



U.S. DEPARTMENT OF EDUCATION

# **ANNUAL REPORT**

## **FISCAL YEAR 2009**

REPORT ON FEDERAL ACTIVITIES  
UNDER THE *REHABILITATION ACT*  
OF 1973, AS AMENDED



REHABILITATION SERVICES ADMINISTRATION

# **Annual Report**

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## **Fiscal Year 2009**

REPORT ON FEDERAL ACTIVITIES

UNDER THE *REHABILITATION ACT OF 1973*, AS AMENDED

2012

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

**U.S. Department of Education**

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**April 2012**

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# ABBREVIATIONS

<b>Acronym</b>	<b>Full Term</b>
<b>ABA</b>	<i>Architectural Barriers Act</i>
<b>ADA</b>	<i>Americans with Disabilities Act</i>
<b>AIVRS</b>	American Indian Vocational Rehabilitation Services
<b>APR</b>	Annual Performance Report
<b>ARRA</b>	<i>American Recovery and Reinvestment Act</i>
<b>ARRT</b>	Advanced Rehabilitation Research Training
<b>BAC</b>	Business Advisory Council
<b>BEP</b>	Business Enterprise Program
<b>BMS</b>	Burns Model System
<b>BORP</b>	Bay Area Outreach & Recreation Program
<b>CAP</b>	Client Assistance Program
<b>CCP</b>	Center for Community Partnerships
<b>CIL</b>	Center for Independent Living
<b>CORC</b>	Coordination, Outreach and Research Center
<b>CRD</b>	Civil Rights Division
<b>CSNA</b>	Comprehensive Statewide Needs Assessment
<b>CSPD</b>	Comprehensive System of Personnel Development
<b>CSU</b>	Colorado State University
<b>DBTAC</b>	Disability and Business Technical Assistance Center
<b>DD Act</b>	<i>Developmental Disabilities Assistance and Bill of Rights Act</i>
<b>DR</b>	Division of Vocational Rehabilitation
<b>DRNM</b>	Disability Rights New Mexico
<b>DRRP</b>	Disability and Rehabilitation Research Projects
<b>DSU</b>	Designated State Unit
<b>EEOC</b>	Equal Employment Opportunity Commission
<b>FCC</b>	Federal Communications Commission
<b>FIP</b>	Field-Initiated Projects
<b>FY</b>	Fiscal Year
<b>GED</b>	General Educational Development
<b>GPRA</b>	<i>Government Performance and Results Act</i>
<b>GSA</b>	General Services Administration
<b>HCBS</b>	Home- and Community-Based Services
<b>HKNC</b>	Helen Keller National Center for Deaf-Blind Youths and Adults

<b>Acronym</b>	<b>Full Term</b>
<b>ICDR</b>	Interagency Committee on Disability Research
<b>IL</b>	Independent Living
<b>IPE</b>	Individualized Plan for Employment
<b>IRI</b>	Institute on Rehabilitation Issues
<b>KT</b>	Knowledge Translation
<b>LFD</b>	Low Functioning Deaf
<b>MIS</b>	Management and Information System
<b>MSFW</b>	Migrant and Seasonal Farmworkers Program
<b>NCD</b>	National Council on Disability
<b>NCDDR</b>	National Center on the Dissemination of Disability Research
<b>NCRTM</b>	National Clearinghouse of Rehabilitation Training Materials
<b>NIDRR</b>	National Institute on Disability and Rehabilitation Research
<b>OCIO</b>	Office of the Chief Information Officer
<b>OCR</b>	Office for Civil Rights
<b>OFCCP</b>	Office of Federal Contracts Compliance Programs
<b>OIB</b>	Older Individuals Who Are Blind
<b>OMB</b>	Office of Management and Budget
<b>OSEP</b>	Office of Special Education Programs
<b>OSERS</b>	Office of Special Education and Rehabilitative Services
<b>P&amp;A</b>	Protection and Advocacy
<b>PAAT</b>	Protection and Advocacy for Assistive Technology
<b>PAIR</b>	Protection and Advocacy of Individual Rights
<b>PART</b>	Program Assessment Rating Tool
<b>PWI</b>	Projects With Industry
<b>RCEP</b>	Rehabilitation Continuing Education Program
<b>RCT</b>	Randomized, Controlled Trial
<b>RERC</b>	Rehabilitation Engineering Research Center
<b>RIM</b>	Research in Motion
<b>RRTC</b>	Rehabilitation Research and Training Center
<b>RSA</b>	Rehabilitation Services Administration
<b>RSA-2</b>	Annual Vocational Rehabilitation Program/Cost Report
<b>RSA-911</b>	Annual Vocational Rehabilitation Case Services Report
<b>SBIR</b>	Small Business Innovative Research
<b>SCI</b>	Spinal Cord Injury
<b>SCIMS</b>	Model Systems Programs in Spinal Cord Injury

<b>Acronym</b>	<b>Full Term</b>
<b>SILC</b>	Statewide Independent Living Council
<b>SILS</b>	State Independent Living Services
<b>SMPID</b>	RSA's State Monitoring and Program Improvement Division
<b>SRC</b>	State Rehabilitation Council
<b>SSA</b>	Social Security Administration
<b>SSDI</b>	Social Security Disability Insurance
<b>SSI</b>	Supplemental Security Income
<b>TA</b>	Technical Assistance
<b>TACE</b>	Technical Assistance and Continuing Education
<b>TBI</b>	Traumatic Brain Injury
<b>TBIMS</b>	Traumatic Brain Injury Model System
<b>TIRR</b>	The Institute for Rehabilitation and Research
<b>VA</b>	Veterans Administration
<b>VR</b>	Vocational Rehabilitation
<b>VR Program</b>	State Vocational Rehabilitation Services Program
<b>WIA</b>	<i>Workforce Investment Act</i>



# FOREWORD

The *Rehabilitation Act of 1973*, as amended (the *Rehabilitation Act*), provides the statutory authority 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 *Rehabilitation Act* during fiscal year (FY) 2009 (October 2008 through September 2009). 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 *Rehabilitation Act*. RSA has responsibility for preparing and submitting this report to the president and Congress under Section 13 of the *Rehabilitation Act*.

The *Rehabilitation 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 is provided in this report.



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



# THE *REHABILITATION ACT*: AN OVERVIEW

Federal interest and involvement in rehabilitation issues and policy date initially from 1920 with the enactment of the *Vocational Rehabilitation Act*, commonly called the *Smith-Fess Act*. 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 injured rather than those of veterans, with disabilities.

A major event in the history of the federal rehabilitation program was passage of the *Rehabilitation Act*, which provides the statutory authority for programs and activities that assist individuals with disabilities<sup>1</sup> in the pursuit of gainful employment, independence, self-sufficiency and full integration into community life. Under the *Rehabilitation 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 *Rehabilitation Act*. The Department's Office of Special Education and Rehabilitative Services (OSERS) is the administrative entity responsible for oversight of the programs under the *Rehabilitation 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 *Rehabilitation Act*. NIDRR is responsible for administering Title II of the *Rehabilitation Act*. (See fig. 1 for title names).

**Figure 1. The *Rehabilitation Act* of 1973, as Amended, by Its Various 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

Source: U.S. Department of Education, OSERS, RSA, 2009.

<sup>1</sup> An individual with a disability is defined, for purposes of programs funded under the *Rehabilitation Act*, at Section 7(20) of the act.

RSA administers grant programs that provide direct support for vocational rehabilitation (VR), 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 VR 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 *Rehabilitation Act*, evaluates programs to assess their effectiveness, and identifies best practices. Finally, RSA conducts monitoring, provides technical assistance, and disseminates information to public and private nonprofit 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 State Vocational Rehabilitation 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 almost 90 years, the VR program has helped individuals with physical disabilities<sup>2</sup> to prepare for and enter into the workforce. The program has since expanded to serve individuals with mental disabilities. 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, which are defined as: “mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, and work skill” (CFR 361.42). These individuals often require multiple services over an extended period of time. For them, VR services are indispensable to attaining employment and reducing their reliance on public support.

Under Title II of the *Rehabilitation 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 *Rehabilitation 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

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<sup>2</sup> The *Civilian Vocational Rehabilitation Act*, passed by Congress in 1920, defined vocational rehabilitation (VR) as a program for physical disabilities. Mental disabilities were not part of the VR program until 1943.

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 *Rehabilitation Act* has been a driving force behind major changes that have affected the lives of millions of individuals with disabilities in this country. The passage of the *Workforce Investment Act of 1998 (WIA)* was the most recent reauthorization of the *Rehabilitation Act*. This report, covering FY 2009, describes all of the major programs and activities authorized under the *Rehabilitation Act* and the success of the federal government in carrying out the purposes and policy outlined in the *Rehabilitation Act*.



**PROGRAMS UNDER  
THE *REHABILITATION ACT***



# **PROGRAMS UNDER THE *REHABILITATION ACT***

Through partnerships with other federal and nonfederal agencies, RSA directly funds or supports a wide variety of programs, initiatives and activities that are authorized under the *Rehabilitation Act*. For the purpose of this report, these programs, initiatives, and activities are organized into five major areas: Employment Programs; Independent Living and Community Integration; Technical Assistance, Training and Support; Evaluation, Research and Dissemination; and Advocacy and Enforcement. Within each area, this report provides a description of the discrete program, initiative or activity. Each description includes budgetary information for FY 2009 and a 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 Programs
- Migrant and Seasonal Farmworkers Program
- Projects With Industry
- Randolph-Sheppard Vending Facility Program (also known as the 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
- 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 in Programs That Receive Federal Financial Assistance
- National Council on Disability

# EMPLOYMENT PROGRAMS

RSA administers seven programs that assist individuals with disabilities to achieve employment outcomes.<sup>3</sup> Two of these programs, the 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 period of five years. RSA also provides oversight of the Randolph-Sheppard 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 *Rehabilitation Act*

The Vocational Rehabilitation Services Program assists states in operating a VR program as an integral part of a coordinated, statewide work force 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.

### Vocational Rehabilitation Services Program

**FY 2009 Federal Funding:**  
**\$2,938,522,000**

**FY 2009 ARRA Funding:<sup>4</sup>**  
**\$540,000,000**

The federal government covers 78.7 percent of the program's costs through financial assistance to the states<sup>5</sup> for program services and administration. Federal funds are allocated to the states based on a statutory formula in Section 8 of the *Rehabilitation Act*. The formula takes into consideration a state's population and per capita income. In FY 2009, states expended a total of \$886,363,852 in nonfederal funds to match the federal funds allotted to the states for the VR program that year.

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—50 U.S. states, D.C., Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands have VR agencies; however, 24 of those entities also have separate agencies serving blind or visually impaired individuals, for a total of 80 state VR agencies.

<sup>3</sup> Employment outcome means (according to the program regulations at 34 CFR 361.5(b)(16)), 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, interests and informed choice.

<sup>4</sup> In FY 2009, Congress appropriated an additional \$540,000,000 for the VR program under the *American Recovery and Reinvestment Act of 2009 (ARRA)*. RSA allotted 50 percent of these VR ARRA funds to state VR agencies on April 1, 2009, while the remaining funds were distributed by Sept. 30, 2009.

<sup>5</sup> The term "states" includes, in addition to each of the 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 Section 7(32) of the *Rehabilitation Act*.

The *Rehabilitation 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 *Rehabilitation 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 and workforce agencies and 28 human services/welfare agencies. Lastly, for American Samoa, Section 101(a)(2)(A)(iii) of the *Rehabilitation Act* identifies the Governor's Office as the VR agency.

The VR program is committed to providing services to individuals with significant disabilities<sup>6</sup> 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. Helping state agencies achieve positive employment outcomes for the people with disabilities they serve requires a robust system of collaboration, monitoring and state improvement plans that address identified needs and goals.

Under the RSA structure, the RSA State Monitoring and Program Improvement Division (SMPID) has responsibility for monitoring state VR agencies. Division staff personnel are assigned to state teams that work collaboratively with consumers, providers, state agencies and any other interested parties to implement a continuous performance-based monitoring process that identifies areas for program improvement, areas of noncompliance and effective practices. Each state is assigned a state liaison who serves as the single point of contact for that state.

Division staff persons also are assigned to units to perform specific functions that support the work of the state teams. The VR unit is responsible for:

- Developing and implementing systems for VR state plan submission, review and approval;
- Developing the VR state grant monitoring process used by state teams; and
- Providing policy guidance and technical assistance to VR agencies to ensure consistency with VR program requirements.

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<sup>6</sup> The program regulations at 34 *CFR* 361.5(b)(31) define 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, homophilia, 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 vocational rehabilitation needs to cause comparable substantial functional limitation.”

During FY 2009, its third year of a four-year cycle, RSA conducted comprehensive on-site reviews of all titles I, VI, and VII, and Part B programs in 11 states to assess compliance and performance to fulfill the requirements of Section 107 of the *Rehabilitation Act*. During the yearlong monitoring process, state teams shared information about the new monitoring processes and followed up on previous monitoring findings to ensure that corrective actions were taken and steps to improve performance were under way. Not only did the state teams meet with the state director and other agency personnel, they also visited with members of state rehabilitation councils, disability advocates, people with disabilities and other stakeholders. The remaining states will be reviewed during FY 2010, the last year of the monitoring cycle.

In addition to the comprehensive periodic on-site reviews, RSA issues annual review reports for all state agencies as required under Section 107 of the act. These reports, based on data submitted annually to RSA by state VR agencies provide VR agencies, disability advocates, VR consumers and service providers, and other VR stakeholders with information on the performance of the federal and state VR program. The reports are written in nontechnical language for the general public and are available online through RSA's Management Information System (MIS) at <http://rsa.ed.gov>. The FY 2009 annual review reports were issued shortly after the end of FY 2010. The annual review report includes the following information about each state VR agency:

- State goals and priorities.
- Individuals served in the VR program (i.e., individuals who have been determined eligible to receive services by the vocational rehabilitation agency).
- Program outcomes.
- Agency staffing patterns (i.e., patterns within the VR agencies; the structure and manner in which services are delivered to applicants).
- Financial data (i.e., describe the manner in which VR agencies use their federal allotments).
- Compliance with standards and indicators.
- State policies and procedures and also guidance materials that were issued by the agency.
- Activities conducted by the state rehabilitation council independent commission (Some VR agencies are established as independent commissions that meet the requirements of 34 CFR 361.16).
- Status of appeals (i.e., this refers to eligible individuals of a vocational rehabilitation agency who disagree with a decision rendered by the agency related to the extent, nature and scope of services to be provided to the individual).

### ***Ticket-to-Work or Social Security Reimbursement***

The Social Security Administration (SSA) issues tickets to eligible beneficiaries who may choose to assign those tickets to an Employment Network (EN) of their choice to obtain rehabilitation services, employment services, and vocational or other support services necessary to achieve a vocational (work) goal under the ticket-to-work

program. The EN coordinates and provides appropriate services to assist beneficiaries in obtaining and maintaining employment upon acceptance of the work ticket. Further information on this program may be found here: <http://www.ssa.gov/work>.

During FY 2009, state VR agencies received a total of \$122,268,833 in reimbursements from the Social Security Administration (SSA) for the rehabilitation of 8,712 individuals with disabilities. For a VR agency to receive these reimbursements the Social Security Disability Insurance (SSDI) beneficiary or Supplemental Security Income (SSI) recipient must perform paid employment at a level of earnings high enough to be terminated from receipt of his or her SSDI or SSI benefits.

The vocational rehabilitation program encompasses numerous program components, funding, and service delivery mechanisms. As such, program monitoring ensures that RSA is able to assist agencies to comply with the Rehabilitation Act and its implementing regulations, as well as to achieve high performance.

## **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 have had outcome data on which to assess its performance, including its performance in assisting individuals to achieve employment outcomes (34 CFR 361.84). 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 with associated 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 achieved competitive<sup>7</sup> 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.

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<sup>7</sup> The program regulations at 34 CFR 361.5(b)(11) define competitive employment as "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."

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 identified in Standard 1 as found in the program regulations at 34 CFR 361.84, the minimum performance level established for each indicator, and the number of state VR agencies that met the minimum level for FY 2009. **The three primary performance indicators are highlighted by an asterisk (\*).**

### **Performance Indicator 1.1**

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The number of individuals who exited the VR program who achieved an employment outcome 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.

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

**Fiscal Year 2009 Performance:** Of the 80 state VR agencies, 19 met or exceeded the minimum required performance level.

### **Performance Indicator 1.2**

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

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

**Fiscal Year 2009 Performance:** Of the 24 agencies serving only individuals who are blind, 12 met or exceeded the minimum required performance level. Of the 56 other agencies 34 met or exceeded the minimum required performance level.

### Performance Indicator 1.3\*

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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.

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

**Fiscal Year 2009 Performance:** Of the 24 agencies serving only individuals who are blind, 24 met or exceeded the minimum required performance level. Of the 56 other agencies, 54<sup>8</sup> met or exceeded the minimum required performance level.

### Performance Indicator 1.4\*

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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.

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

**Fiscal Year 2009 Performance:** Of the 24 agencies serving only individuals who are blind, all 24 met or exceeded the minimum required performance level. Of the 56 other agencies, 55<sup>9</sup> met or exceeded the minimum required performance level.

### Performance Indicator 1.5\*

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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 GPRA report on state average annual pay for the most recent available year, U.S. Department of Labor 2007).

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

**Fiscal Year 2009 Performance:** Of the 24 agencies only serving individuals who are blind, 19 met or exceeded the minimum required performance level. No state wage data exist for three of the 56 other agencies (Guam, Northern Mariana Islands, and American Samoa). Of the remaining 53 agencies, 36 met or exceeded the minimum required performance level.

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<sup>8</sup> The Guam division of Vocational Rehabilitation did not submit RSA-911 2009 data. Therefore, the agency did not meet this standard due to the omission of data.

<sup>9</sup>.Ibid

## **Performance Indicator 1.6**

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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.

**Minimum Required Performance Level:** For agencies serving only 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 2009 Performance:** Of the 24 agencies serving only individuals who are blind, 16 met or exceeded the minimum required performance level. Of the 56 other agencies, 43<sup>10</sup> met or exceeded the minimum required performance level.

Table 1 on the following page summarizes the FY 2009 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. In FY 2009, nine of the 80 state VR agencies, or 11.3 percent, passed all six performance indicators; 18, or 22.5 percent, passed five of the performance indicators; and 37, or 46.3 percent, passed four of the performance indicators. In total, 64 agencies, or 80.0 percent, passed Evaluation Standard 1. The 16 agencies, or 20.0 percent, that failed Evaluation Standard 1 include two agencies that serve only individuals with visual impairments and blindness (Michigan and North Carolina) and 14 agencies that serve either all disability populations or disability populations other than individuals with visual impairments (Florida, Guam, Indiana, Kansas, Louisiana, Massachusetts, Minnesota, New Jersey, New Mexico, New York, Northern Mariana Islands, Ohio, Virginia and Wisconsin).

