communities. This valuable program prolongs independence and quality of life for older Americans and provides an alternative to the costly investment in long-term institutionalization and care.

Recreational Programs
Authorized Under Section 305 of the Act
Managed by the Special Projects Division of RSA

The Recreational Programs are authorized under Section 305 of the act and implemented by the subsequent program regulations in 34 CFR Part 369.

The goal for the program is to provide recreation activities and related experiences for individuals with disabilities that can be expected to aid in their employment, mobility, independence, socialization and community integration.

FY 2004 Federal Funding
\$2,563,784

The program awards discretionary grants on a competitive basis to states, public agencies and nonprofit private organizations, including institutions of higher education. Projects funded under this program must provide recreational activities for individuals with disabilities in settings with peers without disabilities when possible and appropriate.

Grants are available for periods of up to three years. The federal share of the costs of the Recreational Program is 100 percent for the first year, 75 percent for the second year and 50 percent for the third. Projects funded under this program authority are required to provide a nonfederal match (cash or in-kind contribution or both) for year 2, at 25 percent of year 1 federal funding; and for year 3, at 50 percent of year 1 federal funding.

Table 10 Recreational Programs: Number of Grants, Fiscal Years 2000–04			
Fiscal Year	Continuations	New	Total
2000	16	9	25
2001	18	6	24
2002	15	10	25
2003	16	8	24
2004	18	8	26

Source: USED/RSA 2004h

The goal stated above includes an objective for Recreational Programs to sustain the activities initiated by the grant after federal funding ceases. This objective under the *GPRA* requirements is the only measurement currently used to demonstrate a tie between the mandated goal of the program and the needs of the communities where the grants are funded. Grantees must describe in their applications the manner in which the program will be continued after federal funding has ended. The latest data available relative to this objective come from grants that were closed from fiscal years 2001-03 and tracked one year later in FY 2004. Based on data obtained from the PPMD report, at least 20 of the 24 projects closed during this period (83 percent) continued in operation after federal funding ended (USED/RSA 2004i).

As an example of the types of projects funded in FY 2004, Imagination Stage, Inc. of Bethesda, Md., was awarded a grant for a project entitled “Imagine Working.” Imagination Stage is working with a partner, TransCen, Inc., to produce an educational film. The film, which features adult actors with disabilities, is designed to provide information and encouragement to job seekers with disabilities to help them prepare for job interviews successfully. The project employed six adult actors with cognitive, physical and developmental disabilities to attend rehearsals, planning sessions and film shoots twice a week from October 2004 through June 2005. A professional writer created the film script for a series of entertaining vignettes that provide practical information on interview techniques, appropriate dress, skills, and qualities employers seek in successful candidates. Three film segments were filmed under the direction of a professional filmmaker and the film was completed in July 2005. During year 2, onsite

workshops were conducted. Each participant in the workshops receives a video of the film. The program anticipates reaching thousands of individuals with entertaining and practical help in preparation for employment.

Another project funded in FY 2004 is located at Idaho State University (ISU). The project is entitled "An Integrated Challenge Activity Program Through Community and Business Partnerships." The project goal is to develop and implement a recreational challenge course activity program. Through these activities, participants are expected to increase physical fitness, confidence, positive group interaction, and leadership skills that are necessary to compete for employment opportunities. Project participants reflect as closely as possible the make-up of its target population, which includes individuals with disabilities in the 22 counties of southeast Idaho and a seven-state regional area. Since the challenge course was opened, eight groups of participants have been scheduled to utilize it. In addition, ISU marketing department students are working closely with the project to develop a marketing plan. So far, a Web page has been created and a Power Point presentation has been designed to educate businesses and service providers about the challenge course. Over the three years of the grant, more than 100 individuals with disabilities will increase their employability by using challenge course activities to build and enhance skills basic to successful employment. These include socialization, independence, community integration and increased mobility.

These projects and others funded under the Recreational Programs are helping individuals with disabilities to develop job-seeking, mobility and other important life skills.

TECHNICAL ASSISTANCE, TRAINING AND SUPPORT

RSA operates and provides funding for a number of programs that support the central work of the VR program. These support programs frequently are discretionary programs that have been established to provide funding for addressing new and emerging needs of individuals with disabilities. They may, for example, provide technical assistance for more efficient management of service provision, open opportunities for previously underserved populations, initiate partnerships with the business community, and help establish an atmosphere of independence and self-confidence among individuals with disabilities that fosters competitive employment. They include training efforts designed to qualify new personnel and expand the knowledge and skills of current professionals through recurrent training, continuing education and professional development.

Program Improvement Authorized Under Section 12 of the Act Managed by the Office of the Commissioner of RSA

Program Improvement funds allocated under Section 12 are used to support activities that increase program effectiveness, improve accountability, and enhance this agency's ability to

FY 2004 Federal Funding
\$888,725

address issues of national significance in achieving the purposes of the act. Program funds are awarded through grants and contracts and may be used to procure expertise to provide short-term training and technical instruction; conduct special projects and demonstrations; develop, collect, prepare, publish and disseminate educational or information materials; and carry out monitoring and evaluation activities.

Under this section of the act, the RSA commissioner is authorized to provide technical assistance and consultative services to public and nonprofit private agencies and organizations, including assistance to enable such agencies and organizations to facilitate meaningful and effective participation by individuals with disabilities in workforce investment activities.

Since FY 1997, these funds have been channeled through a contract establishing the National Vocational Rehabilitation Technical Assistance Center (NVRTAC). This service-delivery mechanism allows RSA great flexibility in undertaking a variety of approaches to address long-standing, nationwide areas of interest and need. Under this umbrella contract, funds are used to support projects through subcontracts and task order agreements that vary in duration and cost. Such subsidiary engagements have involved a wide range of servicing firms whose expertise and experience provide a needed supplement to the in-house resources available to most public VR agencies.

Successful projects have been completed in many areas where VR agencies would normally lack sufficient internal expertise. Many of these largely resulted in improvements in a state VR agency's infrastructure or its overall ability to serve its consumers. The projects varied in their complexity, focus, and dimensions. Problem areas ranged from the assessment of data processing needs, as a first step in deciding between alternative paths in system development, to investigating potential barriers to participation in programs serving individuals with disabilities. Several projects involved the customization of existing commercially available software to serve better the particular practices, or usage needs, of a specific state VR agency. Other projects focused on the development of improved methods for identifying and engaging potential employers, or for readying and placing clients in employment. The agencies that benefited from these projects have found that by utilizing external expert consultant services they have successfully resolved problems that would have otherwise remained obstacles to improving service delivery.

For FY 2004, RSA modified the fundamental emphasis and direction of its efforts under this authority. Previously RSA primarily focused on providing technical assistance to state VR agencies, in response to submitted proposals that identified specific problems. While this approach proved useful in dealing with difficulties confronted by particular VR agencies, solutions generated were not applicable to systemic needs. Consequently, in order to accomplish longer lasting and more meaningful systemic change, RSA now initiates and directs the projects undertaken. By focusing on broader goals, RSA seeks overall program improvement through a proactive strategy.

The program improvement projects initiated by RSA have primarily addressed the need to leverage program resources to address VR issues, as well as the need to enhance accountability and assure practical results. Partnership, outreach, and accountability have been the predominant themes in guiding these efforts.

To better address the long-standing problems of Native Americans who have been underserved, RSA funded a 5-year grant to the Mississippi Band of Choctaw Indians to provide independent living services to its members. Extending support under this authority constitutes an unprecedented outreach. Because tribal governments are ineligible for funding by the conventional Independent Living centers program, this effort demonstrates RSA's determination to extend program benefits to individuals despite demographic barriers. This project will provide direct services such as peer counseling, self-advocacy and independent living skills training. In addition, it will serve as a clearinghouse for information about tribal services and resources for people with disabilities, as well as assist them in accessing services.

Efforts to strengthen accountability have led to projects that assure data accuracy, sharpen RSA's internal oversight and planning, revamp its process for monitoring the progress of state VR agencies, and improve RSA's understanding of project and service success factors.

To allow for the more timely and confident use of data in managing the overall VR program, RSA provided support under this authority to develop an automated program that evaluates data submitted to RSA in each state agency's annual reporting regarding individual case management. This error detection software will be used both internally by RSA and will be made available online, so that state VR agencies may download it, evaluate the quality of their accumulated data throughout the reporting period, and make any needed corrections prior to final submission to RSA.

Additionally, RSA devoted substantial support to improve assessment of its own progress. Through the development of a strategic performance plan RSA hopes to achieve greater effectiveness in directing resources to practices and interventions that have been proven to have a positive effect on increasing high-quality employment outcomes for people with disabilities. In particular, this plan will develop better methods for assessing the performance of state VR agencies, setting challenging performance goals that recognize variations in economic conditions, and modifying current evaluation standards and indicators to identify gradations of success and efficiency. In a similar vein, RSA has also committed Section 12 funding to study factors that affect results in current literacy demonstration projects.

RSA has also used Section 12 funding to begin the redesign of the system used to monitor the performance of state VR agencies. The redesign process demonstrates RSA's emphasis on outreach and partnership by involving key stakeholders in shaping the new monitoring system. The plans for the new system call for it to be performance based, and to establish a state-level network of partners who can assist RSA in identifying operational shortcomings in current monitoring practices. The progress of the development of the redesigned monitoring system will be reported on in the FY 2005 annual report.

Capacity-building for Traditionally Underserved Populations

Authorized Under Section 21 of the Act

Managed by the Resource Development Division of RSA

Section 21 of the act requires RSA and NIDRR to ensure that individuals with disabilities from minority backgrounds have equal access to programs authorized by the act. In order to implement this

mandate, RSA and NIDRR must reserve 1 percent of funds appropriated each year for programs under Titles II, III, VI, and VII to make awards to minority entities and Indian tribes to carry out activities under the act, including to support capacity-building projects designed to provide outreach and technical assistance to minority entities and American Indian tribes and to make awards to minority entities and Indian tribes to carry out activities under the act. In FY 2004, \$2,551,835 was reserved from programs administered by RSA under Titles III, VI, and VII; and \$1,066,520 was reserved from NIDRR programs under Title II (see page 74) and awarded (see page 77).

**FY 2004 Federal Funding
\$2,551,835**

The 1998 amendments to the act define a “minority entity” as “a historically Black college or university, a Hispanic-serving institution of higher education, an American Indian tribal college or university, or another institution of higher learning whose minority student enrollment is at least 50 percent.” Capacity-building projects are designed to expand the service-providing capabilities of these entities and increase their participation in activities funded under the act. Training and technical assistance activities funded under the act may include training on the mission of RSA, RSA-funded programs, disability legislation, and other pertinent subjects, to increase awareness of RSA and its programs.

In FY 2004, RSA awarded 11 continuation grants under the RSA Rehabilitation Capacity-building Program. One grant was awarded to a Hispanic-serving institution of higher education under the Capacity-building Community Rehabilitation Program area; two were awarded to historically Black universities to establish new rehabilitation training programs; and eight were awarded in the in the area of Capacity-building and Outreach to Minority Entities, of which three were minority institutions of higher education and one a minority-owned organization.

In addition, two supplements were awarded to a capacity-building project in FY 2004. One supplement sponsored training workshops and traineeships at the annual conference of the National Association on Multicultural and Rehabilitation Concerns Conference. Forty persons were sponsored to participate in workshops focusing on vocational rehabilitation and independent living programs. The other supplement carried out the Leadership Initiative. This initiative consisted of a four-day training conference and community-based leadership activities. Training was provided to 40 participants through a nomination and selection process. Nominations were sent to approximately 790 organizations involved in disability legislation, independent living, civil rights, service delivery to individuals and parent groups. Key components of the training include the delivery of six training modules by a nationally recognized group of training professionals. The training modules include disability legislation, group building and dynamics, group facilitation, networking, identification of community resources, disability awareness, diversity awareness, grant development and grant management.

Completion of the training modules was followed by the development of a Personal Action Plan. The plans are based on the interest of the trainee. Trainees are required as a condition of their selection, to work on projects to improve the inclusion of people with disabilities within their respective communities. The projects include community education and awareness, access to transportation, access to housing, technology, as well as other areas of interest and need for people with disabilities.

Trainees were also exposed to a variety of leaders from the disability field who served as guest speakers and consultants. The National Leadership Training gives participants the many tools they need to effectively advocate within their communities and improve the inclusion of people with disabilities.

Rehabilitation Training Program
Authorized Under Section 302 of the Act
Managed by the Resource Development Division of RSA

The purpose of the Rehabilitation Training program, also known as the RSA training program, is to ensure that skilled personnel are available to serve the rehabilitation needs of individuals with disabilities assisted through VR, supported employment and independent living programs. To that end, the program supports training and related activities designed to increase the number of qualified personnel trained in providing rehabilitation services.

FY 2004 Federal Funding
\$38,138,711

Grants and contracts under this program authority are awarded to states and public and nonprofit agencies and organizations, including institutions of higher education, to pay all or part of the cost of conducting training programs. Awards can be made in any of 31 long-term training fields, in addition to areas of continuing education, short-term training, experimental and innovative training and training interpreters for persons who are deaf or hard-of-hearing and persons who are deaf-blind. These training programs vary in terms of content, methodology and audience.

The long-term training program supports academic training grants that must direct 75 percent of the funds to trainee scholarships. The statute requires trainees who receive assistance either to work two years for every year of assistance in public or private nonprofit rehabilitation agencies or related agencies, including professional corporations or professional practice groups that have service arrangements with a state agency, or to pay back the assistance they received. Grant recipients under the long-term training program are required to build closer relationships between training institutions and state VR agencies; promote careers in VR; identify potential employers who would meet the trainee's payback requirements and assure that data on the employment of students are accurate.

Training of statewide workforce systems personnel is authorized under this program, and may be jointly funded with the Department of Labor (DOL). Statewide workforce systems personnel may be trained in evaluative skills to determine whether an individual with a disability may be served by the VR program, or another component of the statewide workforce system. Of the funds appropriated for the Rehabilitation Training Program, 15 percent must be used to support in-service training. In-service training is intended to assist state VR agencies in the training of their staff consistent with the state's Comprehensive System of Personnel Development (CSPD).