**Table 1. Evaluation standard 1 and performance indicators  
State VR agency performance: Fiscal year 2009**

Performance Indicators	General and Combined VR Agencies <sup>a</sup>		VR Agencies Serving the Blind <sup>b</sup>	
	Pass <sup>c</sup>	Fail	Pass	Fail
1.1 Number of Employment Outcomes <sup>d</sup>	12	44	7	17
1.2 Percentage of Employment Outcomes After Provision of VR Services	34	22	12	12
1.3 Percentage of Employment Outcomes in Competitive Employment <sup>e*</sup>	54	2	24	0
1.4 Percentage of Competitive Employment Outcomes Individuals with Significant Disabilities <sup>f*</sup>	55	1	24	0
1.5 Ratio of Competitive Employment Earnings to State Average Weekly Wage <sup>*</sup>	36 <sup>**</sup>	17 <sup>**</sup>	19	5
1.6 Percentage Difference in Earnings as Primary Source of Support at Competitive Employment Outcome Versus at Time of Application <sup>g</sup>	43	13	16	8

(\*) 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.

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

<sup>b</sup> Separate agencies in certain states providing specialized services to blind and visually impaired persons.

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

<sup>d</sup> 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.

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

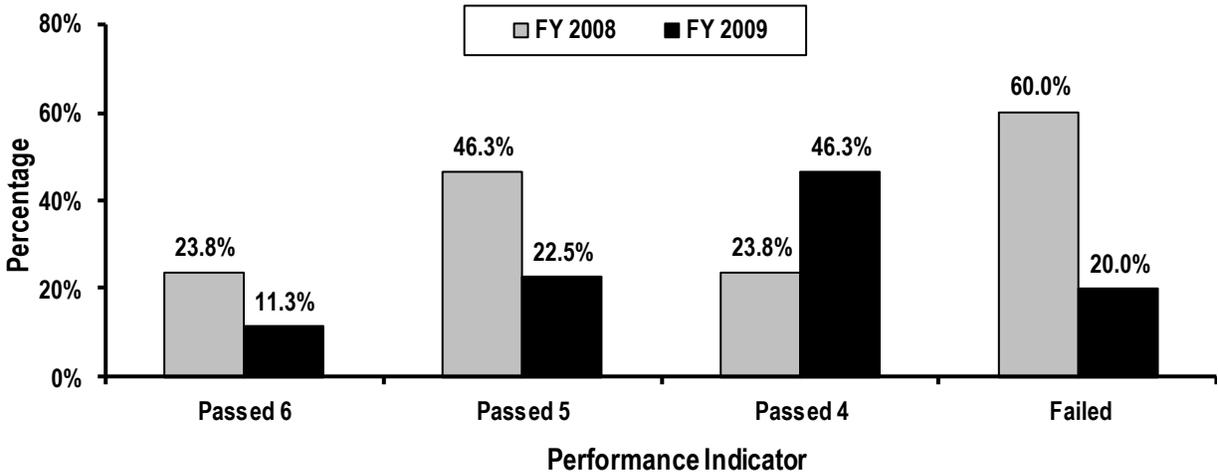
<sup>f</sup> Employment outcome means (according to the program regulations at 34 CFR 361.5(b)(16)), with respect to an individual, entering or retaining full-time or, if appropriate, part-time competitive employment ... in the integrated labor market; supported employment; or any other type of employment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

<sup>g</sup> Time frame from application for VR services to exiting the program with competitive employment.

Source: U.S. Department of Education, OSERS, RSA, 2009

Figure 2 on the following page compares overall agency performance for fiscal years 2008 and 2009 for Evaluation Standard 1.

**Figure 2. Overall State VR Agency Performance for Evaluation Standard 1: Fiscal Years 2008 and 2009**



Source: U.S. Department of Education, OSERS, RSA, 2009a.

**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 361.81).

### Performance Indicator 2.1

The service rate<sup>9</sup> for all individuals with disabilities from minority backgrounds as a ratio to the service rate for all individuals with disabilities from nonminority backgrounds.

**Minimum Required Performance Level:**

All agencies must attain at least a ratio level of .80.

If an agency does not meet the minimum 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 disabilities from minority backgrounds have equal access to VR services.

<sup>9</sup> 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.

**Fiscal Year 2009  
Performance:**

Of the 80 state VR agencies, 73 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 seven agencies that did not meet the required performance level for Evaluation Standard 2 were agencies that serve all disability populations (Guam, 10 Iowa, Northern Mariana Islands, Ohio, Puerto Rico, Virgin Islands and Wisconsin).

Table 2 summarizes the FY 2009 performance of the 80 state VR agencies on the performance indicator for Evaluation Standard 2.

**Table 2. Performance of the 80 State VR Agencies on Evaluation Standard 2, by Performance Factors and Type of Agency: Fiscal Year 2009**

<b>Performance Factors</b>	<b>General and Combined VR Agencies</b>	<b>VR Agencies Serving the Blind</b>
Ratio of .80 or Higher	48	19
Ratio of Less than .80	8	5
Fewer than 100 Individuals from Minority Backgrounds Exiting the State VR Program	2	13

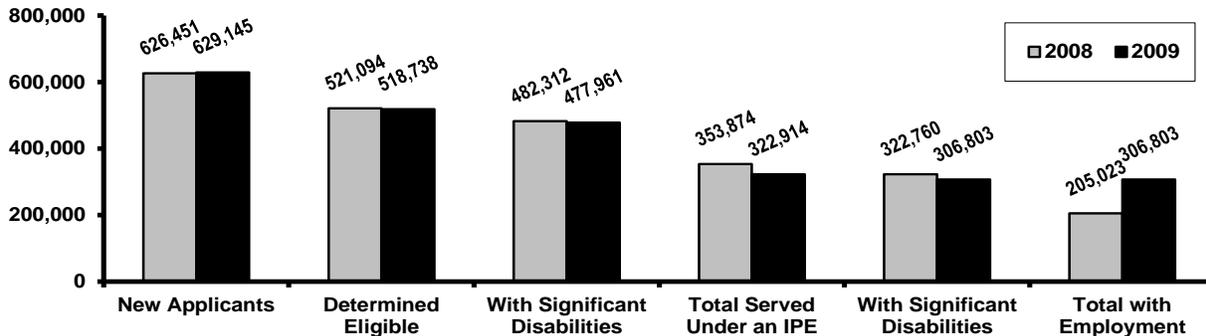
Source: U.S. Department of Education, OSERS, RSA, 2009b.

A state-by-state breakdown of VR agency FY 2009 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 2008 and 2009 on a variety of key indices for the VR program. In FY 2009, 629,145 individuals with disabilities applied for VR services. Of this number 518,738 or 82 percent of the applicants were determined eligible to participate in the VR program. Of the individuals determined eligible for VR services, 477,961 or 92 percent were individuals with significant disabilities.

<sup>10</sup> The Guam division of Vocational Rehabilitation did not submit RSA-911 2009 data. Therefore, the agency did not meet this standard due to the omission of data.

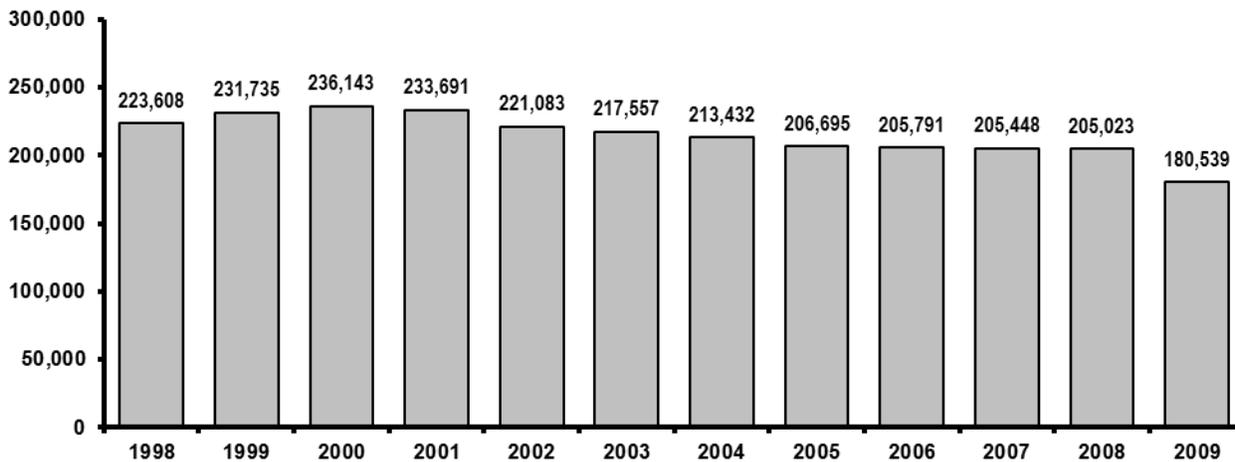
**Figure 3. Key VR Program Indices, by Numbers Served: Fiscal Years 2008 and 2009**



Source: U.S. Department of Education, OSERS, RSA 2009a.

During FY 2009, 1.41 million individuals were involved in the public VR process, actively pursuing the achievement of their employment outcomes. Of the 980,860 receiving services under an IPE, 921,756 (94 percent) were individuals with significant disabilities.

**Figure 4. Number of VR Program Participants Achieving Employment Outcomes: Fiscal Years 1998–2009**



Source: U.S. Department of Education, OSERS, RSA, 2009a.

In FY 2009, 180,570 individuals achieved an employment outcome. Figure 4 above shows the number of individuals who achieved employment outcomes after receiving VR services for each FY from 1998 through 2009. The decline in the number of employment outcomes in 2002 was largely due to the elimination of extended employment<sup>11</sup> as an allowable employment outcome under the VR program in FY 2001.

<sup>11</sup> Extended employment is defined as “work in a non-integrated 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.

The small steady decline beginning in FY 2002 and continuing through 2008 are judged to be the result of several factors that have had an impact on the VR program. Some of these contributing factors include:

- Reduction in state matching funds for VR federal funds and the difficulties experienced by several states in satisfying their maintenance of effort requirements. In any given federal fiscal year, State expenditures cannot fall below total State expenditures (i.e., outlays and unliquidated obligations) for the fiscal year two years prior to the fiscal year under review, or the state will not have met its maintenance of effort requirement (34 CFR 361.62).
- 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 2009, of the 80 state VR agencies, 40 reported that they could not serve all eligible individuals and implemented an order of selection.

In FY 2009, there was a large drop (12 percent) in the overall number of employment outcomes. This decline was widespread, with 78 percent of the 80 state VR agencies reporting a decrease in employment outcomes. Among state VR agencies, decreases in employment outcomes ranged from less than 1 percent to almost 50 percent. The decrease in employment outcomes can, at least in part, be attributed to the general decline in available employment opportunities. For example, many VR agencies in states experiencing high rates of unemployment for the general population have had a difficult time assisting the individuals with disabilities they serve to obtain employment. However, there were a few VR agencies in states with high rates of unemployment that did not experience a decrease in employment outcomes, including some of which reported an increase in 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 stopped 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 steadily since FY 1995. In that year, individuals with significant disabilities represented just 76 percent of all individuals with disabilities who obtained employment after receiving VR services. Although there was a slight decline in FYs 2007 and 2008, in FY 2009, the rate increased to 93.5.

**Table 3. Number and Percentage of Individuals With and Without Significant Disabilities Obtaining Employment After Exiting a VR Program: Fiscal Years 1995–2009**

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
2005	189,207	17,488	91.5
2006	189,709	16,082	92.2
2007	188,399	17,049	91.7
2008	187,766	17,257	91.6
2009	168,794	11,745	93.5

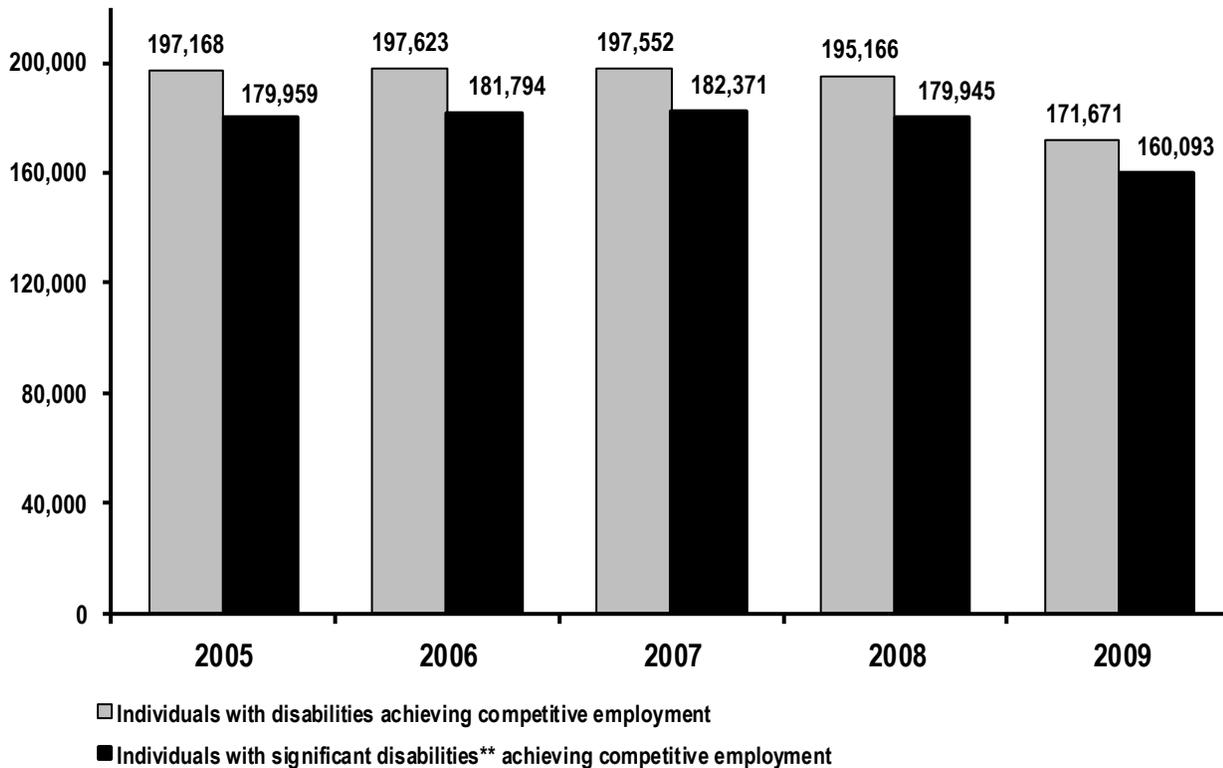
\* The program regulations at 34 CFR 361.5(b)(31) define an individual with a significant disability as “an individual with a disability:

- (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 vocational rehabilitation needs to cause comparable substantial functional limitation.”

Source: U.S. Department of Education, OSERS, RSA, 2009a

As shown on figure 5 on the following page, there have been similar decreasing trends in the overall number of competitive employment outcomes between FY 2005 and FY 2009, with a more substantial decrease in FY 2009.

**Figure 5. Number of VR Program Participants Achieving Competitive Employment\*, by Disability Level: Fiscal Years 2005–09**



\*The program regulations at 34 *CFR* 361.5(b)(31) define 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 vocational rehabilitation needs to cause comparable substantial functional limitation.”

\*\* The term “states” includes, in addition to each of the 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 Section 7(32) of the *Rehabilitation Act*.

Source: U.S. Department of Education, OSERS, RSA, 2009a

An important aspect of employment for anyone, particularly individuals with disabilities, is employment with some type of medical benefits. In FY 2009, approximately 112,000 individuals got competitive jobs with medical benefits, of which a little over 106,000 were individuals with significant disabilities.

A more detailed, state-by-state breakdown of statistical information regarding the VR program for FY 2009 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 202-245-7598 or going to the RSA website at <http://www.ed.gov/about/offices/list/osers/rsa/research.html> and <http://rsa.ed.gov>.

### ***American Recovery and Reinvestment Act of 2009***

In FY 2009, Congress appropriated an additional \$540,000,000 for the VR program through the *American Recovery and Reinvestment Act of 2009 (ARRA)*. RSA allotted 50 percent of these VR *ARRA* funds to state VR agencies on April 1, 2009, while the remaining funds were distributed by Sept. 30, 2009. The *ARRA* provided an unprecedented opportunity for states and VR agencies to implement innovative strategies to improve employment outcomes for individuals with disabilities. States were encouraged to use funds for significant system improvement, and are currently engaged in a wide array of new initiatives throughout the country. State VR agencies must obligate all of their VR *ARRA* funds by Sept. 30, 2011. Although *ARRA* funds were awarded in FY 2009, most state VR agencies did not begin to expend these funds until FY 2010.

## SUPPORTED EMPLOYMENT SERVICES PROGRAM

Authorized Under Sections 621–628 of the *Rehabilitation Act*

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 concept of supported employment was developed to assist in the transition of individuals with mental retardation and other developmental disabilities into a work setting through the use of on-site job coaches and other supports. State VR agencies are authorized to provide ongoing support services needed by individuals with the most significant disabilities to maintain supported employment. Such supports may include monthly monitoring at the worksite, from the time of job placement until transition to extended services.<sup>12</sup>

**Supported Employment  
Services Program  
FY 2009 Federal Funding:  
\$29,181,000**

Under the Supported Employment program, state VR agencies collaborate with appropriate public and private nonprofit organizations to provide supported employment services. State VR agencies provide eligible individuals with disabilities—e.g., individuals with the most significant disabilities—time-limited services for a period not to exceed 18 months, unless a longer period to achieve job stabilization has been established in the individualized plan for employment (IPE), which is: “a description of the specific employment outcome that is chosen by the eligible individual and is consistent with the individual’s unique strengths, resources, priorities, concerns, abilities, capabilities, career interests, and informed choice” (34 CF4 361.45). 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 2009 RSA 911 Case Service Report* (RSA 911) (U.S. Department of Education, OSERS, RSA 2009a) show that a total of 35,935 individuals whose cases

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<sup>12</sup> 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.”

were closed that year after receiving services had a goal of supported employment on their IPE at some time during their participation in the VR program. Fifty-four percent 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 20,026 individuals, or about 56 percent of the total individuals with a supported employment goal (including those funded solely by Title I and those that received some Title VI-B support), achieved an employment outcome. Of those achieving an employment outcome, 8,302 individuals received funding for supported employment services solely under the Title I VR program and 11,724 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 2009 data also show that 78 percent, or 9,162, of 11,724 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, 8,505, or 93 percent, were in competitive employment. In FY 2009, the mean hourly wage for individuals with supported employment outcomes who had achieved competitive employment was \$8.26.