Under Title I of the act, each state is required to establish procedures to ensure there is an adequate supply of qualified staff for the state agency, assess personnel needs and make projections for future needs and address current and projected personnel training needs. States are further required to develop and maintain policies and procedures for job-specific personnel standards that are consistent with national or state-approved certification, licensure, registration requirements, or, in the absence of these

requirements, other state personnel requirements for comparable positions. If a state's current personnel do not meet the highest requirements for personnel standards within the state, the CSPD must identify the steps the state will take to upgrade the qualifications of its staff, through retraining or hiring. Funds under the VR program may also be used to comply with these requirements.

In FY 2004 RSA awarded nearly \$3 million in CSPD grants to help retrain VR counselors to comply with the state degree standard. During FY 2004 the Rehabilitation Training Program made 79 in-service training awards to state VR agencies totaling \$5.9 million to assist efforts to train VR staff nationwide. The Rehabilitation Training Program continued to play a critical role in helping state VR agencies develop and implement their CSPD standards for hiring and training qualified rehabilitation professionals in their respective states.

The RSA training program is very active in leading universities and state VR agencies in an effort to increase the pool of qualified VR counselors available to state agencies. As large numbers of existing counselors are reaching retirement age, the RSA training program is targeting more of its resources toward preservice-counselor training to expand the pool of potential candidates. The Rehabilitation Training Program provides both leadership and assistance to the national initiative to develop Rehabilitation Professional Recruitment Plans in RSA regions to recruit students into counselor training programs, and to recruit graduates of these training programs into state VR agencies. It also funded an evaluation of the responsiveness of the program to VR needs, with a special focus on meeting the person-power needs of the VR system. Results are expected in FY 2006.

The program also sponsors an annual conference of educators and state agencies to discuss human resource issues and solutions. The focus of the FY 2004 conference was on improving recruitment into rehabilitation professions and recruitment of graduates into state VR agencies. RSA program managers also meet regularly with educators, accrediting bodies and state agencies to develop and implement effective strategies for increasing the recruitment pool for state VR agencies.

GPRA Performance Indicators

The RSA training program has two objectives and three indicators upon which grantees report (USED/RSA 2003c). Summaries of data on these indicators appear below.

Objective a: To provide graduates who work within the VR system to help individuals with disabilities achieve their goals.

Indicator 1: Numbers Trained: The number of students supported by RSA scholarships and the number of RSA scholars graduating will remain stable.

In FY 2003, the number of scholars supported by RSA scholarships increased slightly from 2,232 in FY 2002 to 2,378 in FY 2003. The number of scholars graduating decreased slightly from 812 in FY 2002 to 802 in FY 2003. These figures reflect the fact that RSA is supporting more part time scholars as state agency counselors return to school to obtain their Master's degrees (hence more students) and the fact that the budget for the RSA training program has decreased slightly while tuition rates continue to climb (hence fewer graduates). The FY 2003 performance exceeds performance targets of 2050 scholars and 725 graduates.

Indicator 2: Percentage Working: The percentage of graduates fulfilling their payback requirements through acceptable employment will increase annually.

In FY 2003, the percentage of graduates fulfilling their obligation through acceptable employment decreased slightly (to 82 percent from 85 percent in FY 2002), but remains well above earlier levels such as 72 percent in FY 2000 and 71 percent in FY 2001. The FY 2003 figures exceed the targets of 72 percent. Given that the demand for counselors exceeds the number of graduates produced by counselor training programs, the 82 percent figure reflects strong performance by the RSA training program. To increase the numbers further, university training programs will need to generate more graduates. This is unlikely in the immediate future due to limited funding.

Objective b: Maintain and upgrade the knowledge and skills of personnel currently employed in the public VR system.

Indicator 1. Qualified Personnel: The percentage of currently employed VR state agency counselors who meet their state's CSPD standard will increase annually.

The percentage of staff that met their state's standard increased from 65 percent in FY 2002 to 67 percent in FY 2003. This trend may shift

downward in the near future as younger counselors replace seasoned counselors who are expected to retire in the coming years.

Allocations

The allocation of rehabilitation training grant funds for FY 2004 is shown in table 11 below. Funds have been shifted to programs designed to meet the critical need of training current and new counselors to meet state agency personnel needs as retirement levels increase.

Table 11 Rehabilitation Training Projects: Numbers and Funding Amounts, by Type of Project, Fiscal Year 2004

	Number of Awards FY 2004	Grant Amount (\$)
Long-Term Training		
Medical Rehabilitation	1	65,147
Rehabilitation Counseling	67	8,575,911
Rehabilitation Administration	4	399,959
Rehabilitation Engineer	3	299,950
Vocational Evaluation/Adjustment	9	884,906
Rehabilitation of Mentally Ill	7	699,834
Rehabilitation Psychology	2	199,970
Undergraduate Education	19	1,310,978
Rehabilitation-of-the Blind	14	1,399,556
Rehabilitation-of-the Deaf	11	1,046,415
Job Development/Placement	10	996,886
CSPD Priority	12	2,802,966
<i>Long-Term Training Totals</i>	<i>159</i>	<i>\$18,682,478</i>
Other		
Short-Term Training	2	449,992
Continuing Education	3	279,959
In-Service Training	79	5,873,934
Interpreter Training	12	2,105,274
Experimental & Innovative	3	297,710
Clearinghouse	1	300,000
RRCEP: General & CRP	21	9,796,630
TOTALS	280	\$37,785,977

Source: USED/RSA 2004h

Institute on Rehabilitation Issues

The RSA training program supports the Institute on Rehabilitation Issues (IRI), an annual activity that funds the University of Arkansas and George Washington University to coordinate two separate study groups composed of experts from all facets of the VR program, who come together to discuss and debate contemporary VR service delivery

challenges, and then to develop and disseminate publications that are used in training VR professionals, and as a technical assistance resource for other stakeholders in the VR program. For 57 years, the IRI has served to exemplify the unique partnership between the federal and state governments, the university training programs, and persons served by the VR agencies. The IRI publications are posted on the two university Web sites where they are readily accessed by persons interested in the topics. The two publications released during FY 2004 are: *Investing in the Transition of Youth with Disabilities to Productive Careers* (IRI 2004a) from the 28th IRI in 2001 and *Contemporary Issues in Orientation and Mobility* (IRI 2004b) from the 29th IRI in FY 2002. VR counselors obtain continuing education credits applicable to maintaining their certification as Certified Rehabilitation Counselors by completing a questionnaire based on the content of an IRI publication.

IRI Topics Studied During 2004–05

- Consumer Organizations: Important Resources for Vocational Rehabilitation
- Leading and Managing Change in Public Vocational Rehabilitation

EVALUATION, RESEARCH AND INFORMATION DISSEMINATION

To improve the delivery of services to individuals with disabilities, the act requires the distribution of practical and scientific information regarding state-of-the-art practices, scientific breakthroughs and new knowledge regarding disabilities. To address those requirements, RSA funds and promotes a variety of research and demonstration programs, training programs and a range of information dissemination projects designed to generate and make available critical data and information to appropriate audiences.

Program Evaluation Authorized Under Section 14 of the Act Managed by the Office of the Commissioner of RSA and the Planning, Policy and Evaluation Staff of RSA

Section 14 mandates that RSA evaluate all programs authorized by the act using appropriate methodology and evaluative research design. The purpose of this mandate is to evaluate program

FY 2004 Federal Funding
\$988,135

effectiveness in relation to cost, impact on related programs, and structure and mechanisms for delivery of services. The act further requires that (1) standards be established and used for evaluations, and (2) evaluations be conducted by individuals who are not immediately involved in the administration of the program or project to be evaluated. RSA relies significantly on evaluation studies to obtain information on the operations and effects of the programs it administers and to help make judgments about the programs' levels of success and decisions on how to improve them.

RSA continued to fund five existing studies:

- ***Design of a Second Longitudinal Study of the VR Services Program*** (RTI forthcoming, b):

The purpose of this activity is to design a new longitudinal study. It has been five years since the main data collection terminated for the earlier longitudinal study. The new longitudinal study will focus on the experiences of individuals who have completed VR services — particularly their contributions to society, need for services, and ability to maintain and advance in employment. A literature review has been conducted, input has been obtained from a panel of experts and stakeholders, and draft data collection instruments and methods have been developed. The final report was completed in March 2005 and is being used to develop the new longitudinal study.

- ***Assisting RSA Discretionary Grantees to Implement the Common Measures for Employment and Training Programs*** (RTI forthcoming, c):

The Department is partnering with six other federal agencies on a new Job Training Common Measures (CM) initiative. Under this initiative, four common measures have been identified that clarify core goals of the federal job training programs. RSA is responsible for four employment and job-training-related programs under this initiative including the VR program (including the Supported Employment Services Program) and three smaller programs. The three smaller programs are the AIVRS Program, the Migrant and Seasonal Farmworkers Program and the Projects With Industries Program.

The purpose of this activity is to assess existing grantee capacity to obtain the data required to implement the CM and to suggest to the Department options each program might pursue to enhance its capacity for complete and accurate reporting. For a number of reasons, we expect that grantees under these programs may have difficulty in implementing the CM. For example, many of these small organizations may not have access to the unemployment insurance (UI) wage data system, experience using it, or the capacity to collect and report the data.

- ***Providing Technical Support for Reauthorization Issues and Standards and Indicators*** (RTI forthcoming, d):

This project is designed to respond to requests for information and to provide policy analyses related to the reauthorization of the act and also to support current and new evaluation standards and indicators for all programs authorized by the act. A two-year contract was awarded in FY 2002. The contract provided for an optional third year of support that RSA has exercised.

- ***Evaluation of the Pre-Service Training Program*** (AIR forthcoming):

The purpose of the study is to assess the impact of the RSA Training Program on meeting state VR agencies' demand for rehabilitation counselors with qualifications that meet the standards stipulated in the CSPD plan. Part of the mission of the RSA training program is to ensure an adequate supply of counselors with qualifications that meet the CSPD standards. To fulfill the mission, the RSA training program awards scholarship grants to university-based training programs across the country. Students who receive these scholarships are obligated either to reimburse the program financially or to work two years in state VR agencies or other qualified settings for each year of support received. This activity was initiated in FY 2000. The main work on the study was completed in FY 2003, but the study has been extended to allow the Department to produce additional reports for the use of the Department and state VR agencies.

- ***An Evaluation of the Florida Privatization Initiative*** (RTI forthcoming, e):

The Florida VR agency is testing a privatized model of service delivery in several local workforce regions. The study will describe the early implementation of the Florida privatized service delivery model, and it will also document the lessons to be learned about the successes and difficulties in transitioning to a privatized service delivery

model. The study was initiated in FY 2001 but later interrupted while the state reorganized the privatization effort. A final report is expected in FY 2007.

Three new studies were initiated in FY 2004:

- ***An Assessment of Transition Practices in State Vocational Rehabilitation Agencies*** (The Study Group forthcoming):

The purpose of this study is to provide the Department with a descriptive national picture of transition policies and practices among state VR agencies, including the amount and source of resources supporting such practices; and to identify policy issues and promising state practices in the provision of transition services. This study will focus on the population of individuals with disabilities aged 14 and over who are transitioning from secondary school (or equivalent educational institution) to post-school activities, including postsecondary education or training and employment. This is a two-year contract and the final report is expected in FY 2007.

- ***Power Analysis for Evaluation of Literacy Demonstration Projects*** (Mathematica 2004):

The Department awarded five 5-year grants in September of 2003 under its demonstration authority that were designed to demonstrate whether the provision of specific literacy services may raise the literacy levels and consequently the earnings of individuals with disabilities compared to individuals who receive the usual VR services. The Department then awarded this contract to provide for a power analysis to determine sample sizes needed to properly evaluate if the literacy interventions were effective.

- ***Evaluation of Projects Demonstrating the Use of Literacy Services by State VR Agencies to Improve the Earnings of Individuals with Disabilities*** (DAI forthcoming):

The Department is currently supporting five model projects to demonstrate the effect that the provision of specific literacy services has on the earnings outcomes of targeted groups of VR consumers (see above). The above-referenced power analysis provided parameters for the development of this five-year procurement. The purpose of this evaluation is to assess whether instruction in the Wilson Reading System and provision of relevant support services has an impact on the literacy skills, utilization of postsecondary education, employability, and earning and benefits of VR consumers with poor literacy skills, particularly individuals with learning disabilities. A final report is expected in September 2009.

American Rehabilitation Magazine
Authorized Under Section 12(a)(4) of the Act
Managed by the Office of the Commissioner, RSA

Through the *American Rehabilitation Magazine*, RSA disseminates information on new and successful approaches to providing rehabilitation services to individuals with

disabilities that can and should be replicated. The magazine addresses topics related to VR, such as best practices in the performance of professional duties, innovative programs, agency administrative practices and research findings. The magazine also features book and film reviews, resources on disability and rehabilitation, information regarding what individual states are doing and other items of interest to rehabilitation professionals.

In recent years, the magazine has devoted a number of issues to one specific disability or a specific approach to rehabilitation. Articles appearing in the FY 2004 issue, which was the last issue to be published, focused on Empowerment. The circulation went to 2,191 entities that included various types of libraries; universities and colleges; state departments of vocational rehabilitation, education and labor; Client Assistance Program and Protection and Advocacy of Individual Rights offices; various national associations for different disabilities; various research centers and institutes; presidential committees and commissions on various disabilities; American Indian VR agencies; other federal agencies; and various individuals who work in disability areas. The magazine is distributed to all 56 states* as well as to various foreign countries.

Information Clearinghouse
Authorized Under Section 15 of the Act
Managed by the Office of Special Education
and Rehabilitation Services

The National Clearinghouse of Rehabilitation Training Materials (NCRTM) responds to inquiries and provides the public with information about what is going on in the rehabilitation community. Inquiries usually come from individuals with disabilities, their families, national organizations, other federal and state agencies, information providers, the news media and the general public. Most inquiries are related to federal funding, legislation affecting individuals with disabilities and federal programs and policies. NCRTM staff refers callers to other appropriate sources of disability-related information and assistance.

Periodically, the NCRTM staff will analyze inquiries to assess current information needs. Based on that analysis, fact sheets and other relevant publications are prepared and made available to the public.

During FY 2004 the NCRTM shipped approximately 2,486 orders of training materials. The total mailings of printed newsletters in FY 2004 totaled approximately 18,422, representing a 23.6 percent decrease in the number of similar mailings since FY 2003. E-newsletter subscriptions for FY 2004 totaled 2,086, representing a 16.5 percent decrease in the utilization of this resource. The relative decline in the overall number of orders shipped during FY 2004 can be directly traced to the period when the entire NCRTM program relocated to a larger off-campus location of the Oklahoma State

* See definition of *state* in footnote 3 on page 11.

University. Please note that when compared on a per issue basis, both the number of print and email subscribers per issue in FY 2004 was overall greater than in FY 2003 (i.e. two percent greater per print issue and 11 percent greater per email issue.)

The launch of the new NCRTM Web site garnered numerous compliments concerning its ease of use and design. The Web site was located at Oklahoma State University (OSU), but as of May 1, 2006 has been moved to Utah State University at <http://ncrtm.ed.usu.edu/>. We are considering the revision a success. OSU also developed an online gateway resource and career exploration Web site for obtaining current information related to the many exciting careers and opportunities in the field of vocational rehabilitation. The average number of hits for this Web site — www.rehabjobs.org — was approximately 5,657 hits per month. The number of hits for the OSU Web site and the careers Web site combined was approximately 104,289 per month during FY 2004.

National Institute on Disability and Rehabilitation Research
Authorized Under Sections 200–204 of the Act
Managed by the Office of Special Education
and Rehabilitative Services

Created in 1978, the National Institute on Disability and Rehabilitation Research (NIDRR) conducts comprehensive and coordinated programs of research, demonstration projects, training and related activities that promote: full inclusion and integration into society; employment; independent living; maintenance of health and function; and the transfer of rehabilitation technology to individuals with disabilities. NIDRR activities are designed to improve the economic and social self-sufficiency of these individuals, with particular emphasis on improving the effectiveness of services authorized under the act.

FY 2004 Federal Funding
\$110,000,000

The primary role of NIDRR is to provide a comprehensive and coordinated program of research and related activities to advance knowledge (i.e., short-term outcomes¹¹), and inform and improve policy, practice and system capacity (i.e., intermediate outcomes¹²) designed to maximize the inclusion and social integration,

¹¹ Short-term outcomes, as defined in the NIDRR final long-range plan for fiscal years 2005-09 (USED/NIDRR 2006), refer to advancements in understanding, knowledge skills, and learning systems that result from the successful implementation of program activities and the use of program outputs. Within the context of disability and rehabilitation research, the NIDRR long-range plan and Logic Model identify three short-term outcome arenas, corresponding to the agency's strategic goals and investments in the functional program areas of: (1) capacity-building; (2) research and development; and (3) knowledge translation.

¹² Intermediate outcomes refer to changes in policy, practice, behavior and system capacity that occur in part as a result of the external use of adoption of NIDRR-funded outputs and advances in knowledge. Unlike short-term outcomes, intermediate outcomes are under the indirect influence of program activities and outputs, and because of this NIDRR can only partially influence these outcomes, and thus cannot be held accountable to the same degree as for short-term outcomes (USED/NIDRR 2006).

health and function, employment and independent living of individuals of all ages with disabilities.

To address these purposes, NIDRR supports rehabilitation research and development centers, demonstration projects and related activities, including the training of persons who provide rehabilitation services, or who conduct rehabilitation research. In addition, NIDRR supports projects to disseminate and promote the use of information concerning developments in rehabilitation procedures, methods and devices. Information is provided to rehabilitation professionals, persons with disabilities and their representatives.

NIDRR also supports data analyses on the demographics of those with disabilities and provides that information to policymakers, administrators and other relevant groups. Awards are competitive, with applications reviewed by panels of experts, including rehabilitation professionals, rehabilitation researchers and persons with disabilities.

NIDRR's Research Program Mechanisms

NIDRR invests in the following types of centers and projects:

Rehabilitation Research and Training Centers

Rehabilitation Research and Training Centers (RRTCs) conduct coordinated, integrated and advanced programs of research, training, and information dissemination in general problem areas that are specified by NIDRR. More specifically, RRTCs conduct research to improve rehabilitation methodology and service delivery systems, to alleviate or stabilize disabling conditions, and promote maximum social and economic independence for individuals with disabilities; provide training, including graduate, preservice and in-service training to assist rehabilitation personnel to more effectively provide rehabilitation services to individuals with disabilities; and serve as centers of national excellence in rehabilitation research for providers and for individuals with disabilities and their representatives. RRTCs develop methods, procedures and rehabilitation technology that maximize the full inclusion and integration into society, employment, independent living, family support, and economic and social self-sufficiency of individuals with disabilities, especially those with significant disabilities. Awards are for five years, except that grants to new recipients or to support new or innovative research may be made for less than five years.

A specific example of an intermediate outcome is the development and influence of a new policy statement adopted by the Medical Advisory Board of the National Multiple Sclerosis (MS) Society that recommends rehabilitation as a necessary component of quality health care for people with MS at all stages of the disease.¹³

¹³ Rehabilitation Research and Training Center on Multiple Sclerosis at the University of Washington, Seattle, WA (George Kraft, M.D., principal investigator).

Another intermediate outcome was the development with joint funding from the Centers for Disease Control and Prevention of a “Living Well with a Disability” health education curriculum, based on peer mentoring, that was adopted by the Inland Empire Health Plan, a not-for-profit Medicaid Health Plan serving 275,000 Californians from Riverside and San Bernardino counties including 9,500 individuals with disabilities.¹⁴

Rehabilitation Engineering Research Centers

Rehabilitation Engineering Research Centers (RERCs) focus on issues dealing with rehabilitation technology, including rehabilitation engineering and assistive technology devices and services. Activities include developing and disseminating innovative methods of applying advanced technology, scientific achievements, and psychological and social knowledge to solve rehabilitation problems and remove environmental barriers; developing and disseminating technology designed to lessen the effects of sensory loss, mobility impairment, chronic pain and communications difficulties; scientific research to assist in meeting the employment and independent living needs of individuals with significant disabilities; service-delivery-systems-change projects; and stimulating the production and distribution of equipment in the private sector, as well as clinical evaluations of equipment. Each RERC must provide training opportunities to enable individuals, including individuals with disabilities, to become researchers and practitioners of rehabilitation technology. Awards are for five years, except that grants to new recipients or to support new or innovative research may be made for less than five years.

An intermediate outcome was the contribution to the development of 35 new state and local visit-ability programs across the U.S. that incorporate an affordable, sustainable and inclusive design approach for integrating basic accessibility features into all newly built homes.¹⁵

Another intermediate outcome was the contribution to the development of new policy through the publication of a book on universal design that has been disseminated nationwide and adopted by the New York City Department of Design and Construction as the official guide for all architects working for the city.¹⁶

A third intermediate outcome was the development and testing of a Web-based video conferencing protocol, which introduces assistive and computer technology into the home setting. The protocol was demonstrated in randomized controlled trials to be effective in reducing decline in independence, pain, and costs of hospitalization and nursing home services and was adopted by the U.S. Veterans Health Administration for their tele-homecare and care coordination program nationwide.¹⁷

¹⁴ Rehabilitation Research and Training Center on Rural Rehabilitation, University of Montana, Bozeman, MT (Tom Seekins, Ph.D., principal investigator).

¹⁵ Rehabilitation Engineering Research Center on Universal Design at the State University of New York at Buffalo, School of Architecture and Planning (Edward Steinfeld, Arch.D., principal investigator).

¹⁶ Rehabilitation Engineering Research Center on Universal Design at the State University of New York at Buffalo, School of Architecture and Planning (Edward Steinfeld, Arch.D., principal investigator).

¹⁷ Rehabilitation Engineering Research Center on Technologies for Successful Aging, University of Florida, Gainesville, FL (William Mann, Ph.D., OTR, principal investigator).

A significant short-term outcome was the awarding of a new patent (U.S. Patent No. 09/921,328) for an innovative plaster-less prosthetic socket fabrication technique to improve delivery of rehabilitation services for amputees in underdeveloped regions of the world and low-income areas of the United States. The effectiveness of this system, which provides significant savings in time and cost of fabricating sockets for transtibial amputees compared with conventional socket fabrication based on plaster materials, was validated in a May 2004 independent study conducted by the International Society for Prosthetics and Orthotics.¹⁸

Another significant short-term outcome was the filing of six patents in FY 2004 for “smart phone” based inventions designed to improve safety, health monitoring, medication compliance, and independence for elders with disabilities living in their own homes. Examples include: iSecure: A Smart Phone Based Home Security and Control System (UF No. 11199) mPCA: A Mobile Assistance for Cognitive Impaired Elders Using Smart Phones (UF No. 11201); and A smart Phone Based Appliance Control and Voice Messaging Alerts for Home Events (UF No. 11198).¹⁹

Disability and Rehabilitation Research and Related Projects

The Disability and Rehabilitation Research and Related Projects (DRRPs) program supports projects with a special emphasis on research, demonstration, training, dissemination, utilization, and technical assistance, or on combinations of these activities. The purpose of the program is to plan and conduct research, demonstration projects, training and related activities to develop methods, procedures, and rehabilitation technology that maximize the full inclusion and integration into society, employment, independent living, family support, and economic and social self-sufficiency of individuals with disabilities and to improve the effectiveness of services authorized under the act.

There are four types of DRRPs: (1) Knowledge Dissemination and Utilization (KDU) projects, described below; (2) Model Systems in Traumatic Brain Injury and Burn Injury, described below under “Model Systems;” (3) Disability and Business Technical Assistance Centers (DBTACs) projects, described below; and (4) research projects. The first three types of DRRPs are managed as separate programs and discussed in the sections immediately following. The fourth — research DRRPs — are discussed here. They differ from RRTC and RERC projects in that they have no training requirement and support short-term research relating to the development of methods, procedures and devices to assist in the provision of rehabilitation services, particularly to persons with significant disabilities. Awards are for five years, except that grants to new recipients or to support new or innovative research may be made for less than five years.

¹⁸ Invented by Yeonghci Wu, M.D., associated with the Rehabilitation Engineering Research Centers on Improved Technology Access for Landmine Survivors and on Prosthetics and Orthotics, located at Northwestern University, Chicago, IL (Dudley Childress, Ph.D., principal investigator).

¹⁹ Invented by Sumi Helal, Ph.D., co-principal investigator for the Rehabilitation Engineering Research Center on Technologies for Successful Aging, University of Florida, Gainesville, FL (William Mann, Ph.D., OTR, principal investigator).

An intermediate outcome from a research DRRP was the successful contribution to congressional legislation requiring that construction projects funded by U.S. Agency for International Development in Afghanistan provide access to individual with disabilities.²⁰

A short-term outcome was the development of an online bibliographic database of international rehabilitation research with 25,000 citations designed to foster exchange and collaboration, which between FY 2001 and FY 2004 was adopted by 100 major research libraries and research centers, including authoritative portals such as The Librarian's Index to the Internet.²¹

Another short-term outcome was the development of three new tools for quantifying accessibility and measuring the outcomes of assistive technology (AT) use by individuals with disabilities in natural settings, which was utilized by an Ohio Department of Education program to obtain effectiveness data from more than 4,000 students who received AT services.²²

A third short-term outcome was the development of a new measurement tool to assess the effects of AT use on community living and participation (i.e., the AT Participation Measurement Battery), which is being used to track the effects of changes in Medicaid on the lives of people with mobility impairments and has been adopted by nine IL centers from Missouri to improve AT device assessment, acquisition and reimbursement.²³

Knowledge Dissemination and Utilization

NIDRR's KDU projects support information utilization and dissemination, including state-of-the-art assessments and diffusion centers, to ensure that knowledge generated from research is available and can be fully used to improve services, opportunities and conditions for persons with disabilities. Through this program, NIDRR reaches its many constituencies of research scientists, people with disabilities and their families, service providers, policymakers, educators, human resource developers, advocates, entities covered by the ADA, and others. In carrying out this part of NIDRR's mission, the agency's challenge is to reach diverse and changing populations, to present research results in many different and accessible formats, and to use technology appropriately. Not only does NIDRR require grantees to engage in dissemination of results of research, demonstration, training and other activities, but also it supports a range of diffusion centers to specifically address this part of its mission. Other projects provide information on specific disabilities or information to specific target audiences. KDU

²⁰ International Disability Exchanges Studies Project for the New Millennium at the World Institute of Disability, Oakland, CA (Kathy Martinez, principal investigator).

²¹ Center for International Rehabilitation Research Information and Exchange, State University of New York at Buffalo (John Stone, Ph.D., principal investigator).

²² The ATOMS Project, The Assistive Technology Outcomes Measurement System, University of Wisconsin, Milwaukee (Roger O. Smith, Ph.D., principal investigator).

²³ Disability Rehabilitation Research Program on Assistive Technology in the Community, Washington School of Medicine, Missouri (David B. Gray, Ph.D., principal investigator).

project personnel work cooperatively and collaboratively with each other and other NIDRR centers through publication of materials, Web-based communication, and participation in meetings of project directors.

Model Systems

The model systems program conducts research activities across all of NIDRR's research domains. For example, in the health and functions area these projects address challenges to systems for individual care, rehabilitation services and supports for people with spinal cord injury (SCI), traumatic brain injury (TBI) and burn injury. Other projects associated with these three systems target social interventions and test their effectiveness in terms of enhancing options for workplace and community reintegration for individuals with these disabilities. TBI and burn model systems are funded as Disability and Rehabilitation Research and Related Projects. The SCI Model System is funded under its own authority (34 CFR Part 359-Disability and Rehabilitation Research: Special Projects and Demonstrations for Spinal Cord Injuries).