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, 20.5 percent were employed in an integrated setting without supports and 1.3 percent were self-employed, 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. Consistent with this finding, the administration's budget requests to Congress for FYs 2002 through 2009 have included the consolidation of Title VI-B funding into the broader Title I program.

The *Government Performance and Results Act (GPRA)*(n.d.) indicator for the Supported Employment Services Program assesses the effectiveness of state agency efforts to increase the competitive employment outcomes of individuals with the most significant disabilities who have received supported employment services. 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 with disabilities in supported employment to achieve competitive employment outcomes. The measure is the percentage of individuals with a supported employment outcome goal achieving an employment outcome that obtains competitive employment. In FY 2007,

the performance target of 93 percent was exceeded with 94.2 percent achieving a competitive employment outcome. In FY 2008, the performance target of 94 percent was not met, with about 92.2 percent of the individuals with a supported employment goal who achieved an employment outcome achieving a competitive employment outcome. In FY 2008, performance on this measure decreased slightly from the previous year (from 94 percent to 92 percent of such individuals), and it was the first year for which the performance target had not been met or exceeded for this measure. In FY 2009 the performance target of 94.5 percent was not met, with only about 91 percent of individuals with a supported employment goal who achieved an employment outcome achieving a competitive employment outcome.

In response to recommendations from the program assessment conducted in FY 2007, RSA developed a measure to assess the weekly earnings of individuals with significant disabilities who achieved a supported employment outcome. In FY 2008, the baseline year, average weekly earnings for individuals with significant disabilities who achieved supported employment outcomes were about \$199. In FY 2009, the average weekly earnings were about \$188; a decrease of about \$11 compared to the previous year. These were actual dollar amounts and were not adjusted for inflation.

# AMERICAN INDIAN VOCATIONAL REHABILITATION SERVICES PROGRAM

Authorized Under Section 121 of the *Rehabilitation Act*

The American Indian Vocational Rehabilitation Services (AIVRS) Program provides grants to governing bodies of Indian tribes (and consortia of such governing bodies) to deliver VR services to American Indians with disabilities that live on or near federal or state reservations. The term “reservation” means “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*.” (34 CFR 371.4).

**American Indian Vocational  
Rehabilitation Services  
Program**

**FY 2009 Federal Funding:  
\$36,113,000**

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 will be, to the maximum extent feasible, comparable to the rehabilitation services provided by the state VR agencies and that

effort will be made to provide VR services in a manner and at a level of quality comparable to those services provided by the state VR agencies.

**Table 4. American Indian VR Services Program: Number of Grants and Funding Amounts\*: Fiscal Years 1999–2009**

Fiscal Year	Total 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	\$30,762,517
2005	72	\$31,964,316
2006	73	\$32,999,370
2007	74	\$34,409,233
2008	77	\$34,839,212
2009	79	\$ 36,043,553

Source: U.S. Department of Education, OSERS, RSA 2009c

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

The total number of grants funded under the AIVRS program increased from 53 in FY 1999 to 79 in FY 2009. The amount of the average award (both new and continuation) also has increased over time. The average award size in FY 1999 was about \$325,000, as compared to about \$456,000 in FY 2009, about a 40.3 percent increase. Section 121 of the *Rehabilitation Act* requires that established projects be given preference in competing for a new grant award.

Established projects that re-compete for new grants often request higher levels of funding because they have increased their capacity to effectively serve more individuals with disabilities. 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 that live on or near reservations by providing effective tribal VR services. Program outcome data extrapolated from the AIVRS annual program performance database, in response to *GPR*A, are shown in table 4.

**Table 5. Number of Individuals Achieving Employment Through the American Indian VR Services Program\*: Fiscal Years 1997–2009**

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
2005	6,245	2,375	1,573
2006	5,829	2,339	1,576
2007	6,592	2,494	1,663
2008	7,676	2,447	1,609
2009	7,621	2,769	1,690

\*The number served calculation in table 5 includes the number of individuals who received services under an IPE during the fiscal year, a prior fiscal year and/or carried under a previous grant cycle.

Source: U.S. Department of Education, OSERS, RSA, 2009b

whose average annual cost per participant is no more than \$10,000. Under this measure the average cost per participant is calculated by dividing the project’s total federal grant by the number of participants served. In FY 2009, 83 percent of projects met the \$10,000 criterion for this measure.

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

As table 5 shows, the number of American Indians with disabilities who achieved an employment outcome increased from 1,609 in FY 2008 to 1,690 in FY 2009. In FY 2009 approximately 61 percent of American Indians with disabilities who received services and exited the program achieved an employment outcome.

The Department has established two efficiency measures for the AIVRS program to examine the cost per employment outcome and cost per participant. The cost per employment outcome measure examines the percentage of projects whose average annual cost per employment outcome is no more than \$35,000. Under this measure the cost per employment outcome is calculated by dividing a project’s total federal grant by the number of employment outcomes reported. In FY 2009, 71 percent of projects met the \$35,000 criterion for this measure.

The cost per participant measure examines the percentage of projects

Section 21 of the *Rehabilitation Act*. Tribal VR projects, for example, are building strong relationships with the state VR agencies, and these relationships are promoting cross-training in which state VR agencies are sharing techniques of VR service delivery with tribal VR staff members and tribal project staff persons are sharing techniques on delivering VR services designed for diverse cultures with state VR agency staff members. As another example, the technical assistance network sponsors annual conferences for the AIVRS projects that focus on training and networking. Other grantees funded under the *Rehabilitation 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 to include the conduct of on-site reviews and providing self-assessment tools designed to assist tribal projects to identify issues and needs requiring training and technical assistance. In FY 2009, RSA expanded the technical assistance strategy to include regional AIVRS trainings to advance the provision of services provided by the AIVRS grantees. In partnership with Tribal Vocational Rehabilitation projects, the RSA AIVRS team conducted two regional trainings, one hosted by the Mississippi Choctaw Nation, Choctaw, Miss., and the other hosted by the three South Dakota grantees in Rapid City, S.D. The trainings' focus was to improve the tribal VR staff's understanding of the programmatic and fiscal management requirements of the AIVRS grant program.

## **DEMONSTRATION AND TRAINING PROGRAMS**

**Authorized Under Section 303 of the *Rehabilitation Act***

The Demonstration and Training Programs provide competitive grants to—and authorizes RSA to enter into contracts with—eligible entities to expand and improve the provision of rehabilitation and other services authorized under the *Rehabilitation Act*. The grants and contracts are to further the purposes and policies of the *Rehabilitation Act* and to support activities that increase the provision, extent, availability, scope and quality of rehabilitation services under the *Rehabilitation Act*, including related research and evaluation activities.

**Demonstration and  
Training Programs  
FY 2009 Federal Funding:  
\$9,594,000**

Sections 303(a), (c), and (d) of the *Rehabilitation 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 *Rehabilitation Act* authorizes the support of projects that provide activities to demonstrate and implement methods of service delivery for individuals with disabilities and includes such activities as technical assistance, service demonstrations, systems change, special studies and evaluation, and the dissemination and utilization of

project findings. Entities eligible for grants under Section 303(b) 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.

Special demonstration projects vary in their objectives. The objective for a number of the projects funded in the past has been to provide comprehensive services for individuals with disabilities that lead to successful employment outcomes. However, some projects funded under this authority do not relate directly to employment of individuals with disabilities. For example, some projects focus on braille training; others focus on training parents of youths with disabilities. While these projects will ultimately affect employment and entry into the VR program, such outcomes may occur only indirectly or many years, after the project ends. For this reason, the program changed its outcome measure to the following:

- 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 projects that met their goals and objectives as established in their original applications.

Using this measure allows each project to be included in any evaluation of the Demonstration and Training Programs. Program outcome data using this measure have been collected on projects that ended after FY 2005.

In FY 2009, RSA continued funding for six grants that focused on supporting projects that demonstrate the use of promising practices of collaborative transition planning and service delivery to improve the postsecondary education and employment outcomes of youths with disabilities. Grantees are implementing a model transition program that is designed to improve post-school outcomes of students with disabilities through the use of local interagency transition teams and the implementation of a coordinated set of promising practices and strategies.

In FY 2009, funding was continued for seven parent training and information grants, and the technical assistance center that supports them. These centers 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.

Three 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.

The purpose of the assistive technology reuse projects that RSA funded previously, which included RSA-funded AT device reutilization special demonstration projects, was to demonstrate the feasibility of reusing assistive technology to benefit individuals with disabilities who may not have access to assistive technology through some other means. In FY 2009, in order to continue to maintain the investment that RSA made in these projects, RSA continued a project providing technical assistance to the assistive technology reuse projects.

## **MIGRANT AND SEASONAL FARMWORKERS PROGRAM**

**Authorized Under Section 304 of the *Rehabilitation Act***

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

**Migrant and Seasonal  
Farmworkers Program  
FY 2009 Federal Funding:  
\$2,239,000**

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. They face significant barriers to securing employment, such as language barriers, obstacles due to culturally diverse backgrounds and lack of stability caused by relocation from state to state, making tracking individuals 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 Interagency Committee on Migrants to share

information and develop strategies to improve the coordination and delivery of services to this population.

Projects funded in FY 2009 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, projects under this program worked directly with employers to create opportunities for on-the-job training and job placement.

The GPRA performance indicator for this program is based upon the Annual Vocational Rehabilitation Case Service Report (RSA-911), which collects data on the number of individuals whose cases are closed from state VR agencies each fiscal year. One element in the system reports on the number of persons who also participated in a MSFW project at some time during their VR program. This is the data element used to calculate the GPRA performance indicator for this program. The GPRA indicator for this program is shown below:

“Individuals who achieve employment outcomes: Within MSFW project-funded states, the percentage of migrant or seasonal farmworkers with disabilities served by the state VR and the MSFW projects, who achieve employment outcomes is higher than those migrant and seasonal farmworkers with disabilities who do not have a MSFW project.”

Thirteen projects funded under this program in FY 2009 served a total of 189 individuals who were also served by the VR program and placed a total of 126 individuals into competitive employment, a 66.7 percent placement rate. During this same time period the VR program in those same 13 states that had a MSFW project served an additional 91 migrant and seasonal farmworkers who did not participate in a project funded under this program and placed a total of 54 individuals into competitive employment, a 59.3 percent placement rate. Therefore, the GPRA indicator was met in FY 2009.

However, this GPRA indicator was being taken out this year and replaced by a GPRA indicator that compares the states with MSFW projects to states that do not have an MSFW project, as shown below:

“Individuals who achieve employment outcomes: Within MSFW project-funded states, the percentage of migrant or seasonal farmworkers with disabilities served by the state VR and the MSFW projects, who achieve employment outcomes is higher than the percentage of migrant and seasonal farmworkers with disabilities in states that do not have an MSFW project.”

Accordingly, during this same period the VR program in states that did not have an MSFW project served 1,502 migrant and seasonal farmworkers and placed a total of 875 individuals into competitive employment, a 58.3 percent placement rate. Therefore, the new GPRA indicator was met in FY 2009 since the figures showed that states with an MSFW project still had a higher placement than the states without an MSFW project.

RSA advised all of the MSFW grantees to begin collecting data on Oct. 1, 2008, on eight new performance measures to report for the FY 2009 year. The eight data elements and the data for the 10 continuation projects under this program for FY 2009 were as follows:

- Total number of MSFW with disabilities who received vocational rehabilitation services from this project this reporting period. .... Total: 754
- Total number of MSFW with disabilities who also receive vocational rehabilitation services from the state VR agency this reporting period. .... Total: 523
- Total number of MSFW with disabilities who achieved employment outcomes this reporting period..... Total: 217
- Total number of MSFW with disabilities served who exited the program this year without achieving an employment outcome. .... Total: 184
- Total number of MSFW with disabilities served who exited the program this reporting period without achieving an employment outcome but who were transferred to another state. .... Total: 9
- Percentage of MSFW with disabilities served who achieved employment outcomes this year. .... Percentage: 28.8 percent
- Total number of MSFW with disabilities who are still employed three months after achieving an employment outcome. .... Total: 156
- Annual cost per participant who achieved an employment outcome.....Average Cost: \$10,216

**Table 6. Migrant and Seasonal Farmworkers Program Number of Grants: Fiscal Years 2000–09**

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
2005	9	4	13
2006	9	3	12
2007	8 plus 2*	3	13
2008	10	3	13
2009	13	0	13

\*Two of the grants that were to end in FY 2006 were granted one-year extensions to operate in FY 2007.

Source: U.S. Department of Education, RSA, Annual Performance Report, 2009d

## PROJECTS WITH INDUSTRY

### Authorized Under Sections 611–612 of the *Rehabilitation Act*

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 project-specific 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*.

**Projects With Industry  
FY 2009 Federal Funding:  
\$19,196,671**

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 three- or five-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 performance report 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.

<b>Evaluation Standard 1:</b>	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.
<b>Evaluation Standard 2:</b>	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.
<b>Evaluation Standard 3:</b>	The project must ensure the provision of services that will assist in the placement of individuals with disabilities.
<b>Evaluation Standard 4:</b>	Funds must be used to achieve the project's primary objective at minimum cost to the federal government.
<b>Evaluation Standard 5:</b>	The project's advisory council must provide policy guidance and assistance in the conduct of the project.
<b>Evaluation Standard 6:</b>	Working relationships, including partnerships, must be established with agencies and organizations to expand the project's capacity to meet its objectives.
<b>Evaluation Standard 7:</b>	The project must obtain positive results in assisting individuals with disabilities to obtain competitive employment.

RSA established five compliance indicators designed 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 and any two of the three "secondary" compliance indicators, as identified below.

<b>Compliance Indicator 1 (Primary):</b>	Placement rate. (A minimum of 55 percent of individuals served by the project during FY 2009 must be placed into competitive employment.)
<b>Compliance Indicator 2 (Primary):</b>	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 competitive 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.)
<b>Compliance Indicator 3 (Secondary):</b>	Percentage 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.)

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<b>Compliance Indicator 4 (Secondary):</b>	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.)
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<b>Compliance Indicator 5 (Secondary):</b>	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.)
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Two of the compliance indicators also serve as the program's measures established pursuant to *GPRA*. These measures, including FY 2009 performance results based on the reports of 66 grantees, are provided below.

- **Placement Rate** of individuals with disabilities into competitive employment. The placement rate for fiscal year 2009 was 48 percent, failing to meet the *GPRA* target measure of 57 percent. Due to the recession beginning close to the start of FY 2009, many grantees struggled to meet the indicators. The recession caused a unique situation for PWI.
- **Change in earnings** of individuals who are placed in competitive employment. In fiscal year 2009. The change in earnings of individuals who were placed in competitive employment averaged \$238 per week, which failed to meet the *GPRA* target measure of \$255.

The PWI program has three additional *GPRA* measures that were added in FY 2006. These measures, including FY 2009 performance results, are based on the reports of 66 grantees, and are provided below.

- **The percentage of exiting PWI participants who are placed in competitive employment.** The percentage of exiting participants who are placed in competitive employment during FY 2009 was 78 percent. While an increase over the percentage placed in FY 2009, this percentage fell below the program's *GPRA* target measure of **85 percent**.
- **The percentage of PWI projects whose annual average cost per placement is no more than \$11,000.** In FY 2009, the percentage of projects whose annual average cost per placement was no more than \$11,000, which was 62 percent, which was substantially below the target of **76 percent**.
- **The percentage of PWI projects whose annual average cost per participant is no more than \$4,500.** In FY 2009, the percentage of projects whose annual average cost per participant was no more than \$4,500, which was 67 percent, which was well below the target measure of **79 percent**.

In order to receive continuation funding for the third and subsequent years, PWI grantees must demonstrate compliance with the standards and indicators by submitting 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 2009, 100 percent of the projects completed the first year of their grant. An estimated 41 percent of the projects failed the compliance indicators. The failure rate was higher in FY 2009 as compared to FY 2008, when about 23 percent of the projects failed to meet the compliance indicators. FY 2009 marked the beginning of a new five-year grant cycle. These newly funded grants included a number of novice grantees. The Notice Inviting Applications included priority points awarded to novice applicants resulting in a number of novice grants greater than under previous grant cycles. Unlike more experienced grantees, novice grantees face the challenge of start-up activities, including publicizing the availability of the grant's services and securing qualified staff. We believe the combination of the new grant cycle, a greater number of novice grants awarded than in previous grant cycles and the downturn in the economy contributed to the program being unable to meet the above targets.

Section 611(f)(3)(A) of the *Rehabilitation Act* requires the RSA commissioner to annually conduct compliance reviews of at least 15 percent of grant recipients. In FY 2009 RSA monitored 10 programs. Table 7 presents selected performance information for the PWI program for fiscal years 2008 and 2009. In FY 2009, there were 66 projects in operation, one more than in FY 2008. The 66 PWI projects operating and reporting data in FY 2009 placed 48 percent of the total 5,454 individuals served into competitive employment. Approximately 88 percent of the total number of individuals served and 92 percent of individuals placed were individuals with significant disabilities. About 74 percent of individuals served and 75 percent of individuals placed in employment were individuals who were unemployed six months or more prior to program entry. In FY 2009, the placement rate for individuals with significant disabilities (percentage of individuals with significant disabilities served who were placed in employment) was 50 percent.

**Table 7. Projects With Industry Program Outcomes\*: Fiscal Years 2008 and 2009**

<b>Fiscal Year</b>	<b>2008</b>	<b>2009</b>
Total projects reporting	65	66
Total persons served	7,606	5,454
Persons served with significant disabilities	7,058	4,823
Percentage served with significant disabilities	93%	88%
Persons served who were unemployed six months or more	5,937	4,023
Percentage served who were unemployed six months or more	78%	74%
Total persons placed in employment	4,780	2,599
Percentage of total persons placed in employment	63%	48%
Persons placed with significant disabilities	4,450	2,389
Percentage of individuals with significant disabilities placed in employment	93%	92%
Persons placed who were unemployed six months or more in employment	3,788	1,958
Percentage of previously unemployed individuals placed in employment	79%	75%
Placement rate of individuals with significant disabilities	63%	50%
Placement rate of previously unemployed individuals	64%	49%

\*In previous years, PWI grantees were reporting total new persons served each fiscal year. In FY 2005, the data collection instrument was revised and started requiring grantees to report new and continuing persons served. The individuals identified as new persons served include all persons who completed the project's intake process and who were determined eligible to receive project services during the reporting period. The individuals identified as continuing served include those who were determined eligible and received PWI services prior to the current reporting period and continued to receive project services during the reporting period.

Source: U.S. Department of Education, OSERS, RSA, 2009e

In FY 2004, the Department selected the PWI program to undergo a PART assessment. 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 meeting its performance goals, the PART found that these results are undermined by the uneven credibility of the data collected and reported by grantees and highly variable grantee performance.