A specific example of a short-term outcome is the development and validation of a new more reliable outcome measure of walking function in individuals with spinal cord injury—i.e., the Walking Index for Spinal Cord Injury (WISCI), which was adopted by the European Clinical Trials Group in SCI and has been requested for use by a major drug company to determine the effects of a new intervention.²⁴ (For a description of the WISCI and evidence of its utility see: Curt A. Schwab ME, Dietz. Providing the clinical basis for new interventional therapies: refined diagnosis and assessment of recovery after spinal cord injury. *Spinal Cord* 2004; 42(1): 1-6.)

Another short-term outcome was the development of the Craig Hospital Inventory of Environmental Factors (CHIEF), which has been translated into seven foreign languages and utilized internationally as a measure of environmental barriers for people with brain injury and other types of disabilities.²⁵ (For a description of the CHIEF and its applications see: *Archives of Physical Medicine and Rehabilitation*, 85,1324-1335).

Disability and Business Technical Assistance Centers

The Disability and Business Technical Assistance Centers (DBTACs) is a network of 10 regional centers that provide information, training, and technical assistance to businesses and agencies with responsibilities under the *Americans with Disabilities Act (ADA)*. An additional grantee serves as an *ADA* Technical Assistance coordinator and assists all of the grantees with their activities. The DBTACs are responsible for providing technical assistance, disseminating information and providing training on the requirements of the *ADA* and developments in *ADA* case law, policy and implementation to individuals or entities with responsibilities and rights under the act. The DBTACs are

²⁴ Spinal Cord Injury Model System Project, Thomas Jefferson University, Jefferson Medical College, Philadelphia, PA (John F. Ditunno, Jr., M.D., principal investigator).

²⁵ The Rocky Mountain Spinal Injury System, Craig Hospital, Englewood, CO (Daniel P. Lammertse, M.D., principal investigator).

responsible for increasing the capacity of organizations at the state and local levels to provide technical assistance, disseminate information, provide training and promote awareness of the *ADA*. The DBTACs also promote the availability of services provided by the DBTACs, other NIDRR grantees working on *ADA* issues and other federal information sources on the *ADA*.

A specific example of a short-term outcome was the development of a new human resources video training curriculum, in collaboration with the New York State Vocational Rehabilitation Services, Commission of the Blind, Department of Labor/Workforce Investment System and the Society for Human Resource Management (SHRM), that highlights examples of accommodations for people with various disabilities in different work environments, and which is being used by members of a large New York training network to provide training programs to employer groups, job developers, members of the One-Stop System,²⁶ disability advocates and other interested parties. The curriculum has also been submitted for continuing education credit from the SHRM.²⁷

Another short-term outcome was, through membership on the Continental Airlines executive advisory committee, providing ongoing technical assistance on disability issues related to the *ADA*, the *Air Carrier Act* for training activities, Web site access, and curriculum and video development which resulted in all 30,000 Continental Airlines employees worldwide receiving disability training through the company's train-the-trainer network.²⁸

A third short-term outcome was the development of two online courses to provide innovative and accessible ongoing training opportunities on *ADA* issues, which are being required for trainers and rehabilitation counselors at three state agencies: North Carolina Office on Health and Disability; Nevada Department of Employment, Training and Rehabilitation; and South Carolina Department of Labor (DOL) Navigator Training conducted for new DOL grantees as part of their continuing education program.²⁹

A fourth short-term outcome was receiving international recognition for *The WAVE*, a Web accessibility tool or "checker" initially developed by a DBTAC affiliate, through its inclusion/registry in the United Kingdom (UK) Social Science Information Gateway, which is part of the UK Resource Discovery Network, a resource for students, academics, researchers, and practitioners in the social sciences, business, and law.³⁰

A fifth short-term outcome was an affiliate of the Great Plains ADA & IT Center provided ongoing training and technical assistance to the State of Kansas Web Accessibility

²⁶ One-Stop System is established under *WIA* as career centers designed to provide a full range of assistance to job seekers under one roof. The centers offer training referrals, career counseling, job listings, and similar employment-related services (see www.dol.gov/dol/topic/training/onestop.htm).

²⁷ ADA Materials Development Project Relating to Employment, Cornell University, Ithaca, NY (Susanne Bruyère, Ph.D., principal investigator).

²⁸ Great Plains ADA and Information Technology Center at University of Missouri, Columbia (Jim de Jong, principal investigator).

²⁹ Southeast DBTAC at CATEA, Georgia Institute of Technology (Shelley Kaplan, principal investigator).

³⁰ Mid-Atlantic DBTAC at Transcen, Inc., Rockville, MD (Marian Vessels, principal investigator).

Committee, which resulted in Kansas receiving the ranking “Second in the Nation” for state agency Web accessibility, as cited in the Brown University Center for Public Policy’s FY 2004 annual study of state and federal eGovernment in the United States.³¹

An intermediate outcome is the training of more than 600 county election officials and disability service providers on the general provisions of the *ADA* and on specific issues regarding the accessibility of polling sites for the Missouri Secretary of State, as part of the *Help America Vote Act*, which resulted in all 3,600 state polling sites being surveyed for accessibility by qualified individuals.³²

Another intermediate outcome is the development of a new K-12 educator’s multi-media tool kit, *Breaking Down Barriers: K-12 and Beyond*, for parents and educators, to raise awareness of the importance of accessible IT in education to support the success of students with disabilities. The availability and use of this tool kit has resulted in increased interaction among and technical support to K-12 educators across the country.³³

Field-Initiated Projects

Field-Initiated Projects (FIPs) conduct research and development activities that address topics and issues identified by the researchers. Most FIP awards are made for three years.

An intermediate outcome was the publishing of a paper “Delivering Captions in DTV” that contributed to the development of the SMPTE Engineering Guideline EG-43-2004 (i.e., the “System Implementation of CEA-608-B and CEA—708-B Closed Captioning,” which is available at the Society of Motion Picture and Television Engineers Web site http://www.smppte.org/smppte_store/standards/pdf/numindex/pdf, and which led to a clarification by the Federal Communication Commission (FCC) of its DTV captioning rules (see FCC Report and Order 04-192, released Sept. 7, 2004, and titled “Second Periodic review of Rules and Policies Affecting the Conversion of Digital Television”).³⁴

A second intermediate outcome was the development and publication in peer-reviewed journals of definitions and criteria for defining vocational recovery and vocational success among persons with psychiatric disability that have been adopted for use by the Social Security Administration (see the *International Review of Psychiatry*, 14 (4), 3030311 and the *Journal of Vocational Rehabilitation* 18, (1), 3-13).³⁵

³¹ Pamela Cress, University of Kansas Assistive Technology Project and IT Coordinator for Great Plains ADA and Information

³² Great Plains ADA and Information Technology Center at University of Missouri, Columbia (Jim de Jong, principal investigator).

³³ Rocky Mountain DBTAC at Meeting the Challenge, Inc., Colorado Springs, CO (Robert H. Gattis, principal investigator).

³⁴ Field Initiated Program, EGBH Educational Foundation—National Center for Accessible Media, Boston, MA (Gerry Field, Ph.D., principal investigator).

³⁵ Field Initiated Program, Boston University Center for Psychiatric Rehabilitation, Boston, MA (Zlatka Russinova, Ph.D., principal investigator).

A short-term outcome was the collaboration with Consumer Electronics Association, Advanced Television Systems Committee (ATSC), and multiple equipment manufacturers and vendors to operate a laboratory to support the development of technical standards and test materials for DTV closed captioning and multiple audio services that resulted in changes to the ATSC standards, clarification of the FCC's DTV closed captioning rules and increased awareness among deaf, hard-of-hearing, blind and low-vision consumers.³⁶

Small Business Innovation Research

Small Business Innovation Research (SBIR) projects, mandated under the *Small Business Reauthorization Act of 2000*, help support the development of new ideas and projects that are useful to persons with disabilities by inviting the participation of small business firms with strong research capabilities in science, engineering or educational technology. This program funds small businesses in three phases, covering the process required to take an idea from development to market readiness. During Phase I, firms conduct feasibility studies to evaluate the scientific and technical merit of an idea. During Phase II, they expand on the results and pursue further development. Small businesses must meet certain eligibility criteria to participate: The company must be American-owned and independently operated; it must be for-profit and employ no more than 500 employees; and the principal researcher must be employed by the business.

A significant outcome was the expansion of a prototype Audio Pegging System into a commercial audio-based assistive technology application, which allows for the instant lacing of an audio source to its corresponding transcript or vice versa, using human voice, and enabling one to click on any part of the text and hear its matching audio.³⁷

Mary E. Switzer Fellowships

This fellowship program supports one-year fellowships to highly qualified individuals to carry out discrete research activities that are related to NIDRR's research priorities or to pursue studies of importance to the rehabilitation community. Awards are made both to individuals of doctoral or comparable academic status who have had seven or more years of relevant experience and to individuals who are at earlier stages in their careers.

Advanced Rehabilitation Research Training Project

The Advanced Rehabilitation Research Training (ARRT) program supports grants to institutions to provide advanced training in research to physicians, nurses, engineers, physical therapists and other professionals. Grants are made to institutions to recruit qualified persons with doctoral or similar advanced degrees with clinical, management, or basic science research experience and prepare them to conduct independent

³⁶ Field Initiated Program, WGBH Educational Foundation—National Center for Accessible Media, Boston, MA (Gerry Field, Ph.D., principal investigator).

³⁷ TransXecute, Philadelphia, PA, The Next Generation of Audio-Based Assistive Technology: An Instantaneous Customizable Audio Pegging System (Leonard Chang, principal investigator).

research in areas related to disability and rehabilitation. This research training may integrate disciplines, teach research methodology, and promote the capacity for disability studies and rehabilitation science. These training programs must operate in interdisciplinary environments and provide training in rigorous scientific methods.

In FY 2004 NIDRR funded 20 ARRTs with 72 fellows receiving training. Short-term outcomes from this program include: 47 percent of trained fellows were persons with disabilities, 76 percent received doctoral degrees and 80 contributions to scientific journals were made by these fellows.

Outreach to Minority Colleges and Universities

As stated on page 51, Section 21 of the act instructs NIDRR and RSA to reserve 1 percent of the appropriated budget each year for programs authorized under subchapters II, III, VI and VII to carry out — through grants, contracts, or cooperative agreements with minority entities and Indian tribes, colleges and universities — programs under the act, including ones focusing on: (1) research training, (2) professional development, special projects and demonstrations and (3) employment opportunities.

Interagency Committee on Disability Research

The purpose of the Interagency Committee on Disability Research (ICDR), authorized under Section 203(a)(1) of the act, is to promote cooperation across various federal agencies in the development and execution of disability and rehabilitation research activities. The ICDR is responsible for coordinating federal research related to rehabilitation of individuals with disabilities; facilitating the compilation of information about the status of rehabilitation research sponsored by federal agencies; promoting the exchange of information; making recommendations regarding disability and rehabilitation research; and preparing reports to the president and Congress. ICDR maintains a public Web site with links to ongoing research activities supported by ICDR member agencies and other useful information about disability and rehabilitation research (see: <http://www.icdr.us/>).

A significant outcome was the development of the beginning of an interagency research agenda on personal assistance services and caregiving, focused on increasing the availability of personal assistance services and decreasing the caregiver burden for the purpose of enhancing community living and participation of people with disabilities (Personal Assistance Services and Caregiving Across the Life Span: Forging a Disability and Aging Partnership to Build Capacity Through Research and Development Summit, February 2-3, 2004, Washington, D.C.)

Another significant outcome was conducting two ICDR stakeholder meetings, one in San Francisco on July 20, 2004, and the second in Washington, D.C. on July 22, 2004, to obtain input from the public on disability and rehabilitation research needs. Fifty-five individuals presented oral comments, an additional 37 written comments were received,

and 25 people observed. The ICDR is mandated to obtain input from individuals with disabilities, and these comments were shared with all ICDR member agencies to assist in planning future research.

A third significant outcome was the development and implementation of a new ICDR subcommittee on employment research. The inaugural meeting was held July 15, 2004, to develop a dissemination process for constituent input into the federal research agenda, facilitating communication between federal agencies to create cost-effective, efficiently coordinated research and developmental activities that promote economic security and employment opportunities for individuals with disabilities.

Other

NIDRR funding also supports a variety of other activities, including interagency research initiatives and activities to improve the quality and utility of NIDRR-funded research.

NIDRR Management — Planning for and Demonstrating Results

NIDRR's management of its research investments involves long-term strategic planning, performance management and a multi-level evaluation process that includes independent expert review of the awards at the portfolio or programmatic level, corresponding to the primary domains of NIDRR's new long-range plan, 2005-09 (USED/NIDRR 2006).

In FY 2004, NIDRR continued the development of its long-range plan for the years 2005 to 2009. The new plan was to build on the previous 1999–2003 plan, while responding to new developments in the disability and rehabilitation research field and in government, including the NFI and the president's Management Agenda with the focus on accountability for results. In the new plan, NIDRR is to continue to emphasize the same or similar research areas as those delineated in the 1999–2003 long-range plan — employment, health and function, technology for access and function, community living and participation, and disability demographics. For each area, NIDRR will identify goals and objectives and will work at incorporating these in its priorities and grant announcements to encourage innovative research. (The Final *Long-Range Plan for 2005-09* was published in the *Federal Register* on July 27, 2005, 70 FT 43521.)

The allocation of NIDRR grant funds for fiscal years 2003 and 2004 is shown in table 12 on the following two pages.