As a result of the PART findings, RSA: (1) implemented a plan to improve grantee data collection and reporting by providing technical assistance to grantees on the program in the form of group teleconference calls and technical assistance documents; (2) revised the program measures to be comparable with other job training programs; (3) improved the use and transparency of project data to manage and improve the program, including posting summary analyses and key data on the Department’s website; and (4) developed and implemented a plan to meet the program’s statutory requirement for on-site compliance reviews.

## **RANDOLPH-SHEPPARD VENDING FACILITY PROGRAM**

**Authorized Under the *Randolph-Sheppard Act* and  
Section 103(b)(1) of the *Rehabilitation Act***

Section 103(b)(1) of the *Rehabilitation Act* states that VR services, when provided to groups, can include management, supervision and other services to improve businesses operated by significantly disabled individuals. State VR agencies, therefore, are authorized to use funds under the VR program to support the Randolph-Sheppard 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.

Also known as the Business Enterprise Program, *The Randolph-Sheppard Act* Vending Facility Program is supported by a combination of RSA program funds, state appropriations, federal vending machine income, and levied set-asides from vendors. It 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 also include state, county, municipal and private installations as well as interstate highway rest areas. Operations have expanded to include military mess halls, cafeterias, snack bars, miscellaneous shops and facilities comprised of vending machines.

RSA administers the *Randolph-Sheppard Act* in accordance with the goals of providing blind individuals with remunerative employment, enlarging the economic opportunities of blind persons and encouraging blind individuals to strive to become self-supporting. To this end, 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 8 were obtained from the Report of Vending Facility Program, Form RSA-15, for FY 2009. The total gross income for the program was \$758.4 million in FY 2009, compared to \$723.5 million in FY 2008, a 4.8 percent increase. All vendors combined earned a gross income of \$120.5 million in FY 2009 and \$123.7 million in FY 2008, a decrease of 2.6 percent. The national average annual net earnings of vendors increased 2.2 percent to \$51,664 in FY 2009 from \$50,543 the previous year. The number of vendors at the end of FY 2009 was 2,358 compared to 2,400 in FY 2008, a decrease of 42 vendors. There were 2,542 vending facilities in FY 2009 at the end of the year. The reported number of vending facilities in FY 2008 was 2,576 at the end of the year. In FY 2008 a revised data reporting instrument was implemented with a change in the definition of how facilities were to be reported. The

possible reason for this decline is that the change required reporting the number of actual vending operations of blind vendors (vending operations may consist of multiple locations) rather than the discrete number of actual locations.

**Table 8. Randolph-Sheppard Vending Facility Program Outcomes: Fiscal Years 2008 and 2009**

	FY 2008	FY 2009
<b>Income and Earnings</b>		
Gross Income	\$723,489,693	\$758,352,474
Vendor Earnings	\$123,732,427	\$120,528,535
Average Earnings	\$50,543	\$51,664
<b>Number of Vendors</b>		
Federal Locations	846	822
Nonfederal Locations	1,554	1,536
<b>Total Vendors</b>	<b>2,400</b>	<b>2,358</b>
<b>Number of Vending Facilities</b>		
Federal Locations	906	885
Nonfederal Locations	1,670	1,657
<b>Total Facilities</b>	<b>2,576</b>	<b>2,542</b>

Source: U.S. Department of Education, RSA, 2009f

# INDEPENDENT LIVING AND COMMUNITY INTEGRATION

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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 of the *Rehabilitation Act* authorizes financial assistance to provide, expand and improve IL services; to develop and support statewide networks of centers for independent living (CILs); and to improve working relationships among state IL programs, CILs, statewide independent living councils (SILCs), other programs authorized by the *Rehabilitation Act*, and other federal, state, local and nongovernmental programs.

## STATE INDEPENDENT LIVING SERVICES PROGRAM Authorized Under Title VII, Chapter I, Part B of the *Rehabilitation Act*

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:

1. Supporting the operation of SILCs;
2. Demonstrating ways to expand and improve IL services;
3. Providing IL services;
4. Supporting the operation of CILs;
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 in order to enhance IL services;
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.

**State Independent Living  
Services Program  
FY 2009 Federal Funding:  
\$23,450,000  
FY 2009 ARRA Funding:  
\$18,200,000**

To be eligible for financial assistance states are required to establish a 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 (DSU)(U.S. Department of Education, n.d.b). 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.

### ***American Recovery and Reinvestment Act of 2009***

*The American Recovery and Reinvestment Act (ARRA)* provided \$18,200,000 in SILS program funds in FY 2009. These funds enabled states to create or expand IL programs helping individuals with significant disabilities to transition from institutions to their communities; pursue postsecondary education, employment and independent living opportunities; improve their quality of life through assistive technology and rehabilitation engineering services; and achieve their life goals through increased availability of IL skills, peer counseling, individual and systems advocacy, and information and referral services.

## CENTERS FOR INDEPENDENT LIVING PROGRAM

Authorized Under Title VII, Chapter I, Part C, of the *Rehabilitation Act*

The Centers for Independent Living (CIL) program provides grants to consumer-controlled, community-based, cross-disability,<sup>13</sup> nonresidential, private nonprofit agencies for the provision of IL services to individuals with significant disabilities. At a minimum, centers funded by the program are required to provide the following IL core services: information and referral; IL skills training; peer counseling; and individual and systems advocacy. Centers also may provide 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.

**Centers for Independent Living Program**  
**FY 2009 Federal Funding:**  
**\$77,266,000**  
**FY 2009 ARRA Funding:**  
**\$87,500,000**

**Table 9. Centers for Independent Living Program Accomplishments: Fiscal Year 2009**

In FY 2009, CILs nationwide served over 210,269 individuals with disabilities. A few examples of their beneficial impact on individuals follows:

- 2,829 individuals were relocated from nursing homes or other institutions to community-based living arrangements.
- 48,886 individuals received assistive technology or rehabilitation services.
- 52,591 individuals received IL skills training and life skills training.
- 41,159 individuals received IL services related to securing housing or shelter.
- 26,8570 individuals received services related to transportation;
- 37,947 individuals received personal assistance services.

Source: U.S. Department of Education, OSERS, RSA, 2009

The *Rehabilitation Act* establishes a set of standards and assurances that eligible centers are required to meet. In order to continue receiving CIL program funding, centers must demonstrate minimum compliance with the following evaluation standards: promotion of the IL philosophy; provision of IL services on a cross-disability basis; support for the development and achievement of IL goals chosen by the consumer; efforts to increase the availability of quality community options for IL; and provision

of IL 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

<sup>13</sup> Cross-disability means (according to the program regulations at 34 CFR 364.4), with respect to a CIL, 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."

on the state's priority designation of unserved or underserved areas and the availability of funds within the state. In FY 2009, there were 334 CILs operating nationwide that received funds under this program. If a state's funding for the CIL program exceeds the federal allotment to the state, the state may apply for the authority to award grants and administer this program through its DSU. Two states, Massachusetts and Minnesota have chosen to exercise this authority.

CILs are required to submit an annual performance report. The report tracks sources, amounts and allocation of funds; numbers and demographic breakdowns of service recipients; services rendered and consumer outcomes achieved; and major accomplishments, challenges, opportunities and other IL program activities within the state.

### ***American Recovery and Reinvestment Act of 2009***

During FY 2009, *ARRA* provided \$87,500,000 to the CIL program. These funds enabled existing CILs to create or expand IL programs to help individuals with significant disabilities to transition from institutions to their communities; pursue postsecondary education, employment and independent living opportunities; improve their quality of life through assistive technology and rehabilitation engineering services; and achieve their life goals through increased availability of information and referral, IL skills, peer counseling, and individual and systems advocacy services.

In addition, in accordance with DSU and SILC proposals approved by RSA, *ARRA* funds established 20 new CILs in nine states. Finally, a portion of these funds supported training and technical assistance services to CILs and SILCs nationwide in accordance with the set-aside in Section 721 of the *Rehabilitation Act*.

## INDEPENDENT LIVING SERVICES FOR OLDER INDIVIDUALS WHO ARE BLIND

Authorized Under Title VII, Chapter 2, of the *Rehabilitation Act*

The Independent Living Services for Older Individuals Who Are Blind (OIB) program delivers IL services to individuals who are 55 years of age or older and whose significant visual impairment makes competitive employment difficult to attain but for whom IL goals are feasible. These services assist older individuals who are blind in coping with activities of daily living and increasing their functional independence by providing adaptive aids and services, orientation and mobility training, training in communication skills and braille instruction, information and referral services, peer counseling, and individual advocacy instruction. Through such services, the OIB program extends the independence and quality of life for older Americans while offering alternatives to costly long-term institutionalization and care.

### Independent Living Services for Older Individuals Who Are Blind

**FY 2009 Federal Funding:**

**\$34,151,000**

**FY 2009 ARRA Funding:**

**\$34,300,000**

The *Rehabilitation 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. Since FY 2000, formula grants have been made to state agencies for the blind or, in states that have no such agency, to state VR agencies. 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.

In addition to federal funding under Title VII, Chapter 2, the OIB program benefited from increased nonfederal support. In FY 2009 the nonfederal source of funding and in-kind support for the 56 OIB grantees was \$4,389,995, 71.10 percent more than in FY 2008. This funding promotes the 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.

The OIB program continued to see an increase in services delivered to consumers that have other severe or multiple disabilities in addition to a significant visual impairment. In FY 2009 some 66,144 older individuals nationwide benefited from the IL services provided through this program, up 6.18 percent from FY 2008.

To maximize program performance and accountability, RSA has developed new outcomes-based performance indicators.<sup>14</sup> These indicators will help RSA to track the percentage of consumers reporting increased independence and community integration and to provide the necessary recommendations and technical assistance to achieve continuous improvements in the OIB program.

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<sup>14</sup> These performance indicators can be found at <http://www.rsa.ed.gov/display.cfm?pageid=73>.

## RECREATIONAL PROGRAM

Authorized Under Section 305 of the *Rehabilitation Act*

The Recreational Program for individuals with disabilities is authorized under Section 305 of the *Rehabilitation Act* and implemented by the program regulations in 34 CFR Part 369. The goal for the program is to provide recreational activities and related experiences for individuals with disabilities that can be expected to aid in their employment, mobility, independence, socialization, and community integration.

**Recreational Program  
FY 2009 Federal Funding:  
\$2,474,000**

The program awards discretionary grants on a competitive basis to states, public agencies and private nonprofit 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 of first year funding for the second year and 50 percent of first year funding for the third year. Projects funded under this program authority are required to provide a nonfederal match (cash or in-kind contribution or both) for year two at 25 percent of year one federal funding, and for year three at 50 percent of year one federal funding.

Table 10 below shows the number of new and continuation recreational grants funded over a five-year period, as well as the total of the two.

**Table 10. Number of Recreational Programs: Number of Continuation and New Grant Awards: Fiscal Years 2005–09**

Fiscal Year	Continuation Awards	New Awards	Total Awards
2005	16	10	26
2006	17	8	25
2007	17	9	26
2008	18	6	24
2009	15	10	25

Source: U.S. Department of Education, OSERS, RSA, 2009

The objective of the Recreational Program is to sustain the activities initiated by the grant after federal funding ceases. This objective under the *GPR*A requirements is used to demonstrate a link between the mandated goal of this 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. Surveys of grants closed in the three years previous to 2009 indicated that 70 to 80

percent of these projects continued some substantial grant activities after federal funding ceased.

The connection between recreational activities and the creation of employment opportunities is evident in the following projects funded in FY 2009.

The Guidance Center Green Recovery Project, Wayne County, Mich., provides social, recreational, vocational and educational opportunities for residents of the downriver Wayne County community, including persons with mental health and other disabilities. Project activities are centered on developing and maintaining three sustainable community gardens over the three-year project period. The Green Recovery Project targets residents of River Rouge and surrounding communities. The project has had as its goal to recruit 60 new individuals with disabilities and their families each year. Innovative strategies include weekly workshops about gardening fundamentals, food preservation, organic crafts, garden photography, flower arranging, etc.

The Bay Area Outreach & Recreation Program (BORP), Berkeley, Calif., has as its purpose the establishment of an integrated fitness center. This grant allows the development of a unique integrated fitness center that will be an important part of the co-location of at least 10 disability agencies that are coming together as part of the Ed Roberts Campus. The BORP Fitness Center will fill gaps in the range of fitness options available to individuals with disabilities, providing at least 800 individuals with disabilities access to regular exercise while building a sustainable model of integrated fitness.

BORP is a nonprofit organization with over 30 years' experience in providing challenging and innovative sports and recreation programs to Bay Area residents with physical disabilities and visual impairments. It is one of seven partner agencies (all originating as part of the Independent Living Movement in Berkeley) that, together with the City of Berkeley, have been working for the past 14 years to plan and build the Ed Roberts Campus to co-house disability service providers, creating an international center for the Independent Living Movement. However, while the Independent Living as a movement is certainly concerned with advocacy for disability rights, the cutting edge of independent living is in the service it provides to persons with disabilities through such programs as recreation which foster mobility, independence, empowerment, community integration, and enhance the potential employment options of consumers.

# TECHNICAL ASSISTANCE, TRAINING, AND SUPPORT

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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 *Rehabilitation Act*

Program Improvement funds allocated under Section 12 are used to support activities that increase program effectiveness, improve accountability and enhance RSA's ability to address issues of national significance in achieving the

purposes of the *Rehabilitation 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 informational materials; and carry out monitoring and evaluation activities.

**Program Improvement  
FY 2009 Federal Funding:  
\$622,000**

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

In FY 2009, Section 12 funds were used to support ongoing technical assistance and program improvement projects, over half (63 percent) of which were used to provide continuation funding for the National Vocational Rehabilitation Technical Assistance Center (NTAC). Funds also were used to support the provision of Web-based training and technical assistance, completion of the *Comprehensive Statewide Needs Assessment Guide* and implementation of RSA's Web-based dissemination and technical assistance resources. The common link among these initiatives is that they are all aimed at improving access to relevant and timely information. Information on the status of these projects is provided below.

1. National Vocational Rehabilitation Technical Assistance Center (NTAC): The purpose of the NTAC is to ensure the quality and efficiency of the products and activities that are carried out by the network of vocational rehabilitation technical assistance (TA) resources. The NTAC coordinates the network of vocational rehabilitation TA resources consisting of the following four major components: National VR TA Center, RSA-funded technical assistance and continuing education (TACE) centers, and the Centers on Vocational Rehabilitation Program Management and Rehabilitation Technology funded by NIDRR. Activities included the dissemination of research and other information useful to TACE TA activities; development of an evaluation process to be used by TA providers; compilation of TA resources, information and products developed by other entities; and dissemination of information about TA experts to TACE centers. In addition, the NTAC conducted the first annual TA network conference to begin the development of the network; and coordinated the sharing of information between the TACE centers, NIDRR-funded centers and RSA.
2. Web-based Training and Technical Assistance: During FY 2009 RSA conducted 12 nationwide webinars that are archived and available on the National Clearinghouse of Rehabilitation Training Materials website, <http://www.ncrtm.org>. RSA conducts these webinars with the aim of enhancing program outcomes and performance. The webinar approach allows for direct interaction with grantees and stakeholders to deliver “just-in-time” training and technical assistance on RSA-approved policies and practices. Seven webinars were devoted to explaining the use of funds and reporting of outcomes under *ARRA* for grantees in the VR and IL programs.
3. Web-based resource: The purpose of the Web-based resource is to provide broader access to a wide variety of vocational rehabilitation and independent living program resources for RSA grantees and other stakeholders. Upon completion of the working prototype of the Web-based resource, RSA sought input from prospective users of the resource, both internal to RSA and external grantees and stakeholders. The input was then used to make final revisions to the resource before implementation. The resource will allow users to access and search technical assistance information from RSA’s website at <http://rsa.ed.gov/policy.cfm>. Due to a change in the Department’s internet technology, enhancements and revisions were required that delayed the implementation of the project until FY 2010.
4. Comprehensive Statewide Needs Assessment (CSNA): In FY 2007, RSA awarded a contract to develop a model that could assist state VR agencies in conducting their CSNA required under Section 101(a)(15)(i) of the *Rehabilitation Act* and in developing goals and priorities based on the CSNA state VR agencies and state rehabilitation councils (SRCs) are required to conduct a CSNA on a triennial basis that identifies the VR needs of individuals residing in the state. The contract included developing a systemic approach (*VR Needs Assessment Guide*) to conduct the CSNA that can be tailored to individual state VR agencies and providing training and TA, including instructional materials, on how to use the guide. A panel of experts was used to provide guidance in the development of the model. In September 2009, the draft guide was made available to state VR agencies, SRCs and TACE centers for review and

comments. In addition, three state VR agencies used the guide and provided additional feedback. The contractor conducted a webinar and presented at a conference of state VR program evaluation staff to introduce the guide. Comments from these sources were used to finalize the guide and to develop a training program and frequently asked questions document to provide technical assistance in the use of the guide. The final guide is scheduled to be completed in February of 2010.

## **CAPACITY-BUILDING FOR TRADITIONALLY UNDERSERVED POPULATIONS** Authorized Under Section 21 of the *Rehabilitation Act*

Section 21 requires RSA to reserve 1 percent of funds appropriated each year for programs under titles III, VI and VII to make awards to minority entities and Indian tribes to carry out activities under the *Rehabilitation Act* and to state or public or private nonprofit agencies to support capacity-building projects designed to provide outreach and technical

assistance to minority entities and American Indian tribes to promote their participation in activities under the *Rehabilitation Act*. In FY 2009, \$2,353,180 was reserved from programs administered by RSA under titles III, VI and VII for these purposes.

**Capacity-Building for  
Traditionally Underserved  
Populations  
FY 2009 Federal Funding:  
\$2,353,180**

The 1998 amendments to the *Rehabilitation Act* define minority entities as historically black colleges and universities, Hispanic-serving institutions of higher education, American Indian tribal colleges or universities, and other institutions 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 *Rehabilitation Act*. Training and technical assistance activities funded under the *Rehabilitation 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 2009, RSA awarded 10 continuation grants under the RSA Rehabilitation Capacity-Building Program under two priority areas. The two priority areas were: (Priority 1) Establishing New Rehabilitation Training Programs (CFDA 84.315C) and (Priority 2) Capacity-building for Minority Entities (CFDA 84.315D). Six grants were awarded under Priority 1 and five under Priority 2. In terms of minority institutions receiving these grants—two grants were awarded to Hispanic-serving institutions of higher education and four grants were awarded to three historically black universities.

National Institute on Disability and Rehabilitation Research (NIDRR) Section 21 activities are discussed in NIDRR's section of this report.

## **REHABILITATION TRAINING PROGRAM**

**Authorized Under Section 302 of the *Rehabilitation Act***

The purpose of the Rehabilitation 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 IL programs. To that end, the program supports training and related activities designed to increase the number of qualified personnel trained in providing rehabilitation services.