**Table 12 NIDRR-Funded Centers and Projects: Funding and Awards,
Fiscal Years 2003 and 2004**

	Number of Awards FY 2003	Grant Amount (in thousands of dollars)	Number of Awards FY 2004	Grant Amount (in thousands of dollars)
RRTCs				
Continuations	19	\$8,336	21	\$12,693
New Awards	14	\$10,749	10	\$5,950
Total	33	\$19,085	31	\$18,643
RERCs				
Continuations	14	\$11,793	18	\$16,328
New Awards	8	\$7,649	3	\$2,550
Total	22	\$19,442	21	\$18,878
ARRTs				
Continuations	12	\$1,640	10	\$1,195
New Awards	2	\$300	4	\$595
Total	14	\$1,940	14	\$1,790
DRRPs				
Continuations	16	\$6,145	23	\$8,249
New Awards	7	\$2,096	1	\$600
Total	23	\$8,241	24	\$8,849
DBTACs				
Continuations	11	\$11,854	13	\$13,127
New Awards	0	\$0	0	\$0
Total	11	\$11,854	13	\$13,127
SBIRs				
	32*	\$5,003*	32	\$5,037
KDUs				
Continuations	5	\$3,450	4	\$3,961
New	1	\$350	1	\$514
Total	6	\$3,800	5	\$4,475
Field Initiated Projects (FIPs)				
Continuations	62	\$9,133	61	\$9,221
New Awards	27	\$4,048	20	\$2,984
Total	89	\$13,181	81	\$12,205
Mary Switzer Fellowships				
New Awards	11	\$545	10	\$535
Model Systems				
Spinal Cord Injury				
Continuations	21	\$7,807	20	\$5,542
New Awards	0	\$0	0	\$0
Total	21	\$7,807	20	\$5,542

Table 12. (Continued)

	Number of Awards FY 2003	Grant Amount (in thousands of dollars)	Number of Awards FY 2004	Grant Amount (in thousands of dollars)
Traumatic Brain Injury				
Continuations	17	\$6,193	18	\$6,784
New Awards	1	\$600	1	\$600
Total	18	\$6,793	19	\$7,384
Burn Injury				
Continuations	5	\$1,450	5	\$1,450
New Awards	0	0	0	0
Total	5	\$1,450	5	\$1,450
Outreach to Minority Institutions				
	3	\$1,123	3	\$1,067
TOTAL	288	\$100,264	278	\$98,982
RRTCs	– Rehabilitation Research & Training Centers			
RERCs	– Rehabilitation Engineering Research Centers			
ARRTs	– Advanced Rehabilitation Research Training Grants			
DRRPs	– Disability and Rehabilitation Research and Related Projects			
DBTACs	– Disability and Business Technical Assistance Centers			
SBIRs	– Small Business Innovation Research Projects			
* – A portion of the FY 2003 funds supported contracts.				
KDUs	– Knowledge Dissemination and Utilization Projects			

Source: USED/NIDRR 2004

ADVOCACY AND ENFORCEMENT

Through the programs and activities described in this report, Congress and the federal government are doing much to improve opportunities for employment and community integration for persons with disabilities. However, full independence cannot be achieved if individuals are not able to protect their rights under the law. Recognizing this need, Congress has created a number of programs to assist and advocate on behalf of individuals with disabilities. Several of these programs are administered by RSA and include the Client Assistance Program (CAP), the Protection and Advocacy of Individual Rights (PAIR) program and the Protection and Advocacy for Assistive Technology (PAAT) program. Each of these programs directs its advocacy efforts to a particular group of persons with disabilities or to a specific issue. This section of the annual report provides data and information concerning the activities and performance of the CAP and PAIR programs. Information pertaining to the PAAT program is contained in the annual report to Congress prepared in accordance with Section 7 of the Assistive Technology Act of 1998, as amended, to be published in FY 2006.

Requirements under the act call for the continuous review of policies and practices related to the nondiscrimination and affirmative employment of individuals with disabilities and their access to facilities and information. To carry out the responsibilities stemming from those requirements, the act authorizes a number of advocacy and advisory programs operating at national and state levels. Such programs conduct periodic reviews of existing employment policies and practices. In addition, these programs develop and recommend policies and procedures that facilitate the nondiscrimination and affirmative employment of individuals who have received rehabilitation services to ensure compliance with standards prescribed by congressional legislation.

Some of the advocacy programs also develop advisory information and provide appropriate training and technical assistance, as well as make recommendations to the president, the Congress and the secretary of the U.S. Department of Education. Other advocacy programs authorized under the act assist individuals with disabilities to obtain the services they need under the act or protect their legal human rights, or both.

Several federal agencies have been given the authority to use enforcement and compliance techniques to ensure that government agencies and private firms doing business with the government subscribe to and implement legislative provisions related to the employment of individuals with disabilities. These enforcement agencies review complaints, conduct investigations, conduct public hearings, and issue orders. These agencies participate, when necessary, as *amicus curiae* in any U.S. court in civil actions. They design appropriate and equitable affirmative action remedies. Orders of compliance may include the withholding of or suspension of federal funds.

Client Assistance Program
Authorized Under Section 112 of the Act
Managed by the Program Administration Division of RSA

The Client Assistance Program (CAP), through grants to the 56 states, provides advocacy and legal representation to individuals in dispute with other programs, projects or facilities funded under the act.

FY 2004 Federal Funding
\$11,996,799

Primarily, CAPs assist individuals in their relationships with the VR program. In addition, CAP grantees provide information to individuals with disabilities regarding the programs and services available under the act and the rights afforded them under *ADA*. State VR agencies, and the other programs and projects funded under the act, must inform consumers about the services available from the CAP and how to contact the CAP. As importantly, states must operate a CAP in order to receive other allotments under the act, including VR grant funds.

Each governor designates a public or private agency to operate a CAP. This designated agency must be independent of any agency that provides services under the act, except in those cases where the act “grandfathered” CAPs already housed within state agencies providing services. In the event that one of these state agencies providing services under the act restructures, the act requires the governor to redesignate the CAP in an agency that does not provide services under the act. Currently, very few “internal” CAPs (e.g., those housed within a state VR agency or other agency providing services under the act) remain.

Overall, in FY 2004, CAPs nationwide responded to 57,560 requests for information and provided extensive services to 8,162 individuals. Slightly more than 94 percent of those cases in which extensive services were provided involved applicants for or recipients of services from the VR program. In 78 percent of those cases, issues related to the delivery of VR services. Program data also demonstrate that in 30 percent of the cases closed, CAPs enabled the individuals to advocate for themselves through the explanation of policies; that 19 percent of these cases resulted in the reestablishment of communication between the individuals and other parties; and 18 percent resulted in the development or implementation of an IPE.

CAPs also conduct systemic advocacy to benefit large numbers of individuals facing a similar issue. Systemic advocacy can take a variety of forms, but most often CAPs engage in discussions with state VR agencies and other programs funded under the act to improve policies and procedures that affect the quality of the service delivery system. In FY 2004, 32 out of the 56 CAPs (57 percent) reported changes in policies and practices benefiting individuals with disabilities as a result of their efforts.

Examples of specific CAP activities during FY 2004 include:

The Indiana CAP, Indiana Protection and Advocacy (P&A) Services, identified and resolved a systemic issue concerning VR customers who refused to assign their Tickets

to VR under the Ticket to Work Program and who were subsequently denied services by VR. Examples of this action were documented and presented to the director for VR services. The director then provided each VR office with a memorandum prohibiting VR staff from denying services to any customer refusing to assign their Ticket to VR. CAP also assisted in the retraining of all VR staff statewide in regard to the Ticket to Work program and its role as the largest employment network in Indiana.

In March 2004, the New Jersey CAP, New Jersey P&A, Inc., provided the New Jersey Commission for the Blind and Visually Impaired (CBVI) written testimony in which CAP proposed regulatory changes that would include removal of inflexible caps on start-up costs for self-employment plans and include consideration of consumers' individual circumstances. Later in the year, CAP received a draft copy of CBVI's Administrative Code for Vocational Rehabilitation, which reflected changes expanding the start-up costs that small business clients could receive. CBVI proposed changes to its regulations disposing of the 10 percent limitation of its contribution to small business start-up expenses. The proposed new regulations will make the CBVI small business program more accessible to clients with limited resources. In September of 2004, CAP wrote to CBVI's executive director supporting the positive changes and making additional recommendations to insure better services to the consumer.

Protection and Advocacy of Individual Rights
Authorized Under Section 509 of the Act
Managed by the Program Administration Division of RSA

The PAIR program is a mandatory component of the protection and advocacy (P&A) system, established in each of the 56 states and the American Indian consortium pursuant to Part C of the *Developmental*

FY 2004 Federal Funding
\$16,790,349

Disabilities Assistance and Bill of Rights Act of 2000 (DD Act). The 57 PAIR programs provide information, advocacy and legal representation to individuals with disabilities who are not eligible for other P&A programs serving persons with developmental disabilities and mental illness, or whose issues do not pertain to programs funded under the act. Of all the various P&A programs, the PAIR program has the broadest mandate and potentially represents the greatest number of individuals. Through the provision of information and the conduct of advocacy, PAIR programs help to ensure the protection of the rights of persons with disabilities under federal and state law in a wide variety of areas, including employment, access to public accommodations, education, housing and transportation. PAIR programs investigate, negotiate or mediate solutions to problems expressed by individuals with disabilities. Grantees provide information and technical assistance to requesting individuals and organizations. PAIR programs also provide legal counsel and litigation services.

Prior to making allotments to the individual grantees, a portion of the total appropriation must be set aside for each of the following two activities. During any fiscal year in which the appropriation is equal to or exceeds \$5.5 million, the secretary of education must

first set aside not less than 1.8 percent and not more than 2.2 percent of the amount appropriated for training and technical assistance to eligible systems established under this program. In addition, in any fiscal year in which the total appropriation exceeds \$10.5 million, the secretary must award \$50,000 to the eligible system established under the *DD Act* to serve the American Indian consortium. The secretary then distributes the remainder of the appropriation to the eligible systems within the states on a population basis after satisfying minimum allocations of \$100,000 for states except for Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Marianas Islands that each get \$50,000.

Each year, PAIR programs, with public comment, must develop a statement of objectives and priorities, including a rationale for the selection of the objectives and priorities and a plan for achieving them. These objectives and priorities define the issues that PAIR will address during the year, whether through individual or systemic advocacy. During FY 2004, PAIR programs reported representing 17,308 individuals and responded to 69,955 requests for information or referral. Of the cases handled by PAIR programs in that year, the greatest number of specified issues involved education (22 percent), employment (13 percent) and government benefits/services (12 percent). Because PAIR programs cannot address all issues facing individuals with disabilities solely through individual advocacy, they seek to change public and private policies and practices that present barriers to the rights of individuals with disabilities, utilizing negotiations and class action litigation. In FY 2004, 49 out of the 57 PAIR programs (86 percent) reported that these activities resulted in changes in policies and practices benefiting individuals with disabilities.

Examples of PAIR activities during FY 2004 included:

The California Aged & Disabled Federal Poverty Level program provides no-share-of-cost Medi-Cal to about 60,000 seniors and persons with disabilities whose income in FY 2004 did not exceed \$1,006 per month. However, the size of the budget deficit in FY 2004 triggered a determination on the part of the state to reconfigure the Medi-Cal program (called Medi-Cal Redesign) via an 1115 Medicaid waiver with the goal of achieving significant savings. As part of the process the state set up a series of public meetings and a system to gather public comment on proposed extensive changes to the current Medi-Cal program. California Protection & Advocacy Inc. (PAI) played a proactive role in the process, by identifying changes and actions that would enable the state to draw down federal Medicaid match for services currently provided solely with state funds. For instance, PAI urged an 1,115 waiver and state plan amendments to cover parent and spouse providers of attendant care, protective supervision, etc., which the state successfully pursued. PAI also commented on other proposed changes to the program, pointing out that some of these proposals would result in little or no cost savings to the state. Final decisions on these proposals were not made during FY 2004.

In FY 2002, a special education student died in a Texas public school while being physically restrained by his teacher. During the restraint, several other adults, including a school administrator, were present and did not intervene until the student was no

longer breathing. A subsequent investigation by the Texas Department of Protective and Regulatory Services found all of the adults in the room to have participated in the physical abuse of the student. The report was sent in November of 2002 to the State Board of Educator Certification (SBEC), which determines disciplinary actions against licensed educators in Texas. By May 2004, SBEC had failed to complete its investigation against the administrator, the only employee present during the incident still employed in the school district. At that time, Texas Advocacy, Inc. sent a demand letter to SBEC giving them seven days to complete the investigation and take appropriate action, claiming that the investigation was taking far too long. As a result of subsequent meetings, and consistent pressure by Advocacy, Inc., SBEC completed its investigation and issued its findings in September of 2004. SBEC is in the process of revising its investigatory procedures as a result of this incident.

Employment of People With Disabilities Authorized Under Section 501 of the Act Managed by the Equal Employment Opportunity Commission

The act authorizes the Equal Employment Opportunity Commission (EEOC) to enforce the nondiscrimination and affirmative employment provisions of laws and regulations concerning the employment of individuals with disabilities. As part of its oversight responsibilities, EEOC conducts on-site reviews of federal agency affirmative action employment programs. Based on these reviews, the EEOC submits findings and recommendations for federal agency implementation. The EEOC then monitors the implementation of these findings and recommendations by performing follow-up on-site reviews.

Architectural and Transportation Barriers Compliance Board (Access Board) Authorized Under Section 502 and Section 508 of the Act

Section 502 of the act created the Architectural and Transportation Barriers Compliance Board, also known as the Access Board. Section 502 lays out the duties of the board under the *Architectural Barriers Act (ABA)*, which include: ensuring compliance with standards issued under the *ABA*, developing and maintaining guidelines for complying with the *ABA*, and promoting access throughout all segments of society. The Access Board also has the primary responsibility for developing and maintaining accessibility guidelines and providing technical assistance under *ADA* with respect to overcoming architectural, transportation and communication barriers. The Access Board is also responsible for developing and periodically updating guidelines under the *Telecommunications Act of 1996* that ensure access to various telecommunication products.

Composed of 25 members, the Access Board is structured to function as a representative of the general public and as a coordinating body among federal

agencies. Twelve of its members are senior managers from federal departments; the other 13 are private citizens appointed by the president, a majority of whom must be individuals with disabilities. Key responsibilities of the Access Board include: developing and maintaining accessibility requirements for the built environment, transit vehicles, telecommunications equipment, and electronic and information technology; providing technical assistance and training on these guidelines and standards; and enforcing accessibility standards for federally funded facilities.

The 1998 amendments to the act expanded the Access Board's role and gave it responsibility for developing access standards for electronic and information technology under Section 508 of the act. The description of the Access Board in Section 508 provides information regarding its expanded role and those standards. The Access Board provides training and technical assistance on all its guidelines and standards.