**Rehabilitation Training  
Program**  
**FY 2009 Federal Funding:**  
**\$37,766,000**

Grants and contracts under this program authority are awarded to states and public and private nonprofit agencies and organizations, including institutions of higher education, to pay part of the cost of conducting training programs. Awards can be made in any of 31 long-term training fields, in addition to awards for 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.

In FY 2009, RSA funded 262 training grants. These grants cover a broad array of areas, including 164 long-term training grants, 77 in-service training grants to state VR agencies, six grants to provide quality educational opportunities for interpreters at all skill levels, and 10 grants providing technical assistance and continuing education to state VR agencies and their partners. Together, these grants support the public rehabilitation system through recruiting and training well-qualified staff and maintaining and upgrading their skills once they begin working within the system.

The long-term training program supports academic training grants that are awarded to colleges and universities with undergraduate and graduate programs in the field of rehabilitation. Grantees must direct 75 percent of the funds they receive 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 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 ensure that data on the employment of students are accurate. In FY 2009 RSA funded 164 such grants (47 new grants and 117 continuation grants) in 11 specialty areas.

Under Title I of the *Rehabilitation Act*, each state is required to develop a Comprehensive System of Personnel Development (CSPD). Some of the CSPD requirements include establishing procedures to ensure that there is an adequate supply of qualified staff for the state agency, assessing personnel needs and making

projections for future needs, and addressing 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 and 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.

Of the funds appropriated for the Rehabilitation Training Program, 15 percent must be used to support in-service training. During FY 2009, the Rehabilitation Training Program made 77 in-service training awards to state VR agencies totaling \$5,664,900 to support projects for training state VR agencies' personnel in program areas essential to the effective management of the VR programs under the *Rehabilitation Act*, and in skill areas that enable VR personnel to improve their ability to provide VR services leading to employment outcomes for individuals with disabilities. The In-Service Training Program continued to play a critical role in helping state VR agencies to develop and implement their CSPD standards for hiring, training and retaining qualified rehabilitation professionals, to provide for succession planning, to provide leadership development and capacity building, and to provide training on the *Rehabilitation Act* in their respective states.

In addition to the assistance provided through the in-service training program, state VR agencies had two other sources of assistance to help them meet their CSPD requirements. In FY 2009, RSA awarded \$3,057,665 for six new and eight continuation CSPD grants under the Long-Term Training Program to help retrain VR counselors to comply with the state degree standard. These 14 CSPD grants are among the 164 long-term training grants that RSA awarded in FY 2009. Funds under the Title I VR program also may be used to comply with these requirements.

In FY 2008, RSA redesigned the Rehabilitation Continuing Education Program (RCEP). Rather than funding 10 regional RCEPs to provide continuing education to state VR agencies and separate RCEPs to provide continuing education to community rehabilitation programs, RSA chose to create 10 regional Technical Assistance and Continuing Education (TACE) Centers. In response to RSA's monitoring process and other inputs, TACE Centers provide technical assistance and continuing education to state VR agencies and their partners to improve their performance under and compliance with the *Rehabilitation Act*. Eight of the 10 TACE Centers were awarded at the end of FY 2008 with the remaining two awarded at the beginning of FY 2009. Grants for the 10 TACE Centers total \$5,896,744. Under new five-year cooperative agreements, the TACE Centers will provide technical assistance and continuing education to state VR agencies and their partners to improve their performance under and compliance with the *Rehabilitation Act*. TACE Centers are required to conduct annual needs assessments of their regions to identify the performance and compliance needs of the state VR agencies they serve. Using these needs assessments, the centers then create work plans that identify the nature and scope of technical

assistance and continuing education they will provide. They also maintain advisory committees to provide input to their programs. In 2009, the TACE Centers established their advisory committees, conducted their first needs assessments, and created their first work plans. Data on their activities is not available because many of their activities had not commenced or concluded by the end of FY 2009.

The Rehabilitation Training Program also sponsors an annual conference of rehabilitation educators and state agencies to discuss human resource issues and solutions. The theme of the Rehabilitation Educator's Conference of FY 2009, held in Arlington, Va., Nov. 6–7, 2008, was "Emerging Research in VR Services: How to Translate Research into Practice." The Rehabilitation Training Program also sponsored a three-day forum for new state VR administrators, directors of state VR agencies for the blind, tribal VR agency directors, chief deputies and chairs of the SRCs. The forum is designed to ensure that rehabilitation executives have the content and leadership skills to meet the challenges of the state VR system.

### **Program Performance Data**

For FY 2009, the following data are available to measure the performance of the Rehabilitation Training Program:

- In FY 2009, 67 percent of master's-level counseling graduates reported fulfilling their payback requirements through acceptable employment, up from 63 percent in FY 2008.
- In FY 2009, the percentage of master's-level counseling graduates fulfilling their payback requirements through employment in state VR agencies was 37 percent, which is the same as in FY 2008.
- The FY 2009 cost per master's-level RSA graduate was \$10,036, slightly more than the cost in FY 2008.
- The number of scholars supported by RSA scholarships increased slightly from 2,029 in FY 2008 to 2,039 in FY 2009.

### **Allocations**

The allocation of rehabilitation training grant funds for FY 2009 is shown in table 11 on the following page. Funds have been shifted to programs designed to meet the critical need to train current and new counselors to meet state agency personnel needs as retirement levels increase.

**Table 11. Rehabilitation Training Program, by Number of Grants and Funding Amounts: Fiscal Year 2009**

	Number of Awards FY 2009	Grant Amount
<b>Long-Term Training</b>		
Rehabilitation Counseling	72	\$12,501,771
Rehabilitation Administration	3	\$299,995
Rehabilitation Technology	4	\$385,877
Vocational Evaluation/Adjustment	8	\$799,916
Rehabilitation of Mentally Ill	7	\$699,404
Rehabilitation Psychology	2	\$199,475
Undergraduate Education	18	\$1,349,830
Rehabilitation of the Blind	17	\$1,699,848
Rehabilitation of the Deaf	10	\$996,555
Job Development/Placement	9	\$899,979
CSPD Priority	14	\$3,057,665
<b>Long-Term Training Totals</b>	<b>164</b>	<b>\$22,890,315</b>
<b>Other Training</b>		
Short-Term Training	2	\$449,993
Institute for Rehabilitation Issues	2	\$189,995
In-Service Training	77	\$5,664,900
Interpreter Training	6	\$2,096,247
Clearinghouse	1	\$300,000
TACE Centers	10	\$5,896,744
Gap funding RCEPs, Supplements, peer review, Sec. 21, etc.	0	\$277,806
<b>Other Training Totals</b>	<b>98</b>	<b>\$14,875,685</b>
<b>Grand Totals</b>	<b>262</b>	<b>\$37,766,000</b>

Source: U.S. Department of Education, OSERS, RSA, 2009

## INSTITUTE ON REHABILITATION ISSUES

The Rehabilitation 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 technical assistance resources for other stakeholders in the VR program. Since its inception, IRI has served to exemplify the unique partnerships among 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 websites, where they are readily accessible by persons interested in the topics. 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. In FY 2009, work continued on the publications begun in FY 2008—*Vocational Rehabilitation and Corrections* and *eLearning and Vocational Rehabilitation*—and plans commenced on new publications targeted for completion in FY 2010—*Performance Management: Quality Assurance and Program Evaluation in Vocational Rehabilitation* and *The State Rehabilitation Council-Vocational Rehabilitation Partnership: Working Together Works*.

### IRI Topics Studied During FYs 2008 and 2009

- Vocational Rehabilitation and Corrections
- eLearning and Vocational Rehabilitation

# EVALUATION, RESEARCH, AND INFORMATION DISSEMINATION

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To improve the delivery of services to individuals with disabilities, the *Rehabilitation 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 projects, 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 *Rehabilitation Act*

Section 14 mandates that RSA evaluate all programs authorized by the *Rehabilitation Act* using appropriate methodology and evaluative research design. The purpose of this mandate is to evaluate the effectiveness of programs in relation to their cost and their impact on target populations and mechanisms for delivery of services. The *Rehabilitation Act* further requires that standards be established and used for evaluations and that evaluations are 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.

**Program Evaluation  
FY 2008 Federal Funding:  
\$1,447,000**

In FY 2009, program evaluation funds were used to continue two ongoing studies and to initiate four new studies. Information on the ongoing studies is provided below:

### 1. Redesign of Selected RSA Data Collections

In 2008, the Department awarded a contract to review and revise the *Case Service Reporting System* (RSA-911) and the *Annual Vocational Rehabilitation Program/Cost Report* (RSA-2) to address RSA's need for additional information in assessing grantee performance as well as to resolve inconsistencies in completing the reports. These data collections are submitted annually by the 80 state VR agencies and are a major source of performance data for the state VR program. See Section 101(a) (10) of the *Rehabilitation Act*.

The RSA-911 database contains about 125 data elements for each individual served by a state VR agency, including information on client characteristics, services and outcomes. The data for a particular individual are reported at the time that the agency

closes the individual's record of services. *The Case Services Reporting System (RSA-911)* is used to generate the following management reports:

- Standards and Indicators;
- An extensive set of tables used for monitoring agencies that fail standards;
- A set of tables used to monitor all state VR agencies; and
- *GPR*A reports.

The *Annual Vocational Rehabilitation Program/Cost Report (RSA-2)* is a summary of the expenditures by category of each VR agency. It represents the expenditures by federal fiscal year of each VR agency by type, vendor, purpose and service with additional schedules that provide information on staff breakdown and the amount of carryover funds expended during the year. The report includes expenditures from the agency's VR state grant, the state Supported Employment grant, and other rehabilitation funds, including program income. Supported employment grants are defined as "supported employment grant funds used to supplement funds provided under the state VR grants program for the costs of providing supported employment services. Program funds may be used to supplement assessments under the Title I program and supplement other VR services necessary to help individuals with the most significant disabilities find work in the integrated labor market. Funds cannot be used to provide the extended services necessary to maintain individuals in employment after the end of supported employment services, which usually do not exceed 18 months." Information regarding supported employment may be found here: <http://www.ed.gov/programs/rsasupempl>.

The RSA-2, a much smaller data collection than the RSA-911, contains aggregate data and state agencies are able to report the data directly into RSA's Management Information System (MIS). After the RSA-2 data collection is revised and approved, revisions to the MIS will need to be made to incorporate the new data elements and output tables will need to be redesigned. RSA expects that the revised RSA-2 will be completed in FY 2011 and implemented beginning in FY 2013. Implementation of the revised RSA-911 with over 600,000 individual records is much more complex. Not only will the RSA database need to be revised and output tables restructured, but state VR agencies will need to revise and test their state automated systems before the beginning of the fiscal year for which data will be collected. RSA expects that the revised RSA-911 will be completed in FY 2011 and implemented beginning in FY 2014.

- **Evaluation of Helen Keller National Center**

In FY 2008, the Department awarded a contract to initiate an independent study of the Helen Keller National Center (HKNC). The only previous study conducted of the Center was completed in fiscal year 1988 and covered the fiscal year 1986 program year.

The purpose of the HKNC evaluation is to provide RSA with independent and objective information by which to draw conclusions about the performance of the HKNC. The study will provide data on program implementation that focuses on the core activities undertaken to achieve goals and intended outcomes. Both quantitative and qualitative data will be collected to assess the program's operations for individual consumers and organizational consumers and descriptive data that provide context to help to explain performance measurement findings. The evaluation will identify the characteristics of the populations served by HKNC, program strengths and weaknesses, and barriers to implementation. The evaluation will examine the relationship between HKNC and VR agencies and how well HKNC and its regional affiliates meet the needs of VR agencies. The extent to which program activities match consumer and other stakeholder needs also will be examined, including consumers' and other stakeholders' experiences with the program and their satisfaction with and use of program services. Finally, the evaluation will include recommendations to improve HKNC programs and service delivery, including measures that could be used to assess ongoing performance of HKNC, its regional staff and functions, and its national training program.

New studies awarded during FY 2009 include the following:

- **Supported Employment Study**

In FY 2009, RSA initiated a study on supported employment services provided under Title I (VR State Grants) and Title VI (Supported Employment State Grants)(U.S. Department of Education, n.d.a) of the *Rehabilitation Act*, including the role of the Supported Employment State Grants program in assisting state VR agencies to obtain supported employment outcomes for individuals with the most significant disabilities. The study will provide an in-depth understanding of how the Supported Employment State Grants program is implemented across state VR agencies from both a fiscal and programmatic perspective, including how the supplemental Supported Employment (Title VI B) funds are used in conjunction with Title I funds to assist these individuals to achieve supported employment outcomes. The evaluation also will seek to identify the role of these programs in the current environment, their successes and challenges, and their impact within the larger Supported Employment system. Information from this evaluation will be used to improve monitoring, data collection and accountability, and to inform broader policy decisions.

- **Evaluation of Model Transition Demonstration Projects—Improving the Postsecondary and Employment Outcomes of Youth With Disabilities**

In FY 2007, the Department awarded six grants to state VR agencies under the Demonstration and Training program to support five-year projects that demonstrate the use of promising practices of collaborative transition planning and service delivery to improve the postsecondary education and employment outcomes of youths with disabilities. Each grantee, as a part of the grant award,

was asked to design and complete an evaluation of the project. Although the project evaluation must include an assessment of project outcomes, the rigor of the proposed methods varied significantly. To ensure uniformity in project reporting, RSA is requiring each project to provide annual data on the demographics of participants, the services provided numbers of outcomes achieved, and qualitative descriptions of impacts and lessons learned in its Annual Performance Report.

In FY 2009, the Department began a three-year evaluation of these model projects to explore early indications of success and challenges. The evaluation will analyze annual grantee data and produce an aggregated national data set that will include information on participant demographics/characteristics and disability types, services provided and participant outcomes (student goals, high school completion and drop outs, and employment information). Information on intermediate outcomes, such as program retention and school attendance, will also be reported.

- **Study of VR Attrition**

In FY 2009, evaluation funds were used to conduct a feasibility study examining VR consumer attrition. Data from three of RSA's VR data collections are being analyzed to provide a description of the national picture of state VR agency attrition. This includes such elements as: state and regional patterns, status categories of dropouts, and components of the state VR agency service delivery system where attrition occurs. The data will be correlated with information on state resources, e.g., finances, staffing levels, counselor case loads, order of selection and consumer profiles to create a beginning understanding of possible correlations that may be causal factors in attrition. The contractor will use data on state VR agency performance and resources as maintained in the RSA-911 database and other sources to conduct the study. Information obtained from the feasibility study also will be used to provide direction for an in-depth evaluation that investigates factors that cause attrition and ways to correct them.

Fiscal year 2009 funds were also used to support the following commissioned papers and evaluation-related activities.

- **Evaluation Planning Processes**

Technical assistance was procured to assist in the development of an evaluation planning process designed to provide an integrated vision for the evaluation of programs administered by RSA. The planning process will assist in prioritizing evaluation studies based on agency priorities and the needs of individual programs. Moreover, evaluation studies will be phased in ways that help to build knowledge across studies and capitalize on shared data sources, thereby maximizing RSA's evaluation investments.

- **Evaluation of State Agency Performance Under RSA's *Vocational Rehabilitation Strategic Performance Plan***

RSA develops goals, objectives and measures for assessing national VR program performance. This paper addresses ways of assessing agency performance toward the draft strategic performance plan's goals, identifying meaningful state agency specific performance targets for new measures, formulating an assessment model for any technical assistance RSA will be providing and describing a plan for implementing a new performance model.

- **Improving the Coordination of Program Improvement, Evaluation and Demonstration Program Investments (Sections 12, 14 and 303 of the *Rehabilitation Act*)**

This paper was procured to provide assistance in identifying the relationships and optimal connections between activities that can be conducted under these authorities that, with better coordinated planning, could increase the impact of these investments and benefit both RSA and state VR agencies.

## **THE NATIONAL CLEARINGHOUSE OF REHABILITATION TRAINING MATERIALS** **Authorized Under Section 15 of the *Rehabilitation Act***

The National Clearinghouse of Rehabilitation Training Materials (NCRTM), located at Utah State University, in Logan, Utah, responds to inquiries and provides the public with information about current activities 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. These inquiries are often referred to other appropriate sources of disability-related information and assistance.

Information provided varies. The NCTRM's digital library is an archive of historical and contemporary documents that can include white papers, conference proceedings, books and journals (in the public domain or with permission), assessment tools, manuals, training modules, training programs, slide presentations, memos, maps and tables, audio and video recordings of educational (e.g., webinars, video lectures, interviews, and conference recordings) or historical events, research findings and tools—virtually any information that serves practitioners, educators, researchers, managers or consumers under the aegis of the *Rehabilitation Act*. The website itself provides additional information, including job openings, calendar of events, links to partner sites and open forums on topics of interest.

Historically, NCRTM disseminated materials by sending hard copies to customers who were charged copy and mailing costs. Since moving to Utah State University, the

dissemination process has been digitized. This has resulted in the elimination of waste and increased efficiency in reaching constituents.

During FY 2009, NCRTM sold 5,814 items to customers. These were primarily VR career marketing materials that were produced in hard copy. The digital versions are available to constituents online, free of charge, through the NCRTM website. The NCRTM newsletter is sent by e-mail to approximately 1,200 individuals each quarter.

Website usage data is collected through Google Analytics. During FY 2009, there were 39,684 visits to the website, with 7,831 library documents downloaded.

## **NATIONAL INSTITUTE ON DISABILITY AND REHABILITATION RESEARCH**

**Authorized Under Sections 200–204 of the *Rehabilitation Act***

**Managed by the Office of Special Education and Rehabilitative Services**

Created in 1978, NIDRR conducts comprehensive and coordinated programs to assist 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 *Rehabilitation Act*.

**National Institute on Disability  
and Rehabilitation Research  
FY 2009 Federal Funding:  
\$107,741,000**

The primary role of NIDRR is to provide a comprehensive and coordinated program of research and related activities to advance knowledge and inform and improve policy, practice and system capacity to maximize the inclusion and social integration, health and function, employment and independent living of individuals with disabilities of all ages.

To address this role, 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 and to 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 panel experts, including rehabilitation professionals, rehabilitation researchers and persons with disabilities.

## NIDRR's Research Program Mechanisms and Selected Accomplishments for 2009

NIDRR is unique among the offices that administer programs for individuals with disabilities within the Department. In contrast to RSA and the Office of Special Education Programs (OSEP), which implements and monitors nationwide service programs, NIDRR fulfills its mission through targeted investments in research, dissemination and capacity-building activities across 11 discretionary grant funding mechanisms. Each of these mechanisms is described below along with selected accomplishments that highlight how the results of NIDRR funding are contributing to the goals of Title II of the *Rehabilitation Act*. Three other categories of NIDRR accomplishments also are reported under this section: Interagency Committee on Disability Research (ICDR), peer-reviewed publications, and 2009 NIDRR allocations. Consistent with guidance provided by OMB for NIDRR performance and measurement, all accomplishments reported by NIDRR consist of either *outputs* or *outcomes*.<sup>15</sup> *Outputs* constitute the direct results of NIDRR-funded research and related activities and include products resulting from a program's activities (e.g., study findings or publications) that are provided to external audiences outside of the boundaries of the project conducting the activities. *Outcomes*, on the other hand, describe the intended results or consequences of NIDRR-funded activities for beneficiaries and consist of advances in knowledge and understanding (i.e., short-term outcomes) and changes or improvements in policy, practice and system capacity (i.e., intermediate outcomes).

The 14 categories of NIDRR accomplishments described in this report were taken from the FY 2009 annual performance reports (APRs) of NIDRR grantees. The outputs and outcomes reported cover the period between June 1, 2008, and May 31, 2009. In a few instances, the accomplishments reported also cover the last four months of FY 2009, June through September. The accomplishments reported were selected based on an internal review by NIDRR project officers of the APRs completed by grantees for 2009. All accomplishments reported were internally reviewed in 2009, although the research activities on which they are based may have occurred in previous years.

### 1. 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, alleviate or stabilize disabling conditions, and promote maximum social and economic independence for individuals with disabilities; provide training, including graduate, pre-service 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

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<sup>15</sup> See Program Assessment Rating Tool (PART) Performance Measurement Challenges and Strategies at: [http://www.whitehouse.gov/omb/challenges\\_strategies](http://www.whitehouse.gov/omb/challenges_strategies). This document provides definitions of key terms and practical strategies for addressing common performance measurement challenges. It grew out of a workshop on performance measurement organized by the Office of Management and Budget and the Council for Excellence in Government, which was held on April 22, 2003.

technologies that are intended to maximize the full inclusion and integration of individuals, especially individuals with significant disabilities, into society by improving outcomes in the areas of employment, independent living, family support, and economic and social self-sufficiency. Awards are normally made for a five-year period with some exceptions.

The following are examples of RRTC accomplishments reported to NIDRR in FY 2009:

- Female heads of household with diagnosed psychiatric and substance abuse disorders at risk from termination of federal financial and health-care benefits. Researchers at the University of Illinois at Chicago National Research and Training Center on Psychiatric Disability (Grant # H133B050003), conducted the first comprehensive diagnostic assessment of lifetime behavioral health in a sampled population of long-stay Temporary Assistance for Needy Families (TANF) recipients. Findings indicated that a large proportion of the women who are heads of households with dependent children receiving TANF benefits were unlikely to obtain employment as a result of an inability to receive appropriate services addressing psychiatric disorders and substance use prior to the five-year expiration of TANF benefits. This report is presented in: Cook, J.A., Mock, L.O., and Jonikas, J.A. (2009). Prevalence of psychiatric and substance use disorders among single mothers nearing lifetime welfare eligibility limits. *Archives of General Psychiatry*, 66(3), 249–258.
- Noninstitutional care services reduce Medicaid expenditures, increase the number of eligible persons served. Medicaid spending on home- and community-based services has grown dramatically in recent years but little has been known as to what effect these alternatives to institutional services have on overall long-term care costs. Researchers at the Rehabilitation Research and Training Center on Personal Assistance Services (Grant # H133B031102) at the University of California, San Francisco, using state expenditure data from 1995 to 2005, have found that the growth in expenditures was greater for states offering limited noninstitutional services than for states with large, well-established noninstitutional programs. They conclude that expansion of home- and community-based services (HCBS) appears to entail a short-term increase in expenditures, followed by a reduction in institutional expenditures and a long-term cost savings as well as a substantial expansion in the number of individuals with disabilities served by these programs. It also found that efforts to decrease Medicaid spending appear to have triggered downstream increases in permanent nursing facility placement and greater utilization of acute care services, typically funded by Medicare. Based on these findings, the researchers argue that it is critically important that policymakers give more consideration to the overall cross-policy effects of budget reductions on access to preferred care settings and health outcomes. Frail elderly people, and especially nonelderly people with various types of disabilities, prefer services that allow them to remain in their homes and retain their independence and avoid entering an institution, possibly to remain there for the rest of their lives. Justifications based on financial

constraints can no longer be credibly offered as reasons for forcing such people into nursing homes and other institutions. This report is presented in: Kaye, H.S., LaPlante, M., and Harrington, C. (2009). Do non-institutional long-term care services reduce Medicaid expenditures? *Health Affairs*, 28, 262–272.

- The cost of budget cuts in home- and community-based services. When government funding for health-related services is reduced, participant outcomes may be adversely affected. Researchers at the Rehabilitation Research and Training Center on Personal Assistance Services (Grant # H133B031102) at the University of California, San Francisco, using the Minimum Data Set for Home Care assessment records for the HCBS program in Michigan (n = 112,182), investigated the effect of legislated decreases in program resources on individuals enrolled in the Michigan HCBS waiver program for elderly and disabled adults. The researchers found that cutting funds to home-care programs was associated with increased likelihood of multiple adverse outcomes, which result in increased utilization of costly services, such as emergency room use, hospitalization and nursing facility placement, thus offsetting savings due to reductions in funding. Individuals with midrange levels of cognitive or functional impairment experienced the greatest reductions in formal HCBS services and consequences. These findings strongly emphasize to policymakers the importance of considering overall cross-policy effects when contemplating budget reductions in HCBS. This report is published in: D'Souza, J.C., James, J.M.L., Szafar, K.L., and Fries, B.E. (2009). Hard times: The effects of financial strain on home care services use and participant outcomes in Michigan. *Gerontologist*, 49, 154–165.

## **2. 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. The purpose of the RERC program is to improve the effectiveness of services authorized under the *Rehabilitation Act* by conducting advanced engineering research and development on innovative technologies that are designed to solve particular rehabilitation problems or remove environmental barriers. RERCs also demonstrate and evaluate such technologies, facilitate service delivery systems changes, stimulate the production and distribution of equipment in the private sector, and provide training opportunities to enable individuals, including individuals with disabilities, to become researchers and practitioners of rehabilitation technology. Awards are normally made for a five-year period with some exceptions.

Examples of RERC accomplishments reported to NIDRR in FY 2009 follow:

- Changing demographics encourages construction of accessible units. The elderly population of the United States is large and growing rapidly. Since disability rates increase with age, population aging will bring substantial increases in the number of disabled persons and have a significant impact on the nation's housing needs.

Researchers in the RERC for Universal Design and the Built Environment (Grant # H133E050004) at the State University of New York Research Foundation have developed and applied a technique for estimating the probability that a newly built single family detached unit will house at least one disabled resident during the life span of that unit, and demonstrate the impact of population growth and aging on the need for housing for individuals with disabilities. Their analysis indicates that the coming demand for such units will soon outstrip supply, thereby providing a market-based incentive for homebuilders to increase the rate at which units with accessibility features are produced. This report provides sound, statistical support for market-driven decisions by builders that will be favorable to the housing needs of individuals with disabilities. This report is published in: Smith, S.K., Rayer, S., and Smith, E. (2008). Aging and disability: Implications for the housing industry and housing policy in the United States. *Journal of the American Planning Association*, 74, 289–306.

- The development of voluntary industry standards related to transportation safety, usability and independence of people who remain seated in their wheelchairs when traveling in motor vehicles. Researchers at the RERC on Wheelchair Transportation Safety (Grant # H133E060064) at the University of Michigan are examining a critical part of making measurable improvements in motor vehicle transportation for many wheelchair users. Making people more aware of the rationale and principles for the requirements of the standards and the importance of using products that comply with the requirements of the standards will drive a demand by consumers, rehabilitation suppliers, clinicians and prescribers of wheelchairs for products that comply with the standards. This, in turn, will increase manufacturers' willingness to produce products that comply with the standards and, with an improved understanding of the reduced risk of injury to wheelchair-seated travelers who properly use Transportation Safety Technology products, third-party payers may be more willing to cover the additional modest cost of transportation safety technology products. This should all lead to increased availability and use of Transportation Safety Technology products, and to increased transportation safety, usability and independence for wheelchair-seated passengers and drivers and the people who are involved in providing for their transportation. This information is published in Schneider, L., Manary, M., Hobson, D., and Bertocci, G. (2008). Transportation safety standards for wheelchair users: A review of voluntary standards for improved safety, usability, and independence of wheelchair-seated travelers. *Assistive Technology*, 20(4), 222–223.
- Computer vision-based aid for blind wheelchair users. For blind and visually impaired people in wheelchairs, such hazards as obstacles and drop-offs are a major problem. Researchers at the RERC to Develop and Evaluate Technology for Low Vision, Blindness, and Multi-Sensory Loss (Grant # H133E06001) at the Smith-Kettlewell Eye Research Institute have developed a prototype computer vision-based aid for blind wheelchair users that greatly reduces such hazards. A stereo camera mounted on the wheelchair sends images to an on-board computer that analyzes the images, locates obstacles and drop-offs, and notifies

the rider. The user directs the attention of the camera using his or her cane, thereby retaining control over the area being sensed. The device is described in: Ivanchenko, V., Coughlan, J., Gerfrey, B, and Shen, H. (2008). Computer vision-based clear path guidance for blind wheelchair users. 10th International ACM SIGACCESS Conference on Computers and Accessibility, New York: Association for Computing Machinery, 291–292.

- Protocol to provide wheelchair consultation via telerehabilitation. The identification of appropriate wheeled mobility and seating interventions can be difficult and complex due to the many factors involved, including individual differences in seating and positioning needs, environmental factors, and a wide array of product interventions. The availability of qualified practitioners with special expertise in this area is often limited, especially outside of urban areas. Researchers in the RERC on telerehabilitation (Grant # H133E040012) at the University of Pittsburgh have developed a telerehabilitation protocol for delivery of such interventions. The protocol also provides an opportunity for capacity building as therapists at remote sites collaborate with the experts providing consultation via the Internet. Over time the therapists themselves become skilled in wheelchair consultation. Using the protocol also results in a reduction in variations in clinical practice and in cost savings. Research from this project is being used by the Department of Veterans Affairs to develop Assistive Technology Labs at the four Veterans Administration (VA) Polytrauma Rehabilitation Centers. The protocol, its development and its assessment are described in: Schein, R., Schmeler, M., Brienza, D., Saptono, A., and Parmanto, B. (2008). Development of a service delivery protocol used for remote wheelchair consultation via telerehabilitation. *Telemedicine Journal and E-Health*, 14(9) 932–938.
- Literacy instruction for individuals with autism, cerebral palsy, Down’s syndrome and other disabilities. Historically, individuals with certain communication limitations have been excluded from literacy instruction. Most of the literacy curricula used by schools require learners to say words or letter sounds out loud. Learners with complex communication needs have difficulty participating effectively in this type of instruction. Researchers in the RERC on Communication Enhancement (Grant # H133E030018) at Duke University have developed a comprehensive website presenting an intervention protocol. This website is designed to support parents, educators and rehabilitation professionals in translating this research-based literacy intervention to practice. The website includes an overview of the evidence-based curriculum; goals, materials and instructional procedures as well as video examples of instruction with individuals who require augmentative and alternative communication. The site also includes research results and additional resources. The website is available at <http://www.aac-lerc.com>; it has been viewed by more than 2,900 people in the past three months alone (>950 per month).

### 3. Disability and Rehabilitation Research and Related Projects

The Disability and Rehabilitation Research Project (DRRP) program supports projects that carry out one or more of the following activities: research, development, demonstration, training, dissemination, utilization, and technical assistance. The purpose of the DRRP 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 of individuals with disabilities into society, employment, independent living, family support, and economic and social self-sufficiency and to improve the effectiveness of services authorized under the *Rehabilitation Act*.

NIDRR funds four types of DRRPs: (a) Knowledge Translation (KT) projects; (b) Model Systems in Traumatic Brain Injury and Burn Injury, described hereafter under Model Systems; (c) Disability and Business Technical Assistance Centers (DBTAC) projects; and (d) individual research projects. Since the first three types of DRRPs are managed as separate programs and, therefore, discussed later in this report, only research DRRPs are described here under the general DRRP heading. Research DRRPs differ from RRTC and RERC in that they 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 can range from three to five years.

The following are examples of DRRP research accomplishments reported to NIDRR in FY 2009:

- Development and application of a taxonomy of clinical services for individuals with spinal cord injury (SCI). One of NIDRR's SCI Model Systems Collaborative projects (Grant # H133A60103 at Craig Hospital, Denver, Colorado) has developed a method for collecting detailed information on a wide variety of treatments received by individuals in SCI rehabilitation. This unique system categorizes and operationalizes specific interventions from each rehabilitation discipline (physical therapy, occupational therapy, therapeutic recreation, speech language pathology, psychology, nursing, social work), and provides the technology for documenting that detail. These data will allow researchers and clinicians to examine specific interventions that are most strongly associated with positive outcomes following SCI rehabilitation. Findings will be used to facilitate changes in clinical practice to improve outcomes for individuals with spinal cord injury. This work is published in: Whiteneck, G., Dijkers, M., Gassaway, J., and Lammertse, D. (2009). The SCIRehab Project: Classification and Quantification of Spinal Cord Injury Rehabilitation Treatments. *Journal of Spinal Cord Medicine*, 32(3): 249-250; Whiteneck, G., Gassaway, J., Dijkers, M., and Jha, A. (2009) Classification of SCI rehabilitation treatments: New approach to study the contents and outcomes of spinal cord injury rehabilitation: The SCIRehab Project. *Journal of Spinal Cord Medicine*, 32(3): 251-259.

- Employment among older adults with combined hearing and vision loss. An article from the DRRP entitled “Persons Aging with Hearing and Vision Loss” (Grant # H133A020701) at Mississippi State University, reports data regarding employment experiences for older adults with hearing and vision loss. Findings indicated that: a) the experience of combined hearing and vision had a significant negative effect on employment, b) many older adults with dual sensory loss do work or want to work, and c) more than one-third of the sample reported not receiving vocational rehabilitation (VR). The last finding indicates a possible gap in VR service delivery, which is potentially relevant in developing training for rehabilitation counselors and placement strategies. This work is published in : McDonnall, M. C., and LeJeune, B.J. (2008). Employment among older adults with combined hearing and vision loss. *Journal of Applied Rehabilitation Counseling*, 39(3), 3–9.

#### 4. Knowledge Translation

Knowledge Translation (KT) is a process of ensuring that new knowledge and products gained through the course of research and development will ultimately be used to improve the lives of individuals with disabilities and further their participation in society. KT is built upon and sustained by ongoing interactions, partnerships and collaborations among various stakeholders in the production and use of such knowledge and products, including researchers, practitioners, policymakers, persons with disabilities and others. NIDRR has invested in KT by direct funding of research and development projects in its KT portfolio and by integrating the KT underlying principle of interactions, partnerships and collaborations among stakeholders into the content of all priorities. The projected long-term outcomes are knowledge and products that can be used to solve real issues faced by individuals with disabilities.

Examples of KT accomplishments reported to NIDRR in FY 2009 follow:

- Advancing knowledge of workplace discrimination based on equal employment opportunity commission (EEOC) Data. The Coordination, Outreach and Research Center (CORC), the coordinating center of the DBTAC network, located at Virginia Commonwealth University (Grant # H133A060087) continued to produce a series of peer-reviewed publications in 2009, adding to the ground-breaking new knowledge on workplace discrimination against individuals with disabilities based on an EEOC database. New topics addressed information in 2008–09 include reasonable accommodation and employment discrimination; allegations of reasonable accommodation discrimination by people with visual impairments; *Americans with Disabilities Act (ADA)*, Title 1, allegations related to reasonable accommodations—characteristics of charging parties; employer characteristics and reasonable accommodation discrimination against people with disabilities under *ADA*; allegations of employment discrimination under *ADA* and resolutions—population characteristics and trends; and post-hire employment discrimination toward workers with disabilities—development of a prediction model for merit claims. This set of publications provides cohesive information in areas

previously not available, based on actual cases from the database of 369,182 closed allegations. During this report period, the database was updated and expanded to 402,291 cases. Publication citations are included below:

Davis, A., West, M., and McMahon, B. (2008). Allegations of employment discrimination under the *ADA* and resolutions: Population characteristics and trends. *The Rehabilitation Professional*, 16(3), 147–154.

Pawluk, D.T., Hurley, J.E., and Chan, F. (2008). Allegations of reasonable accommodation discrimination by people with visual impairments filed under Title 1 of the *Americans with Disabilities Act*: Characteristics of merit vs. non-merit resolutions. *The Rehabilitation Professional*, 16, 233–240.

West, S.L. (2009). Reasonable accommodation and employment discrimination: An introduction to the special issue. *The Rehabilitation Professional*, 16, 187-194.

West, M., Campbell, L., McMahon, B., and Davis, A. (2008). Post-hire employment discrimination toward workers with disabilities: Development of a prediction model for merit claims. *The Rehabilitation Professional*, 16(3), 139-146.

West, S.L., Rumrill, P.D., Roessler, R.T., McMahon, B.T., Hurley, J., Carlson, L., and Chan, F. (2008). *ADA* Title 1 allegations related to reasonable accommodations: Characteristics of charging parties. *The Rehabilitation Professional*, 16, 195–208.

West, S., Rumrill, P., Roessler, R., McMahon, B., Hurley, J., Carlson, L., and Chan, F. (2008). Employer characteristics and reasonable accommodation discrimination against people with disabilities under the *ADA*. *Rehabilitation Professional*, 16(4), 209–220.

- Recognized leading resource in knowledge translation both nationally and internationally. The National Center for the Dissemination of Disability Research (NCDDR) (Grant # H133A060028), located at SEDL (formerly known as Southwest Educational Development Laboratory), has established a strong reputation as a leading resource on the subject of knowledge translation both in the U.S. and internationally. NCDDR earned this status through their extensive publications, Web casts, and other dissemination activities that are free of charge to the public. For more information, see: <http://www.sedl.org/about>.

These publications have been well-accessed and downloaded from the NCDRR website; in 2009, for example, the top seven publications were downloaded 37,000 times combined. NCDDR also held a series of Web casts on various topics in rehabilitation, such as “Racial/Ethnic and Gender Disparities in Health Outcomes of Persons with Spinal Cord Injury,” “VR Service Models for Individuals with Autism Spectrum Disorders,” “Women with Disabilities as a Health Disparities Population,” and “Systematic Reviews and Meta-analyses of Single-subject Experimental Designs,” among others. Over 1,000 stakeholders (researchers, policymakers, practitioners, etc.) participated in those Web casts. For details on NCDDR Web casts see: <http://www.ncddr.org/webcasts>.