With its publications, hotline and training sessions, the Access Board also provides a range of services to private as well as public organizations. In addition, the board enforces accessibility provisions of the *ABA*, the *ADA*, and the *Telecommunications Act* through the investigation of complaints. The Access Board conducts its investigations through the responsible federal agencies and strives for amicable resolution of complaints.

Electronic and Information Technology
Authorized under Section 508 of the Act
Activities Conducted by the Office of the Chief Information Officer,
U.S. Department of Education

Section 508 of the act requires that when federal agencies develop, procure, maintain or use electronic and information technology, they shall ensure that the electronic and information technology allows federal employees with disabilities to have access to and use of information and data that is comparable to the access to and use of information and data by federal employees who are not individuals with disabilities, unless an undue burden would be imposed on the agency. Section 508 also requires that individuals with disabilities who are members of the public seeking information or services from a federal agency, have access to and use of information and data that are comparable to the access to and use of information and data by members of the public who are not individuals with disabilities, unless an undue burden would be imposed on the agency. The intention is to eliminate barriers in accessing information technology, make new opportunities available for individuals with disabilities, and encourage development of technologies that will help achieve a more accessible society. The 1998 amendments to the act significantly expanded and strengthened the technology access requirements in Section 508.

The Department's Office of the Chief Information Officer (OCIO) plays a lead role in the implementation of Section 508 through such activities as product conformance testing and the provision of technical assistance to government agencies and vendors on the

implementation of the Section 508 standards. The OCIO Assistive Technology Team delivers assistive technology workshops, presentations and demonstrations to other federal agencies, to state and local education institutions, and at assistive technology and information technology industry seminars and conferences, and conducts numerous conformance tests of high-visibility e-government-sponsored Web sites.

The OCIO, in conjunction with the Access Board and the General Services Administration (GSA), and a number of other government agencies, also participates in the interagency Section 508 Working Group, an effort coordinated by GSA and OMB, to offer technical assistance and to provide an informal means of cooperation and information sharing on implementation of Section 508 throughout the federal government.

In FY 2004, OCIO, along with other federal agencies, completed the statutorily mandated biennial survey to the president on the implementation of Section 508, which tracks executive branch agencies' success in implementing the Section 508 standards issued in FY 2000 by the Access Board.

Also in FY 2004, OCIO continued to support the last year of a five-year, \$7.5 million grant to the Georgia Institute of Technology's Center for Rehabilitation Technology. This grant is providing training and technical assistance on universal design to technology manufacturers, product designers and purchasers of information technology, thereby helping to improve the implementation of Section 508.

Employment Under Federal Contracts
Authorized Under Section 503 of the Act
Managed by the Employment Standards Administration
U.S. Department of Labor

The Department of Labor's Office of Federal Contract Compliance Program (OFCCP) is responsible for ensuring that employers with federal contracts or subcontracts in excess of \$10,000 take affirmative action to employ and advance in employment qualified individuals with disabilities. OFCCP investigators conduct at least several thousand compliance reviews and investigate hundreds of complaints each year. OFCCP also issues policy guidance to private companies and develops innovative ways to gain compliance with the law.

Nondiscrimination Under Federal Grants and Programs
Authorized Under Section 504 of the Act
Managed by the
Department of Justice, Civil Rights Division, and the
Department of Education, Office for Civil Rights

Section 504 prohibits discrimination on the basis of disability in federally assisted programs and activities. This provision of the act is designed to protect the rights of any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of impairment or is regarded as having such an impairment. Major life activities include walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself and performing manual tasks.

The U.S. Department of Justice, Civil Rights Division (CRD) has overall responsibility for coordinating the implementation and enforcement of Section 504 of the act. As part of its regulatory and review efforts, the CRD responds to education agencies, elementary and secondary school systems, colleges and universities, vocational schools, proprietary schools, state VR agencies, libraries and museums. CRD may respond in regard to programs, projects or activities that include, but are not limited to: admissions, recruitment, financial aid, academic programs, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, vocational education, recreation, physical education, athletics, housing, and employment.

Examples of the types of discrimination prohibited by Section 504 and its implementing regulations include denial of equal access to educational programs and facilities; and denial of a free appropriate public education for elementary and secondary students and academic adjustments for individuals with disabilities in higher education. Section 504 and its implementing regulations also prohibit employment discrimination and retaliation for filing a complaint with the Department's Office for Civil Rights (OCR) or for advocating for a right protected by this provision of the law.

For more information on OCR, visit its Web site at:
<http://www.ed.gov/about/offices/list/ocr/>.

National Council on Disability
Authorized Under Section 400 of the Act
An Independent Federal Agency

As an independent agency, the National Council on Disability (NCD) promotes policies, programs, practices and procedures that guarantee equal opportunity for all individuals with disabilities, and that empower individuals with disabilities to achieve economic self-sufficiency, independent living, and inclusion and integration into all aspects of society. More specifically, the NCD reviews and evaluates laws, policies, programs, practices and procedures conducted or assisted by federal departments or agencies to see if they

meet the needs of individuals with disabilities. The council makes recommendations to the president, the Congress, the secretary of education, the commissioner of RSA, the director of NIDRR, and officials of federal agencies based on those evaluations.

In FY 2004, the council conducted a number of activities designed to increase consumer input and awareness regarding policy issues affecting individuals with disabilities. Those activities included dissemination of information through the conduct of hearings, forums and conferences throughout the country and through response to thousands of telephone, e-mail and written inquiries on *ADA* and other disability civil rights issues.

APPENDIX A

APPENDIX A

Table A-1. Employment Outcomes (Evaluation Standard 1) of State VR^a Agencies Serving the Blind and Visually Impaired, by Indicator and Jurisdiction, Fiscal Year 2004

Must Pass at Least Four of Six Indicators and Two of Three Primary Indicators^b

Agency ^c	Indicator 1.1: Change in Total Employment Outcomes After An IPE ^d (> 0)	Indicator 1.2: Percentage of Employment Outcomes After Services Under An IPE ^e (> 68.9%)	Indicator 1.3: Percentage of Employment Outcomes for All Individuals that Were Competitive Employment ^f (> 35.4%)	Indicator 1.4: Percentage of Competitive Employment Outcomes That Were for Individuals With Significant Disabilities ^g (> 89.0%)	Indicator 1.5: Ratio of Average VR Wage to Average State Wage (> .59)	Indicator 1.6: Difference Between Self- Support at Application and Closure (> 30.4)	Number of Indicators in Standard 1 that Were Passed	Number of Primary Indicators (1.3 to 1.5) in Standard 1 That Were Passed
<i>Performance level criteria are shown in parentheses for each indicator.</i>								
Arkansas	13	84.23	76.08	99.22	0.647	34.96	6	3
Connecticut	-59	84.93	51.55	100.00	0.639	43.17	5	3
Delaware	-10	65.45	100.00	100.00	0.410	44.44	3	2
Florida	-135	61.34	98.45	93.09	0.645	46.36	4	3
Idaho	7	69.52	65.75	93.75	0.724	36.46	6	3

^a VR – Vocational Rehabilitation

^b Minimum performance-level criteria for each standard and indicator were established by the Rehabilitation Services Administration (RSA) and published in the *Federal Register* on June 5, 2000 (34 CFR Part 361).

^c Separate agencies in 24 states providing specialized services to blind and visually impaired persons.

^d An individualized plan for employment (IPE) is a written document developed for each individual determined to be eligible for VR services. To pass this indicator, the number of individuals exiting the VR program securing employment during the current performance period must be at least the same as the number of individuals exiting the VR program employed during the previous performance period and, hence, comparison of the two elements must yield a number greater than or equal to zero.

^e Percentage who have received employment outcomes after provision of VR services.

^f Percentage of employed individuals that exit the VR program and are placed in an integrated setting, self-employment, or BEP (Business Enterprise Program, also known as the Vending Facility Program) with earnings equivalent to at least the minimum wage.

^g Significant disabilities are severe physical or mental impairments caused by certain conditions that seriously limit one or more functional capacities and require multiple VR services over an extended period of time.

Source: USED/RSA 2004a

Table A-1. (Continued)

Must Pass at Least Four of Six Indicators and Two of Three Primary Indicators

Agency	Indicator 1.1: Change in Total Employment Outcomes After An IPE (≥ 0)	Indicator 1.2: Percentage of Employment Outcomes After Services Under An IPE (≥ 68.9%)	Indicator 1.3: Percentage of Employment Outcomes for All Individuals That Were Competitive Employment (≥ 35.4%)	Indicator 1.4: Percentage of Competitive Employment Outcomes That Were Individuals With Significant Disabilities (≥ 89.0%)	Indicator 1.5: Ratio of Average VR Wage to Average State Wage (≥ .59)	Indicator 1.6: Difference Between Self- Support at Application and Closure (≥ 30.4)	Number of Indicators in Standard 1 That Were Passed	Number of Primary Indicators (1.3 to 1.5) in Standard 1 That Were passed
<i>Performance level criteria are shown in parentheses for each indicator.</i>								
Iowa	-3	85.85	83.88	95.20	0.906	27.51	4	3
Kentucky	103	81.25	81.62	100.00	0.674	28.27	5	3
Maine	-69	82.96	30.36	100.00	0.745	39.22	4	2
Massachusetts	8	78.16	55.35	100.00	0.801	28.30	5	3
Michigan	3	56.72	56.72	99.01	0.627	34.54	5	3
Minnesota	-74	40.90	93.22	99.55	0.645	36.82	4	3
Missouri	-96	57.70	77.28	99.33	0.779	24.05	3	3
Nebraska	15	61.92	61.49	100.00	0.700	29.67	4	3
New Jersey	-57	67.98	87.86	91.75	0.604	45.98	4	3
New Mexico	10	53.29	96.63	100.00	1.045	60.47	5	3
New York	-250	78.09	25.72	95.78	0.612	22.66	3	2
North Carolina	36	69.73	94.28	94.40	0.586	34.14	5	2
Oregon	2	69.29	67.53	100.00	0.836	32.06	6	3
South Carolina	29	69.30	70.13	90.67	0.650	28.47	5	3
South Dakota	2	76.22	94.33	96.99	0.774	32.33	6	3
Texas	-438	73.75	73.45	99.91	0.649	27.91	4	3
Vermont	11	75.11	64.04	95.61	0.747	24.56	5	3
Virginia	9	73.11	84.30	98.72	0.579	36.99	5	2
Washington	10	54.72	94.51	99.17	0.787	37.76	5	3

Table A-2. Employment Outcomes (Evaluation Standard 1) of State VR^a Agencies—General and Combined^b, by Indicator and Jurisdiction, Fiscal Year 2004

Must Pass at Least Four of the Six Indicators and Two of Three Primary Indicators^c

Agency	Indicator 1.1: Change in Total Employment Outcomes After An IPE ^d (≥ 0)	Indicator 1.2: Percentage of Employment Outcomes After Services Under An IPE ^e (≥ 55.8%)	Indicator 1.3: Percentage of Employment Outcomes for All Individuals That Were Competitive Employment ^f (≥ 72.6%)	Indicator 1.4: Percentage of Competitive Employment Outcomes That Were Individuals With Significant Disabilities ^g (≥ 62.4%)	Indicator 1.5: Ratio of Average VR Wage to Average State Wage ^h (≥ .52)	Indicator 1.6: Difference Between Self- Support at Application and Closure (≥ 53.0)	Number of Indicators in Standard 1 That Were Passed	Number of Primary Indicators (1.3 to 1.5) in Standard 1 That Were passed
<i>Performance level criteria are shown in parentheses for each indicator.</i>								
Alabama	5	69.65	97.26	89.28	0.502	81.98	5	2
Alaska	1	61.94	98.66	83.37	0.670	57.64	6	3
American Samoa	-21	94.74	83.33	100.00	N/A	86.67	5	3
Arizona	143	46.35	92.83	90.87	0.551	67.45	5	3
Arkansas	212	55.52	99.84	87.73	0.659	65.85	5	3
California	-1	53.01	80.25	99.37	0.505	70.14	3	2

^a VR – Vocational Rehabilitation

^b General agencies serve persons with various disabilities other than blindness and/or other visual impairments. Combined agencies serve all individuals with disabilities including persons who are blind and visually impaired.

^c Minimum performance-level criteria for each standard and indicator were established by the Rehabilitation Services Administration (RSA) and published in the Federal Register on Monday, June 5, 2000 (34 CFR Part 361).

^d An individualized plan for employment (IPE) is a written document developed for each individual determined to be eligible for VR services. To pass this indicator, the number of individuals exiting the VR program securing employment during the current performance period must be at least the same as the number of individuals exiting the VR program employed during the previous performance period.

^e Percentage who have received employment outcomes after provision of VR services.

^f Percentage of employed individuals that exit the VR program and are placed in an integrated setting, self-employment, or BEP (Business Enterprise Program, also known as the Vending Facility Program) with earnings equivalent to at least the minimum wage.

^g Significant disabilities are severe physical or mental impairments caused by certain conditions that seriously limit one or more functional capacities and require multiple VR services over an extended period of time.

^h No state wage data exists for Guam, Northern Mariana Islands and American Samoa. Therefore, Indicator 1.5 cannot be computed for these VR agencies.