- Improving consumer education through development and dissemination of evidence-based consumer sheets for persons with Traumatic Brain Injury, Spinal Cord Injury, and Burn Injury. The Model System Knowledge Translation Center, located at University of Washington (Grant # H133A060070), in collaboration with the Traumatic Brain Injury (TBI), SCI and Burn Model Systems, has produced many consumer publications that bring together the expertise of many of the nation's leading researchers and available research evidence to educate consumers on important issues in the lives of persons with TBI, SCI and burn injury. New publications added in 2009 include: *Understanding TBI, part 1: What happens to the brain during injury and in the early stages of recovery from TBI?*; *Understanding TBI, part 2: Brain injury impact on individuals' functioning*; *Understanding TBI, part 3: The recovery process*; *Understanding TBI, part 4: The impact of a recent TBI on family members and what they can do to help with recovery and; Sleep and TBI*. These consumer materials are available on the MSKTC website at <http://www.msktc.org> under "consumer info" links.

## 5. Model Systems

NIDRR's Model Systems Programs in Spinal Cord Injury (SCIMS), Traumatic Brain Injury (TBIMS) and Burns (BMS) provide coordinated systems of rehabilitation care for individuals with these conditions and conduct research on recovery and long-term outcomes. In addition, these centers serve as platforms for collaborative, multisite research, including research on interventions using randomized controlled approaches. These programs also track cohorts of patients over time. The SCIMS has over 26,000 individuals in its database; the TBIMS has over 8,000 individuals; and the BMS has over 4,600. These databases provide information on the life course of individuals who have experienced these injuries.

Examples of Model Systems accomplishments reported to NIDRR in FY 2009 follow:

### Spinal Cord Injury Model Systems

- International standards to document remaining automatic function after spinal cord injury. Researchers from the SCI model systems and other SCI rehabilitation centers lead by The Institute for Rehabilitation and Research, (TIRR) (Grant # H133N060003) published "International standards to document remaining automatic function after spinal cord injury." The autonomic functions of the human body are greatly influenced by the thoracic and lumbar spinal cord segments. The study of these functions can be critical to understanding the function of the innervation of the trunk. Researchers at TIRR studied this issue and published an article that provides an additional measure or gauge of thoracic function. The report is available in a 2009 peer-reviewed publication (Alexander, M.S., Biering-Sorensen, F., Bodner, D., Brackett, N.L., Cardenas, D., Charlifue, S., Creasey, G., Dietz, V., Ditunno, J., Donovan, W., Elliott, S.L., Estores, I., Graves, D.E., Green, B., Gousse, A., Jackson, A.B., Kennelly, M., Karlsson, A-K, Krassioukov, A., Krogh, K., Linsenmeyer, T., Marino, R., Mathias, C.J., Perlash,

I., Sheel, A.W., Shilero, G., Schurch, B., Sonksen, J., Stiens, S., Wecht, J., Wuermsler, L.A., and Wyndaele, J.J. [2009]. International standards to document remaining automatic function after spinal cord injury. *Spinal Cord*, 47(1): 36–43). The abstract is also available at the following URL: <http://www.nature.com/sc/journal/v47/n1/abs/sc2008121a.html>

- Measuring depression in persons with spinal cord Injury: A systematic review. Researchers from the SCI model system at the University of Michigan (Grant # H133N060032) in Ann Arbor, Mich., published a review of work on measuring depression in persons with spinal cord injury. The only systematic review of depression measures used in the SCI population, the key finding was the lack of psychometric evidence to support widely used depression measures (severity scales and screening tools). No single measure stood out above others, leaving selection decisions up to clinicians and/or researchers depending on their question. Well-validated and reliable measurement tools are critical for measuring depression outcomes, which is one of the most widely studied psychosocial outcomes in the SCI literature. This paper brings together psychometric research on depression scales in the SCI population over the last 28 years and provides various recommendations to researchers and clinicians interested in pursuing a framework for validating and using depression measures in persons with SCI. The report is available in a 2009 peer-reviewed publication (Kalpakjian, C.Z., Bombardier, C.H., Schomer, K., Brown, P.A., and Johnson, K.L. (2009). Measuring Depression in Persons with Spinal Cord Injury: A Systematic Review. *Journal of Spinal Cord Medicine*, 32(1): 6–12). The abstract is also available at the following URL: <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2647502>.
- Behavioral risk factors for mortality after spinal cord injury. Researchers from the SCI model system at Shepherd Center (Grant # H133N060009) in Atlanta, Ga., published “Behavioral risk factors for mortality after spinal cord injury.” This publication establishes that a) four behavioral factors were significantly related to mortality after controlling for traditional biographic and injury characteristics used in the majority of mortality research with SCI; b) one of these factors, time out of bed, represents an overall activity indicator that is protective of mortality (is associated with a diminished risk of mortality); and c) the three risk factors directly associated with an elevated risk of mortality all relate to substance use or misuse, including binge drinking, use of psychotropic prescription medications for spasticity, pain, depression and sleep, and smoking. This study is the first to identify diverse behaviors in relation to early mortality after SCI. Because the findings are profound, it mandates that rehabilitation programs expand the scope of their focus to address risk behaviors to enhance longevity, just as would be the case should a promising intervention be identified that uses a traditional discipline, such as occupational or physical therapy. The report is available in a 2009 peer-reviewed publication (Krause, J.S., Carter, R.E., and Pickelsimer, E. [2009]. Behavioral risk factors for mortality after spinal cord injury. *Archives of Physical Medicine and Rehabilitation*, 90(1): 95–101). The abstract is also available at the following URL: <http://www.ncbi.nlm.nih.gov/pubmed/19154835>.

## Traumatic Brain Injury Model Systems

- Advances in cognitive rehabilitation practice for TBI. NIDRR's funded grantees have conducted pioneering research on cognitive rehabilitation for persons with TBI, and this expertise has been recently utilized by the Department of Defense in support of our injured troops. Recent findings from a randomized, controlled trial (RCT) conducted by researchers at JFK-Johnson Rehabilitation Institute (See Grant # H133A020518 and Grant # H133A070030) provide convincing evidence that an intensive cognitive rehabilitation program results in significant improvements in community integration, productivity and quality of life for persons with TBI above and beyond the improvements from standard rehabilitation practice. (These findings are in Cicerone, K., Mott, T., Azulay, J., Sharlow-Galella, M., Ellmo, W., Paiaidise, S., and Friel, J. [2008]. A randomized controlled trial of holistic neuropsychological rehabilitation. *Archives of Physical Medicine and Rehabilitation*, 89, 2239-2249).

This finding is supported by a second NIDRR-funded RCT (Grant # H133G050063) that utilized the same intervention and obtained similar results in a sample of persons with other neurological disorders. Together, these findings help to close the gap in the availability of evidence supporting effective cognitive rehabilitation interventions post-TBI. Because of his pioneering work in cognitive rehabilitation research, K. Cicerone and two additional NIDRR TBI grantees were key authors of a 2009 Department of Defense consensus paper on the topic of cognitive rehabilitation for the treatment of military personnel with TBI. (For a bibliography of related publications see:

[http://www.naric.com/research/pd/record.cfm?search=1&type=advanced&display=detailed&all=JFK%20TBI%20Model%20Systems&exact=&any=&omit=&fld1=PN&txt1=&op1=AND&fld2=PN&txt2=&op2=AND&fld3=PN&txt3=&op3=AND&fld4=PN&txt4=&funding\\_status=all&criteria=&state=&start\\_month=&start\\_year=&project\\_type=&funding\\_priority=&rec=157](http://www.naric.com/research/pd/record.cfm?search=1&type=advanced&display=detailed&all=JFK%20TBI%20Model%20Systems&exact=&any=&omit=&fld1=PN&txt1=&op1=AND&fld2=PN&txt2=&op2=AND&fld3=PN&txt3=&op3=AND&fld4=PN&txt4=&funding_status=all&criteria=&state=&start_month=&start_year=&project_type=&funding_priority=&rec=157); and <http://www.naric.com/research/pd/default.cfm> ).

- Advances in TBI outcomes measurement. Research on the effectiveness of TBI Interventions is dependent upon the existence of reliable and valid measures that are sensitive enough to detect change in functioning. Collectively, over many years, the TBI Model Systems researchers have made the greatest contribution to outcomes measurement for TBI than any other consortium of researchers, enabling significant advances in TBI interventions research. This year three new measures were validated: (a) The "Moss Attention Rating Scale" (MARS; Grant # H133A070040) is an observational measure that is useful for the early stages after TBI when many patients cannot undergo other forms of assessment but for whom response to medication should be assessed; (b) the "Perceived Control Scale for Brain Injury" (PCS-BI; Grant # H133A070013) measures the sense of control over one's situation that is presumed to be associated with greater involvement in advocacy; and (c) the "Cognitive Log" and "Orientation Log" (Grant # H133A070039) measure general cognitive abilities and orientation to

time, place and circumstance, respectively. They can be administered at bedside and used for serial assessment over time.

More information is available at the following sources.

MARS: Whyte, J, Hart, T., Ellis, C., and Chervoneva, I. (2008). The Moss Attention Rating Scale for Traumatic Brain Injury: Further explorations of reliability and sensitivity to change. *Archives of Physical Medicine and Rehabilitation*, 89, 966-73.

PCS-BI: Malec, J.F., Brown, A.W., and Moessner, A.M. (2010). Two New Measures for Assessing Advocacy Activities and Perceived Control after Acquired Brain Injury. *Disability and Rehabilitation*, 32(1), 33-40. [First published online: Malec, J.F., Brown, A.W., and Moessner, A.M. (2009, June 26)]. Two New Measures for Assessing Advocacy Activities and Perceived Control after Acquired Brain Injury. *Disability and Rehabilitation*, Online.Cog-Log and O-Log:

<http://www.tbims.org/combi/coglog>

<http://www.tbims.org/combi/olog>.

- Advancing state of the science regarding culture and ethnicity in TBI research and practice. The researchers at the Medical College of Virginia Commonwealth University (Grant # H133A070036) in Richmond, Va., initiated and co-sponsored the “First International Conference on Culture, Ethnicity and TBI Rehabilitation” on March 12–13, 2009, in Washington, D.C. The purpose of this conference was to bring leading experts from around the world to present data, share strategies and promote translational research. The conference contributed to broadening the knowledge of the participants to the problems unique to minority persons and their caregivers after TBI. In addition, this conference increased the awareness of racial and ethnic disparities for persons with TBI as well as offered an opportunity to disseminate new methods for research and service delivery related to minorities with TBI.

The goals were: 1) to advance the state of science, by identifying, analyzing, and synthesizing evidence-based research on outcome and treatment following brain injury in multicultural settings; 2) to improve clinical skills, systems of care and outcomes by helping clinicians provide better service to diverse patient populations; and 3) to increase brain injury research capacity by improving researchers' knowledge of specialized designs, methodologies, and recruitment methods relevant to the study of culture and ethnicity. Over 200 participants attended the conference to hear and discuss ideas regarding effective assessment, intervention and research practices with rehabilitation experts from around the world. Program faculty included speakers from Asia, Australia, New Zealand, South and Central America, the United Kingdom, Spain, Canada, the United States and Puerto Rico. The conference summary is available at website: <http://www.braininjurylawblog.com/brain-injury-news-the-first-international-conference-on-culture-ethnicity-and-brain-injury-rehabilitation.html>.

## Burn Model Systems

- New scale for severe itching following burns. In 2009, the burn researchers at the University of Texas Southwestern Medical Center (Grant # H133A070024) in Dallas, Texas, published “The 5-D itch scale: A new measure of pruritus.” Itching is a subjective and multidimensional experience which is difficult to quantify. One of the major impediments to measuring pruritus is the lack of a validated reliable instrument. Researchers at the University of Texas Southwestern Medical Center modified the 5-D Itch scale from an established scale of peripheral neuropathy. The 5-D was then validated in patients with common causes of pruritus, including burns, to quantify and describe pruritus in burn wound patients. It was assessed for construct validity, internal consistency, test-retest reliability, responsiveness, acceptability and precision. Preliminary results suggest its usefulness to assess change in pruritus over time and may be a useful tool to assess the effectiveness of new therapies for treatment of post-burn pruritus. (The report is available in a 2009 peer-reviewed publication: Elman, S., Hynan, L.S., Gabriel, V., and Mayo, M.J. (2009). The 5-D itch scale: A new measure of pruritus. *British Journal of Dermatology*, 162(3): 587–593). The abstract is also available at the following URL: <http://www3.interscience.wiley.com/journal/123195873/abstract?CRETRY=1&SRETRY=0>.

## 6. Disability and Business Technical Assistance Centers

The DBTAC program is comprised of 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 a coordination, outreach and research center (CORC). The CORC conducts activities to enhance the capacity of the regional DBTACs to use research-based information to help achieve the objectives of the *ADA*. Each regional center, along with the CORC, conducts research that enhances understanding of *ADA* compliance barriers and identifies evidence-based strategies for eliminating these barriers.

Information on services provided by the DBTAC program for FY 2009 is listed on tables 12 and 13 on the following pages.

**Table 12. DBTAC Training Activities—Overview, Type of Activity and Target Audience, by Number and Percentage: Fiscal Year 2009**

<b>Overview</b>	<b>Number</b>	<b>Percent</b>
Total training activities	227	100
Average per award	22.7	
Minimum per award	4	
Maximum per award	95	
Number of DBTAC grantees reporting training activities	10	100
<b>Total number of grantees submitting APRs</b>	10	100
<b>Type of Training Activity</b>	<b>Number</b>	<b>Percent</b>
Presentation	75	33.04
Workshop	52	22.91
Training course	41	18.06
*Other	27	11.89
Web cast	15	6.61
Distance learning curricula	7	3.08
Curricula development	4	1.76
Planning, conducting, or sponsoring a conference	4	1.76
Training manual development	2	0.88
<b>Total</b>	<b>227</b>	
<b>Target Audience</b>	<b>Number</b>	<b>Percent</b>
Service providers	51	13.25
Employers	49	12.73
State/local government agencies	48	12.47
Individuals with disabilities and/or family members	36	9.35
Other*	31	8.05
Consumer advocates	29	7.53
Educators	26	6.75
Business groups	23	5.97
Architects and design professionals	23	5.97
Policy experts	23	5.97
Practitioners/clinicians	12	3.12
Researchers	12	3.12
Code officials responsible for physical accessibility requirements	9	2.34
Industry representatives and/or product developers	7	1.82
Attorneys or other legal professionals	3	0.78
Federal & nonfederal partners	2	0.52
Media	1	0.26

\*Examples include, but are not limited to: employees, vocational counselors, facilities managers, design students, state and local ADA coordinators, HR managers/supervisors and law enforcement personnel.

Notes: Grantees may select more than one audience for each training activity. Percentages are based on total number of training activities. Percentages may not sum to 100% due to rounding.

Source: U.S. Department of Education, NIDRR, Annual Performance reporting (APR) forms, 2009g.

**Table 13. Number of DBTAC Technical Assistance (TA) Activities by Type, Frequency, Target Audience, and Dissemination: Fiscal Year 2009**

Type of TA Activity	Number	Percent
Phone calls	49,930	53.04
E-mail	20,802	22.10
In-person	17,279	18.35
Other <sup>b</sup>	6,130	6.51
<b>Total</b>	<b>94,141</b>	<b>100.00</b>

Target Audience	No. Grantees Selecting Audience as Top Two for TA Activities	Percent
Employers	10	100
Service providers	9	90
Individuals with disabilities and/or family members	9	90
State/local government agencies	9	90
Consumer advocates	7	70
Code officials responsible for physical accessibility requirements	7	70
Architects and design professionals	7	70
Business groups	6	60
Educators	5	50
Researchers	3	30
Practitioners/clinicians	2	20
Policy experts	2	20
Industry representatives and/or product developers	2	20
Federal and nonfederal partners	2	20
Attorneys and other legal professionals	2	20
Media	1	10
Other <sup>c</sup>	8	80
<b>Total no. of grantees submitting APRs</b>	<b>10</b>	

**Table 13. Number of DBTAC Technical Assistance (TA) Activities by Type, Frequency, Target Audience, and Dissemination: Fiscal Year 2009 (Continued)**

Type of Materials Disseminated	No. of DBTAC-generated electronic <sup>a</sup>	No. of DBTAC-generated other <sup>b</sup>	No. of non-DBTAC-generated electronic <sup>c</sup>	No. of non-DBTAC-generated other <sup>d</sup>
Journal articles	3,816	12	225	250
Project publications	164,416	19,671	N/A	N/A
Video/audio tapes	0	906	0	444
CDs/DVDs	1,025	1,186	914	4,347
Books/book chapters	1,900	718	353	15
Bulletins/newsletters/fact sheets	805,608	85,188	134,193	85,596
Research reports/conference proceedings	5	1,965	0	1,000
Other	181,916	39,100	26,350	197,900
<b>Total</b>	<b>1,158,686</b>	<b>148,746</b>	<b>162,035</b>	<b>289,552</b>

a DBTAC-generated electronic is defined as, i.e., ten ADA regional centers generated and disseminated 3816 journal articles in electronic format.

b DBTAC-generated other is defined as i.e., materials generated by the DBTAC or some other organization.

c non-DBTAC generated electronic is defined as i.e., ADA regional centers disseminated, 225 journal articles in electronic format that was created by other organizations.

d non-DBTAC generated other is defined as i.e., the material was in electronic or other format such as hard-copy.

Source: U.S. Department of Education, 2009 APRs

## 7. Field-Initiated Projects

Field-Initiated Projects (FIPs) are intended for the conduct of research and development activities that address topics and issues identified by researchers outside of NIDRR. Most FIP awards are made for three years. Examples of FIP accomplishments reported to NIDRR in FY 2009 follow.

- Caption decoding and synchronization problems in mobile media. WGBH Educational Foundation/National Center for Accessible Media (Grant # H133G070122) developed prototypes and captioned video test files demonstrating the caption-decoding and synchronization problems in mobile media devices, such as cell phones, PDAs and smart phones. WGBH'S recommended solutions to these problems will be included in upcoming software updates for the iPhone, iPod, iTunes, QuickTime and AppleTV. Research in Motion (RIM), the manufacturer of BlackBerry devices, is developing caption-display and decoding capabilities for future generations of BlackBerry handheld devices and have used WGBH's prototypes to simulate how captions might look on their smartphones. RIM staff will continue to work with WGBH to align their capabilities with the findings generated by this NIDRR-sponsored project.

Monotype Imagine, which has been supplying caption fonts for the television market for years, will supply new fonts for inclusion in new captioned prototypes, and will follow the WGBH's findings to inform the design of caption fonts tuned for small-screen devices, such as smart phones and mobile DTV receivers. This project will help increase access to mobile media devices for deaf and hard of hearing individuals, by demonstrating problems and potential solutions to the mobile media and technology industries, public policy developers, and individuals with disabilities. Test files and prototypes are available at WGBH's website at <http://ncam.wgbh.org/mm>.