Source: USED/RSA 2004a

Table A-2. (Continued)

Must Pass at Least Four of the Six Indicators and Two of Three Primary Indicators

Agency	Indicator 1.1: Change in Total Employment Outcomes After An IPE (≥ 0)	Indicator 1.2: Percentage of Employment Outcomes After Services Under An IPE ($> 55.8\%$)	Indicator 1.3: Percentage of Employment Outcomes for All Individuals That Were Competitive Employment ($> 72.6\%$)	Indicator 1.4: Percentage of Competitive Employment Outcomes That Were Individuals With Significant Disabilities ($> 62.4\%$)	Indicator 1.5: Ratio of Average VR Wage to Average State Wage ($> .52$)	Indicator 1.6: Difference Between Self- Support at Application and Closure (> 53.0)	Number of Indicators in Standard 1 That Were Passed	Number of Primary Indicators (1.3 to 1.5) in Standard 1 That Were passed
<i>Performance level criteria are shown in parentheses for each indicator.</i>								
Colorado	-90	55.20	90.15	86.01	0.533	54.95	4	3
Connecticut	-358	61.92	99.19	100.00	0.579	44.27	4	3
Delaware	-49	63.12	99.37	69.03	0.455	74.46	4	2
District of Columbia	5	70.04	100.00	92.92	0.355	84.33	5	2
Florida	-877	54.68	97.77	77.44	0.582	54.72	4	3
Georgia	425	56.83	88.20	87.91	0.460	65.71	5	2
Guam	-11	76.47	100.00	100.00	N/A	84.62	5	3
Hawaii	159	50.44	98.10	78.87	0.593	58.56	5	3
Idaho	-22	54.49	98.82	96.87	0.630	69.19	4	3
Illinois	-656	60.35	94.55	100.00	0.434	52.69	3	2
Indiana	203	55.89	94.82	92.04	0.661	35.03	5	3
Iowa	27	60.27	96.02	88.17	0.645	59.04	6	3
Kansas	-92	55.08	95.07	97.96	0.528	58.62	4	3
Kentucky	35	70.16	96.57	99.61	0.625	70.90	6	3
Louisiana	-190	52.94	99.60	99.94	0.723	58.56	4	3
Maine	-112	45.18	94.90	99.86	0.628	55.59	4	3
Maryland	65	74.95	96.93	99.90	0.462	66.81	5	2
Massachusetts	383	60.83	96.54	99.73	0.487	51.94	4	2
Michigan	902	56.86	97.69	89.49	0.545	59.95	6	3
Minnesota	-526	56.68	94.65	100.00	0.512	57.29	4	2
Mississippi	7	69.92	97.87	98.97	0.713	66.26	6	3
Missouri	-304	61.94	96.03	84.99	0.523	59.35	5	3
Montana	-33	59.19	97.87	81.44	0.667	54.75	5	3
Nebraska	-170	55.33	96.60	100.00	0.577	50.86	3	3
Nevada	87	55.57	99.59	99.69	0.555	73.03	5	3

Table A-2. (Continued)

Must Pass at Least Four of the Six Indicators and Two of Three Primary Indicators

Agency	Indicator 1.1: Change in Total Employment Outcomes After An IPE (> 0)	Indicator 1.2: Percentage of Employment Outcomes After Services Under An IPE ($> 55.8\%$)	Indicator 1.3: Percentage of Employment Outcomes for All Individuals That Were Competitive Employment ($> 72.6\%$)	Indicator 1.4: Percentage of Competitive Employment Outcomes That Were Individuals With Significant Disabilities ($> 62.4\%$)	Indicator 1.5: Ratio of Average VR Wage to Average State Wage ($> .52$)	Indicator 1.6: Difference Between Self- Support at Application and Closure (> 53.0)	Number of Indicators in Standard 1 That Were Passed	Number of Primary Indicators (1.3 to 1.5) in Standard 1 That Were passed
<i>Performance level criteria are shown in parentheses for each indicator.</i>								
New Hampshire	-193	72.38	93.82	94.43	0.540	52.23	4	3
New Jersey	212	60.69	99.62	91.69	0.450	67.96	5	2
New Mexico	-18	56.88	98.02	91.30	0.630	57.79	5	3
New York	-1,184	56.08	94.04	96.76	0.398	63.47	4	2
North Carolina	516	53.26	98.97	61.12	0.513	53.30	3	1
North Dakota	-64	68.03	96.73	85.19	0.685	55.97	5	3
Northern Mariana Islands	0	39.51	59.38	89.47	N/A	15.79	3	2
Ohio	1,054	60.88	96.80	100.00	0.614	51.68	5	3
Oklahoma	-346	40.06	97.16	90.83	0.635	65.42	4	3
Oregon	7	59.28	96.81	95.64	0.591	79.56	6	3
Pennsylvania	15	59.44	95.08	99.90	0.541	58.03	6	3
Puerto Rico	-29	75.68	93.41	71.50	0.741	90.46	5	3
Rhode Island	30	58.31	90.87	100.00	0.555	60.31	6	3
South Carolina	-186	64.17	99.32	92.54	0.622	63.26	5	3
South Dakota	24	61.61	97.81	91.95	0.595	60.42	6	3
Tennessee	216	67.71	91.15	86.54	0.594	73.51	6	3
Texas	-1,587	36.13	99.19	78.14	0.522	55.23	4	3
Utah	-115	58.91	98.15	91.83	0.652	70.20	5	3
Vermont	20	60.56	98.13	99.39	0.599	51.03	5	3
Virginia	-16	50.13	91.13	92.81	0.472	51.03	2	2
Virgin Islands	-14	67.57	96.00	58.33	0.500	75.00	3	1
Washington	-298	45.69	97.58	99.61	0.539	59.10	4	3
West Virginia	69	62.42	97.96	91.57	0.615	63.84	6	3
Wisconsin	-410	45.21	96.96	96.43	0.606	52.99	3	3
Wyoming	-220	62.44	98.03	67.61	0.605	72.64	5	3

Table A-3. Equal Access to Service (Evaluation Standard 2) of State VR^a Agencies Serving the Blind and Visually Impaired, by Indicator and Jurisdiction, Fiscal Year 2004

Agency ^b	Indicator 2.1: Minority Service rate ratio ($\geq .80$) ^c	Minorities Exiting the VR Program ^d <i>* Indicates fewer than 100 individuals from minority populations exiting program.</i>
Arkansas	0.867	146
Connecticut	0.888	46*
Delaware	1.125	16*
Florida	1.073	719
Idaho	0.967	19*
Iowa	0.865	18*
Kentucky	0.953	71
Maine	0.694	6*
Massachusetts	0.966	58*
Michigan	0.863	200
Minnesota	0.741	93*
Missouri	0.875	100
Nebraska	1.397	36*
New Jersey	0.811	316
New Mexico	0.873	50*
New York	0.816	720
North Carolina	0.883	570
Oregon	0.789	31*
South Carolina	1.028	248
South Dakota	0.694	17*
Texas	0.813	1,918
Vermont	0.899	5*
Virginia	0.942	150
Washington	0.926	72*

^a VR — Vocational Rehabilitation

^b Separate agencies in 24 states providing specialized services to blind and visually impaired persons.

^c Minority service rate ratio is the ratio of the percentage of minorities exiting the VR program who received services to the percentage of nonminorities exiting the program who received services. Minimum performance level criterion for this standard and indicator (as shown in parenthesis) was established by the Rehabilitation Services Administration (RSA) and published in the *Federal Register* on Monday, June 5, 2000 (34 CFR Part 361).

^d Total number of individuals from minority populations exiting the VR program during the performance period.

Source: USED/RSA 2004a

Table A-4. Equal Access to Service (Evaluation Standard 2) of State VR^a Agencies — General and Combined,^b by Indicator and Jurisdiction, Fiscal Year 2004

Agency	Indicator 2.1: Minority Service rate ratio ($\geq .80$) ^c	Minorities Exiting the VR Program ^d <i>* Indicates fewer than 100 individuals from minority populations exiting program.</i>
Alabama	1.000	5,435
Alaska	0.903	539
American Samoa	^e	37*
Arizona	0.921	2,235
Arkansas	0.910	2,194
California	1.007	19,509
Colorado	0.855	2,147
Connecticut	0.813	1,051
Delaware	0.991	990
District of Columbia	1.141	1,935
Florida	0.854	11,782
Georgia	0.947	6,499
Guam	0.889	36*
Hawaii	1.056	1,488
Idaho	0.984	687
Illinois	0.934	8,492
Indiana	0.873	1,939
Iowa	0.733	851
Kansas	0.874	1,060
Kentucky	0.860	2,370
Louisiana	0.868	2,785
Maine	0.750	94*
Maryland	0.850	4,969
Massachusetts	0.858	2,292
Michigan	0.862	6,108
Minnesota	0.802	1,717
Mississippi	0.933	4,648
Missouri	0.850	4,281
Montana	0.867	477
Nebraska	0.795	617
Nevada	0.901	937
New Hampshire	0.707	114

^a VR — Vocational Rehabilitation

^b General agencies serve persons with various disabilities other than blindness and/or other visual impairments. Combined agencies serve all individuals with disabilities including persons who are blind and visually impaired.

^c Minority service rate ratio is the ratio of the percentage of minorities exiting the VR program who received services to the percentage of nonminorities exiting the program who received services. Minimum performance level criterion for this standard and indicator (as shown in parenthesis) was established by the Rehabilitation Services Administration (RSA) and published in the *Federal Register* on Monday, June 5, 2000 (34 CFR Part 361).

^d Total number of individuals from minority populations exiting the VR program during the performance period.

^e Ratio not computed when service rate (minority or non-minority) equals 0.

Source: USED/RSA 2004a

Table A-4. (Continued)

Agency	Indicator 2.1: Minority Service rate ratio ($\geq .80$)	Minorities Exiting the VR Program <i>* Indicates fewer than 100 individuals from minority populations exiting program.</i>
New Jersey	0.867	5,510
New Mexico	0.872	3,337
New York	0.921	19,503
North Carolina	0.967	13,055
North Dakota	0.789	275
Northern Mariana Islands	1.114	121
Ohio	0.846	6,147
Oklahoma	0.994	2,487
Oregon	0.885	1,367
Pennsylvania	0.912	5,567
Puerto Rico	2.066	6,060
Rhode Island	0.914	378
South Carolina	0.957	9,772
South Dakota	0.806	462
Tennessee	0.889	3,128
Texas	1.018	40,945
Utah	0.917	1,396
Vermont	0.848	151
Virginia	0.975	4,838
Virgin Islands	0.947	76
Washington	0.970	1,866
West Virginia	0.827	405
Wisconsin	0.735	3,521
Wyoming	0.864	196

APPENDIX B

APPENDIX B

Table B. Grant Awards to State VR^a Agencies and Number and Percentage of Individuals With Disabilities Employed, by Type of Disability and Jurisdiction, Fiscal Years 2003 and 2004

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes ^b and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities ^c and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities ^d
U.S. Total	2004	2,553,362,000	213,431	194,177	90.98
	2003	2,505,055,858	217,557	196,597	90.37
	Percentage change	1.93	-1.90	-1.23	
Total – General/ Combined Agencies ^e	2004	2,357,622,214	205,969	186,938	90.76
	2003	2,314,287,476	209,339	188,689	90.14
	Percentage change	1.87	-1.61	-0.93	
Total – Agencies for the Blind ^f	2004	195,739,786	7,462	7,239	97.01
	2003	190,768,382	8,218	7,908	96.23
	Percentage change	2.61	-9.20	-8.46	
General/Combined Agencies					
Alabama	2004	54,054,418	7,710	6,893	89.40
	2003	52,930,173	7,705	6,876	89.24
	Percentage change	2.12	0.06	0.25	
Alaska	2004	8,602,430	524	438	83.59
	2003	8,430,067	523	429	82.03
	Percentage change	2.04	0.19	2.10	
American Samoa	2004	738,967	18	18	100.00
	2003	841,138	39	38	97.44
	Percentage change	-12.15	-53.85	-52.63	
Arizona	2004	48,460,233	1,688	1,541	91.29
	2003	45,401,058	1,545	1,296	83.88
	Percentage change	6.74	9.26	18.90	
Arkansas	2004	29,718,062	2,440	2,141	87.75
	2003	28,503,249	2,228	2,047	91.88
	Percentage change	4.26	9.52	4.59	

^a VR – Vocational Rehabilitation.

^b Total number of individuals with disabilities exiting the VR program securing employment during current performance period.

^c Significant disabilities are severe physical or mental impairments caused by certain conditions that seriously limit one or more functional capacities and require multiple VR services over an extended period of time.

^d Percentage = $\frac{\text{Employment outcomes of individuals with significant disabilities}}{\text{Total employment outcomes}}$

^e General agencies serve persons with various disabilities other than blindness and/or other visual impairments. Combined agencies serve all individuals with disabilities including persons who are blind and visually impaired.

^f Separate agencies in 24 states providing specialized services to blind and visually impaired persons.

Source: USED/RSA 2004a

Table B. (Continued)

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities
California	2004	247,893,144	13,643	13,573	99.49
	2003	251,750,039	13,644	13,549	99.30
	Percentage change	-1.53	-0.01	0.18	
Colorado	2004	26,164,691	1,625	1,405	86.46
	2003	24,708,155	1,715	1,212	70.67
	Percentage change	5.89	-5.25	15.92	
Connecticut	2004	15,947,288	1,364	1,364	100.00
	2003	15,628,694	1,722	1,722	100.00
	Percentage change	2.04	-20.79	-20.79	
Delaware	2004	7,322,306	796	551	69.22
	2003	7,173,364	845	635	75.15
	Percentage change	2.08	-5.80	-13.23	
District of Columbia	2004	12,090,518	734	682	92.92
	2003	11,844,370	729	624	85.60
	Percentage change	2.08	0.69	9.29	
Florida	2004	104,412,011	9,123	7,083	77.64
	2003	100,717,175	10,000	7,662	76.62
	Percentage change	3.67	-8.77	-7.56	
Georgia	2004	76,059,977	4,586	4,008	87.40
	2003	73,728,989	4,161	3,695	88.80
	Percentage change	3.16	10.21	8.47	
Guam	2004	1,700,000	13	13	100.00
	2003	2,085,463	24	23	95.83
	Percentage change	-18.48	-45.83	-43.48	
Hawaii	2004	10,211,708	738	584	79.13
	2003	9,661,551	579	423	73.06
	Percentage change	5.69	27.46	38.06	
Idaho	2004	11,984,177	1,777	1,722	96.90
	2003	12,034,533	1,799	1,732	96.28
	Percentage change	-0.42	-1.22	-0.58	
Illinois	2004	94,793,657	8,401	8,401	100.00
	2003	91,967,258	9,057	9,057	100.00
	Percentage change	3.07	-7.24	-7.24	
Indiana	2004	60,435,379	5,021	4,634	92.29
	2003	59,427,552	4,818	4,540	94.23
	Percentage change	1.70	4.21	2.07	
Iowa	2004	21,702,431	2,113	1,872	88.59
	2003	23,168,320	2,086	1,795	86.05
	Percentage change	-6.33	1.29	4.29	
Kansas	2004	24,992,359	1,703	1,666	97.83
	2003	24,448,819	1,795	1,680	93.59
	Percentage change	2.22	-5.13	-0.83	
Kentucky	2004	41,722,634	4,808	4,790	99.63
	2003	40,820,104	4,773	4,754	99.60
	Percentage change	2.21	0.73	0.76	

Table B. (Continued)

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities
Louisiana	2004	44,123,155	1,735	1,734	99.94
	2003	41,525,841	1,925	1,918	99.64
	Percentage change	6.25	-9.87	-9.59	
Maine	2004	11,712,249	745	744	99.87
	2003	11,676,161	857	844	98.48
	Percentage change	0.31	-13.07	-11.85	
Maryland	2004	38,305,525	2,962	2,959	99.90
	2003	37,534,773	2,897	2,891	99.79
	Percentage change	2.05	2.24	2.35	
Massachusetts	2004	38,488,010	3,093	3,085	99.74
	2003	37,694,575	2,710	2,696	99.48
	Percentage change	2.10	14.13	14.43	
Michigan	2004	78,004,122	7,103	6,372	89.71
	2003	76,929,009	6,201	5,698	91.89
	Percentage change	1.40	14.55	11.83	
Minnesota	2004	33,320,563	2,820	2,820	100.00
	2003	32,646,881	3,346	3,346	100.00
	Percentage change	2.06	-15.72	-15.72	
Mississippi	2004	39,128,158	4,455	4,408	98.95
	2003	38,112,934	4,448	4,263	95.84
	Percentage change	2.66	0.16	3.40	
Missouri	2004	49,457,670	5,259	4,489	85.36
	2003	48,408,969	5,563	4,536	81.54
	Percentage change	2.17	-5.46	-1.04	
Montana	2004	10,226,796	892	729	81.73
	2003	10,092,165	925	737	79.68
	Percentage change	1.33	-3.57	-1.09	
Nebraska	2004	13,952,091	1,266	1,266	100.00
	2003	13,645,186	1,436	1,436	100.00
	Percentage change	2.25	-11.84	-11.84	
Nevada	2004	12,920,230	968	965	99.69
	2003	12,773,854	881	813	92.28
	Percentage change	1.15	9.88	18.70	
New Hampshire	2004	10,120,131	1,245	1,178	94.62
	2003	9,922,968	1,438	1,399	97.29
	Percentage change	1.99	-13.42	-15.80	
New Jersey	2004	41,725,897	3,901	3,574	91.62
	2003	40,837,069	3,689	3,318	89.94
	Percentage change	2.18	5.75	7.72	
New Mexico	2004	17,259,672	1,513	1,383	91.41
	2003	16,525,914	1,531	1,369	89.42
	Percentage change	4.44	-1.18	1.02	
New York	2004	113,557,118	13,826	13,383	96.80
	2003	111,114,785	15,010	14,520	96.74
	Percentage change	2.20	-7.89	-7.83	

Table B. (Continued)

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities
North Carolina	2004	67,517,040	9,019	5,529	61.30
	2003	65,108,335	8,503	5,663	66.60
	Percentage change	3.70	6.07	-2.37	
North Dakota	2004	8,511,207	796	679	85.30
	2003	8,356,493	860	714	83.02
	Percentage change	1.85	-7.44	-4.90	
Northern Mariana Islands	2004	959,804	32	28	87.50
	2003	896,896	32	29	90.63
	Percentage change	7.01	0.00	-3.45	
Ohio	2004	111,423,253	8,088	8,088	100.00
	2003	108,669,309	7,034	7,034	100.00
	Percentage change	2.53	14.98	14.98	
Oklahoma	2004	38,442,555	2,009	1,827	90.94
	2003	37,933,986	2,355	2,022	85.86
	Percentage change	1.34	-14.69	-9.64	
Oregon	2004	27,284,442	2,724	2,606	95.67
	2003	26,027,607	2,717	2,600	95.69
	Percentage change	4.83	0.26	0.23	
Pennsylvania	2004	115,424,463	11,067	11,056	99.90
	2003	113,062,577	11,052	11,032	99.82
	Percentage change	2.09	0.14	0.22	
Puerto Rico	2004	61,124,201	2,412	1,754	72.72
	2003	65,404,038	2,441	1,672	68.50
	Percentage change	-6.54	-1.19	4.90	
Rhode Island	2004	9,730,057	635	635	100.00
	2003	9,218,477	605	602	99.50
	Percentage change	5.55	4.96	5.48	
South Carolina	2004	39,142,095	8,940	8,278	92.60
	2003	39,232,430	9,126	8,268	90.60
	Percentage change	-0.23	-2.04	0.12	
South Dakota	2004	6,920,610	775	714	92.13
	2003	6,778,791	751	672	89.48
	Percentage change	2.09	3.20	6.25	
Tennessee	2004	60,634,388	3,773	3,301	87.49
	2003	59,031,985	3,557	3,082	86.65
	Percentage change	2.71	6.07	7.11	
Texas	2004	152,099,004	18,965	14,830	78.20
	2003	147,676,606	20,552	16,090	78.29
	Percentage change	2.99	-7.72	-7.83	
Utah	2004	23,887,248	2,817	2,585	91.76
	2003	23,143,118	2,932	2,585	88.17
	Percentage change	3.22	-3.92	0.00	
Vermont	2004	7,580,141	1,336	1,328	99.40
	2003	7,431,920	1,316	1,303	99.01
	Percentage change	1.99	1.52	1.92	

Table B. (Continued)

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities
Virginia	2004	51,570,117	3,935	3,667	93.19
	2003	50,629,793	3,951	3,534	89.45
	Percentage change	1.86	-0.40	3.76	
Virgin Islands	2004	1,889,392	25	15	60.00
	2003	1,849,919	39	25	64.10
	Percentage change	2.13	-35.90	-40.00	
Washington	2004	38,890,809	2,107	2,099	99.62
	2003	37,220,804	2,405	2,387	99.25
	Percentage change	4.49	-12.39	-12.07	
West Virginia	2004	24,381,098	2,106	1,929	91.60
	2003	23,879,486	2,037	1,803	88.51
	Percentage change	2.10	3.39	6.99	
Wisconsin	2004	51,503,742	3,293	3,177	96.48
	2003	50,917,258	3,703	3,495	94.38
	Percentage change	1.15	-11.07	-9.10	
Wyoming	2004	7,398,771	507	345	68.05
	2003	7,106,493	727	504	69.33
	Percentage change	4.11	-30.26	-31.55	
Agencies for the Blind					
Arkansas	2004	3,967,030	338	338	100.00
	2003	3,820,598	335	326	97.31
	Percentage change	3.83	0.90	3.68	
Connecticut	2004	2,814,228	145	145	100.00
	2003	2,758,005	210	210	100.00
	Percentage change	2.04	-30.95	-30.95	
Delaware	2004	1,292,171	12	12	100.00
	2003	1,265,888	24	24	100.00
	Percentage change	2.08	-50.00	-50.00	
Florida	2004	21,497,154	644	636	98.76
	2003	21,712,999	708	624	88.14
	Percentage change	-0.99	-9.04	1.92	
Idaho	2004	1,846,452	72	71	98.61
	2003	1,724,515	74	68	91.89
	Percentage change	7.07	-2.70	4.41	
Iowa	2004	5,569,334	137	127	92.70
	2003	5,434,544	136	135	99.26
	Percentage change	2.48	0.74	-5.93	
Kentucky	2004	6,629,266	412	412	100.00
	2003	6,533,007	355	355	100.00
	Percentage change	1.47	16.06	16.06	
Maine	2004	2,931,275	133	132	99.25
	2003	2,668,276	203	202	99.51
	Percentage change	9.86	-34.48	-34.65	
Massachusetts	2004	6,715,237	193	193	100.00
	2003	6,651,984	190	189	99.47
	Percentage change	0.95	1.58	2.12	

Table B. (Continued)

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities
Michigan	2004	10,500,562	253	252	99.60
	2003	10,422,138	283	281	99.29
	Percentage change	0.75	-10.60	-10.32	
Minnesota	2004	7,314,271	109	109	100.00
	2003	7,166,389	127	126	99.21
	Percentage change	2.06	-14.17	-13.49	
Missouri	2004	7,247,855	239	234	97.91
	2003	7,116,917	342	342	100.00
	Percentage change	1.84	-30.12	-31.58	
Nebraska	2004	2,508,172	82	82	100.00
	2003	2,460,851	66	66	100.00
	Percentage change	1.92	24.24	24.24	
New Jersey	2004	9,806,474	263	250	95.06
	2003	10,209,267	289	253	87.54
	Percentage change	-3.95	-9.00	-1.19	
New Mexico	2004	4,217,840	40	40	100.00
	2003	4,084,280	49	49	100.00
	Percentage change	3.27	-18.37	-18.37	
New York	2004	21,629,927	1,414	1,272	89.96
	2003	21,164,721	1,537	1,459	94.93
	Percentage change	2.20	-8.00	-12.82	
North Carolina	2004	14,341,691	700	679	97.00
	2003	12,865,719	664	613	92.32
	Percentage change	11.47	5.42	10.77	
Oregon	2004	3,897,777	109	109	100.00
	2003	3,946,801	85	85	100.00
	Percentage change	-1.24	28.24	28.24	
South Carolina	2004	5,892,706	287	271	94.43
	2003	5,760,880	309	282	91.26
	Percentage change	2.29	-7.12	-3.90	
South Dakota	2004	1,730,150	76	75	98.68
	2003	1,694,698	65	62	95.38
	Percentage change	2.09	16.92	20.97	
Texas	2004	38,325,197	1,354	1,354	100.00
	2003	36,644,151	1,719	1,717	99.88
	Percentage change	4.59	-21.23	-21.14	
Vermont	2004	1,033,656	88	87	98.86
	2003	1,013,444	90	86	95.56
	Percentage change	1.99	-2.22	1.16	
Virginia	2004	7,700,299	232	230	99.14
	2003	7,445,158	233	230	98.71
	Percentage change	3.43	-0.43	0.00	
Washington	2004	6,331,062	130	129	99.23
	2003	6,203,152	125	124	99.20
	Percentage change	2.06	4.00	4.03	

APPENDIX C

APPENDIX C

DEFINITION OF “INDIVIDUAL WITH A DISABILITY” AS LISTED IN SECTION 7(20) OF THE *REHABILITATION ACT*

(A) In general

Except as otherwise provided in subparagraph (B), the term “individual with a disability” means any individual who—

- (i) has a physical or mental impairment which for such individual constitutes or results in a substantial impediment to employment; and
- (ii) can benefit in terms of an employment outcome from vocational rehabilitation services provided pursuant to Title I, III, or VI.

(B) Certain programs; limitations on major life activities

Subject to subparagraphs ©, (D), (E), and (F), the term “individual with a disability” means, for purposes of Sections 2, 14 and 15, and Titles II, IV, V, and VII of this act, any person who—

- (i) has a physical or mental impairment which substantially limits one of more of such person’s major life activities;
- (ii) has a record of such an impairment; or
- (iii) is regarded as having such an impairment.

(C) Rights and advocacy provisions

- (i) In general; exclusion of individuals engaging in drug use
For purposes of Title V, the term “individual with a disability” does not include an individual who is currently engaging in the illegal use of drugs, when a covered entity acts on the basis of such use.
- (ii) Exception for individuals no longer engaging in drug use
Nothing in clause (i) shall be construed to exclude as an individual with a disability an individual who—
 - (I) has successfully completed a supervised drug rehabilitation program and is no longer engaging in the illegal use of drugs, or has otherwise been rehabilitated successfully and is no longer engaging in such use;
 - (II) is participating in a supervised rehabilitation program and is no longer engaging in such use; or
 - (III) is erroneously regarded as engaging in such use, but is not engaging in such use; except that it shall not be a violation of this act for a covered entity to adopt or administer reasonable policies or procedures, including but not limited to drug testing, designed to ensure that an individual described in subclause (I) or (II) is no longer engaging in the illegal use of drugs.

- (iii) **Exclusion for certain services**
Notwithstanding clause (i), for purposes of programs and activities providing health services and services provided under Titles I, II and III, an individual shall not be excluded from the benefits of such programs or activities on the basis of his or her current illegal use of drugs if he or she is otherwise entitled to such services.
- (iv) **Disciplinary action**
For purposes of programs and activities providing educational services, local educational agencies may take disciplinary action pertaining to the use of possession of illegal drugs or alcohol against any student who is an individual with a disability and who currently is engaging in the illegal use of drugs or in the use of alcohol to the same extent that such disciplinary action is taken against students who are not individuals with disabilities. Furthermore, the due process procedures at Section 104.36 of Title 34, Code of Federal Regulations (or any corresponding similar regulation or ruling) shall not apply to such disciplinary actions.
- (v) **Employment; exclusion of alcoholics**
For purposes of Sections 503 and 504 as such sections relate to employment, the term “individual with a disability” does not include any individual who is an alcoholic whose current use of alcohol prevents such individual from performing the duties of the job in question or whose employment, by reason of such current alcohol abuse, would constitute a direct threat to property or the safety of others.

(D) Employment; exclusion of individuals with certain diseases or infections

For the purposes of Section 503 and 504, as such sections relate to employment, such terms does not include an individual who has a currently contagious disease or infection and who, by reason of such disease or infection, would constitute a direct threat to the health or safety of other individuals or who, by reason of the currently contagious disease or infection, is unable to perform the duties of the job.

(E) Rights provision; exclusion of individual on basis of homosexuality or bisexuality

For purposes of Sections 501, 503, and 504—

- (i) for purposes of the application of subparagraph (B) to such sections, the term “impairment” does not include homosexuality or bisexuality; and
- (ii) therefore the term “individual with a disability” does not include an individual on the basis of homosexuality or bisexuality.

(F) Rights provisions; exclusion of individuals on basis of certain disorders

For the purposes of Sections 501, 503, and 504, the term “individual with a disability” does not include an individual on the basis of—

- (i)** transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders;
- (ii)** compulsive gambling, kleptomania, or pyromania; or
- (iii)** psychoactive substance use disorders resulting from current illegal use of drugs.

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