- Improved method of predicting electromagnetic interference in hearing aids. Advanced Hearing Concepts (Grant # H133G050228) developed an improved method of predicting electromagnetic interference in hearing aids from digital wireless devices such as cell phones. Although digital cellular telephones have opened up new possibilities in communication, they also generate electromagnetic interference in hearing aids. Because of this interference, many hearing aid users are not able to benefit from cell phones. Research conducted by Advanced Hearing Concepts has been incorporated in the American National Standard Method of Measurement and Compatibility Between Wireless Communication Devices and Hearing Aids (ANSI C63-19). The Federal Communications Commission (FCC) has used this standard in regulating the amount of electromagnetic interference in hearing aids produced by digital wireless telephones (See 89 *Federal Register* 25566–25591).

ANSI C63 and FCC rulings based on this standard have provided industry guidelines for: (1) controlling the level of electromagnetic signals from a digital wireless device that can generate interference in hearing aids; (2) the degree of immunity to electromagnetic signals to be provided by the modern digital hearing aids to lessen this interference; and (3) an easy-to-use rating system that will allow consumers, clinicians, service providers and others to assess the interference to be expected when a specific digital wireless device (e.g., cell phone) is used with a specific hearing aid. For more information, see the Section 7 (Performance) of the American National Standard Method of Measurement and Compatibility Between Wireless Communication Devices and Hearing Aids (ANSI C63-19).

- Neuroimaging brains of people with TBI. Researchers at Albert Einstein Health Network/Moss Rehabilitation (Grant # H133G050219) have developed a ground-breaking technique for neuroimaging of the brains of people who have experienced a TBI. This new technique allows researchers to investigate the neural underpinnings of cognitive deficits. Knowing whether physiological changes are related to local or diffuse structural damage is important in interpreting functional neuroimaging data. Researchers unfamiliar with neuroimaging methods can refer to the following published articles introducing applied neuroimaging and cognitive rehabilitation techniques: (Avants, B., Duda, J. T., Kim, J., Zhang, H., Pluta, J., Gee, J. C., and Whyte, J. (2008). Multivariate

analysis of structural and diffusion imaging in traumatic brain injury. *Academic Radiology*, 15, 1360-1375; [http://www.academicradiology.org/article/S1076-6332\(08\)00395-4/abstract](http://www.academicradiology.org/article/S1076-6332(08)00395-4/abstract)).

## **8. Small Business Innovation Research**

The intent of NIDRR's Small Business Innovation Research (SBIR) program is to 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. 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. Governmentwide, this program funds small businesses in three phases, although NIDRR and the Department of Education only participate in the first two of these phases. During Phase I, NIDRR funds firms to conduct feasibility studies to evaluate the scientific and technical merit of an idea. During Phase II, NIDRR funds firms to expand on the results of Phase I and to pursue further development. In Phase III, the program focuses on helping small businesses find funding in the private sector to move innovations from the laboratory into the marketplace.

## **9. Advanced Rehabilitation Research Training Projects**

Advanced Rehabilitation Research Training (ARRT) projects seek to increase capacity to conduct high-quality rehabilitation research by supporting 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 to prepare them to conduct independent 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. Training projects must operate in interdisciplinary environments and provide training in rigorous scientific methods.

Selected ARRT project statistics for the reporting period June 1, 2008, to May 31, 2009, are reflected in table 14.

**Table 14. Advanced Rehabilitation Research Training (ARRT) Projects:  
Selected Indicators: June 1, 2008, to May 31, 2009**

<b>Fellows</b>	<b>Total</b>
Fellows enrolled this reporting period	60
Fellows completing program in reporting period	20
Fellows with disabilities	5
Fellows from racial and ethnic minority populations*	28
Fellows contributing to 2009 publications	15
<b>Total number of active awards</b>	<b>19</b>
<b>Total number of publications authored by fellows in 2009</b>	<b>53</b>

\*Refers to fellows who are identified as Latino, African American, American Indian, Asian, and Native Hawaiian

Source: U.S. Department of Education, NIDRR. Grantee Performance Report, FY 2009 APR forms for NIDRR ARRT program, 2009g

## 10. Mary E. Switzer Fellowship Program

The Mary E. Switzer Fellowship Program seeks to increase capacity in rehabilitation research by giving individual researchers the opportunity to develop new ideas and gain research experience. There are two levels of fellowships: Distinguished Fellowships go to individuals of doctorate or comparable academic status who have had seven or more years of experience relevant to rehabilitation research. Merit Fellowships are given to persons with rehabilitation research experience but who do not meet the qualifications for Distinguished Fellowships, usually because they are in earlier stages of their careers. Fellows work for one year on an independent research project of their design.

Table 15 summarizes the accomplishments for Switzer Fellows from FYs 2006, 2007 and 2008 for the 2009 reporting period. Accomplishments are defined as peer-reviewed publications, professional conference presentations, tools, informational products and funded competitive grants:

**Table 15. Switzer Research Fellowship Program Accomplishments for the 2009 APR Reporting Period: June 1, 2008, to May 31, 2009**

Total number of FY 2006, 2007, and 2008 Fellowships Awarded	28
Number of Merit Fellows	17
Number of Distinguished Fellows	11
Number of 2006-2008 Fellows submitting an Annual or Final Performance Report in 2009	16
Number of Fellows with disabilities reporting in 2009	1
Number of Fellows from race and ethnic minority populations reporting in 2009	7
Number of peer-reviewed publications reported in 2009	10
Number of professional conference presentations reported in 2009	16
Number of competitive grant awards reported in 2009	1
Number of measurement tools or technology products reported in 2009	10

Sources: U.S. Department of Education, NIDRR, Grantee Performance Report, annual, or final performance reporting (FPR) forms for NIDRR Switzer Research Fellowship program for FY 2009.

## 11. Outreach to Minority-Serving Colleges and Universities

Section 21 of the *Rehabilitation Act* instructs NIDRR and RSA to reserve 1 percent of the annually appropriated budget for programs authorized under titles II, III, VI and VII to serve traditionally underserved populations. These funds are then awarded through grants, contracts or cooperative agreements to minority entities, Native American, colleges and universities, state, public or private nonprofit agencies, and organizations to support program activities focused on: (a) research training; (b) professional development, special projects and demonstrations; and (c) employment opportunities. Within NIDRR, this 1 percent set-aside can be used to fund separate grants across various program mechanisms (e.g., RRTCs, DRRPs) or to supplement existing grants to conduct specific Section 21-related activities. The following Section 21 accomplishment from a DRRP was identified and reviewed by NIDRR for FY 2009:

- Research describes predictors of employment outcomes for vocational rehabilitation clients. NIDRR Section 21 funding supported this research to examine predictors of employment outcomes among vocational rehabilitation clients. Receipt of job placement services and on-the-job support were found to be important predictors of employment success for VR clients with sensory, physical or mental disabilities. This research also examined individual-level predictors of employment outcomes. African-Americans with sensory impairments and Native Americans with either physical or mental disabilities were the least likely to have achieved successful employment outcomes after receiving vocational rehabilitation services. This research can be used by VR program administrators to emphasize the importance of job placement services and on-the-job supports. The findings related to race and ethnicity can be used to

target these and other VR services to clients or groups of clients who are having the greatest difficulty achieving employment outcomes. For more information, see the article produced by NIDRR Section 21 grantees at Southern University (Grant # H133A031705): Dutta, A., Gervery, R., Chan, F., Chou, C., and Ditchman, N. (2008). Vocational rehabilitation services and employment outcomes for people with disabilities: A United States study. *Journal of Occupational Rehabilitation*, 18,326-334.  
<http://www.springerlink.com/content/73m72764407235l2/fulltext.pdf>.

## **Other Program Areas**

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.

### **12. Interagency Committee on Disability Research**

The Interagency Committee on Disability Research (ICDR) is authorized by Section 763 of the *Rehabilitation Act*, to “identify, assess and seek to coordinate all federal programs, activities and projects and plans for such programs, activities, and projects with respect to the conduct of research including assistive technology research and research that incorporates the principles of universal design related to rehabilitation of individuals with disabilities.”

The committee is chaired by the director of NIDRR and comprised of the assistant secretary for Special Education and Rehabilitative Services, the commissioner of RSA, the secretary of Education, the secretary of Veterans Affairs, the director of the National Institutes of Health, the director of the National Institute of Mental Health, the administrator of the National Aeronautics and Space Administration, the secretary of transportation, the assistant secretary of the Interior for Indian Affairs, the director of the Indian Health Service, and the director of the National Science Foundation. These members serve on the Senior Oversight Committee and advise five subcommittees: disability statistics, medical rehabilitation, technology, employment, and education.

Selected achievements by the ICDR for FY 2009 are shown in table 16.

**Table 16. Number of Various Interagency Committee on Disability Research Activities: Fiscal Year 2009**

Number of interagency committee meetings:	23
Number of committee meeting guests to inform the government and assist with coordination and collaborative activities:	31
Number of research topics discussed, including research gap identification:	37
Number of new products to support interagency coordination, technical assistance, information-sharing, joint planning:	16
Number of reports (technical, informational, and required):	10
Number of website postings:	32
Total number of outreach activities:	218
Number of new members/agency representatives:	12
Number of federal agencies participating in a goal-setting activity:	62
• federal partners meetings	47
• strategic plan steering committee	15
• Including statutory member agency representatives	26
<b>Stakeholder Input and outreach</b>	
• Number of people who viewed home page:	4,010
• Number of individuals who presented input/comments:	1,356
• Outreach contacts:	18,000

Source: Data compiled from ICDR files and records maintained by CESSI under U.S. Department of Education, NIDRR, ED contract No. ED-04-CO-0032/0002.

### 13. Peer-reviewed Publications by Select Research Mechanisms

Consistent with standard bibliometrics procedures for tracking publications,<sup>16</sup> table 18 contains data on the average number of Thompson ISI-verified peer-reviewed publications<sup>17</sup> per award based on the 2009 Annual Performance Reporting (APR) period rather than on fiscal year 2009.<sup>18</sup>

Table 17 is subdivided into panels A and B to capture the scientific productivity of two different sets of NIDRR program mechanisms. Panel A contains data on NIDRR's three largest program mechanisms (RERCs, RRTCs and Model Systems).

Results for Panel A show that the 95 NIDRR grantees submitting APRs produced a total of 143 peer-reviewed publications in the 2009 APR reporting period for a combined average of 1.51 publications per award. However, within Panel A the average number of peer-

<sup>16</sup> For a definition of bibliometrics see: Geisler, Eliezer (2000). *The metrics of science and technology*. Santa Barbara, Calif.: Praeger Publishers.

<sup>17</sup> To be considered a peer-reviewed journal under Thompson ISI, the journal must satisfy rigorous criteria. For more information on the journal selection process see [http://thomsonreuters.com/products\\_services/science/free/essays/journal\\_selection\\_process](http://thomsonreuters.com/products_services/science/free/essays/journal_selection_process)

<sup>18</sup> This period begins on June 1, 2008 and runs through May 31, 2009. It does not match the fiscal year because NIDRR staff use the data in the Web-based Annual Reporting System to determine which existing grants should get continuation funding. These decisions must be made prior to conclusion of fiscal year 2009 in October.

reviewed publications per award varies significantly by program mechanism from a high of 1.67 for RRTCs to a low of 1.16 for RERCs. Model Systems fall in between with an average of 1.59 publications per award. In contrast to Panel A, the considerably larger number of grantees submitting APRs in Panel B (133 vs. 95) produced a total of only 41 peer-reviewed publications, with the averages per award less than one for all three additional program mechanisms represented.

It is important to point out that caution must be exercised in interpreting these variations in the average number of peer-reviewed publications between panels A and B and among program mechanisms as differences in scientific productivity per se. This is because differences in the nature of the research and development activities conducted and in the duration and level of funding can contribute to significant differences in the type and number of outputs produced. For example, all of the awards associated with Panel A are funded for five years and, on average, at higher levels than those in Panel B, which typically conduct smaller-scale studies with funding cycles ranging from three to five years. Given the time it takes to get research manuscripts published, the shorter funding cycle can limit opportunities to get research results published in time to be listed in APRs. In addition, the RRTCs and Model Systems conduct primarily medical rehabilitation and psychosocial-behavioral research, including intervention studies, which result in empirical findings that readily lend themselves to publication in peer-reviewed journals. RERCs primarily conduct rehabilitation engineering research and development activities, where the outputs are more technology-oriented, such as applications of existing technologies, prototypes of new devices and industry standards for products, and less well-suited to publication in peer-reviewed journal articles. Another factor that can affect measures of scientific productivity is the stage in the funding cycle when grantees are reporting on productivity. For example, grantees completing APRs early in a five-year cycle will typically have fewer publications to report than their counterparts who are in the last year of a five-year cycle.

**Table 17. Total and Average Number per Award of NIDRR Peer-reviewed Publications, by Program: Calendar Year 2009<sup>a</sup>**

<b>Panel A: Original Program Mechanisms, Data Available Since CY 2005<sup>b</sup></b>			
<b>Program Funding Mechanism</b>	<b>Total No. Refereed Publications</b>	<b>Total No. Awards Submitted APRs</b>	<b>Average No. Refereed Publications/Award</b>
Rehabilitation Research and Training Centers <sup>c</sup>	55	33	1.67
Rehabilitation Engineering Research Centers <sup>d</sup>	29	25	1.16
Model Systems' Program Grantees for Spinal Cord Injury, Brain Injury, and Burn <sup>e</sup>	59	37	1.59
Combined Original Three Program Mechanisms	143	95	<b>1.51</b>

**Table 17. Total and Average Number per Award of NIDRR Peer-reviewed Publications, by Program: Calendar Year 2009<sup>a</sup> (Continued)**

<b>Panel B: Additional Program Mechanisms, Data Collection Beginning CY 2006<sup>f</sup></b>			
<b>Program Funding Mechanism</b>	<b>Total No. Refereed Publications</b>	<b>Total No. Awards Submitted APRs</b>	<b>Average No. Refereed Publications/Award</b>
Disability Rehabilitation Research Program Grantees <sup>g</sup>	26	38	0.68
Field-Initiated (Research or Development Program Grantees <sup>h</sup>	14	93	.15
Knowledge Dissemination and Utilization / Knowledge Translation Grantees <sup>i</sup>	1	2	.50
<b>Panel B Subtotal</b>	<b>41</b>	<b>133</b>	<b>.31</b>
<b>Overall Totals Across All Six Program Mechanisms</b>	<b>184</b>	<b>228</b>	<b>.81</b>

<sup>a</sup> Data presented in this table correspond to ISI-verified peer-reviewed publications published in calendar year 2009 rather than to fiscal year 2009. The data in the table come from grantee annual reports submitted during the 2009 Annual Performance Reporting period. This period runs from June 1, 2008 to May 31, 2009. This reporting period does not correspond to the FY 2009 reporting period because NIDRR uses the data to determine which of the existing grants get continuation funding for next year. Continuation decisions must be made before the end of the fiscal year.

<sup>b</sup> Panel A presents data for the three original program funding mechanisms for which information on peer-reviewed publications was collected starting with the APR submitted June 2004. Data in Panel A also correspond to NIDRR's official *GPRA* performance measure based on the average number of peer-reviewed publications per award per calendar year and are used to satisfy PART requirements.

<sup>c</sup> Rehabilitation Research and Training Centers.

<sup>d</sup> Rehabilitation Engineering Research Centers.

<sup>e</sup> Model Systems projects for Spinal Cord Injury, Brain Injury and Burn Injury.

<sup>f</sup> Panel B presents data on three additional program mechanisms for which information on peer reviewed publications was first collected in the revised APR submitted June 2006. Data for these additional program mechanisms are not included in NIDRR's official *GPRA* measure.

<sup>g</sup> Disability Rehabilitation Research Projects.

<sup>h</sup> Field Initiated Projects (Research and Development).

<sup>i</sup> Knowledge Dissemination and Utilization (also referred to as Knowledge Translation).

Source: U.S. Department of Education, National Institute on Disability and Rehabilitation Research. Grantee Performance Report, annual performance reporting (APR) forms for Rehabilitation Research and Training Centers, Rehabilitation Engineering Research Centers, Model Systems, Disability Rehabilitation Research Program, Field Initiated Projects and Knowledge Translation Programs for the 2009 Annual Performance Reporting Period from June 1, 2008 to May 31, 2009.

## 14. 2009 NIDRR Allocations

The allocation of NIDRR grant funds for FY 2008 and FY 2009 for the 11 funding mechanisms discussed in this section on NIDRR is shown in table 18 on the following pages. For each funding mechanism, the table includes the number of new and continuation awards along with the corresponding grant amount and the combined totals for FYs 2008 and 2009. NIDRR's overall grant allocations across all 11 funding mechanisms totaled \$97,255,000 for FY 2008 and \$99,904,000 for FY 2009. NIDRR awarded \$7,837,000 in contracts and other support activities for FY 2009.

**Table 18. Number of Awards and Grant Amount per Award for NIDRR-Funded Centers and Projects, by Type of Award: Fiscal Years 2008 and 2009**

NIDRR-Funded Centers and Projects*	Number of Awards FY 2008	Grant Amount (in thousands of dollars)	Number of Awards FY 2009	Grant Amount (in thousands of dollars)
<b>RRTCs</b>				
Continuations	14	\$8,214	13	\$11,200
New Awards	9	\$7,650	9	\$6,594
Total	23	\$15,864	22	17,794
<b>RERCs</b>				
Continuations	12	\$9,477	16	\$13,196
New Awards	7	\$6,648	3	\$5,650
Total	19	\$16,125	19	\$18,846
<b>ARRTs</b>				
Continuations	12	\$1,797	12	\$1,799
New Awards	4	\$599	4	\$599
Total	16	\$2,396	16	\$2,398
<b>DRRPs</b>				
Continuations	14	\$7,229	15	\$8,041
New Awards	7	\$3,977	1	950
Total	21	\$11,206	12	\$8,991
<b>DBTACs</b>				
Continuations	11	\$11,837	11	\$11,859
New Awards	0	\$0	0	0
Total	11	\$11,837	11	\$11,859
<b>SBIRs</b>				
	25	\$3,594	25	\$3,612
<b>KTs</b>				
Continuations	4	\$2,367	6	\$3,403
New	2	\$1,500	2	\$2,000
Total	6	\$3,867	8	\$5,403
<b>FIPs</b>				
Continuations	46	\$8,065	46	\$8,568
New Awards	23	\$4,952	22	\$4,176
Total	67	\$13,017	68	\$12,744
<b>Mary Switzer Fellowships</b>				
New Awards	7	\$475	7	\$530

**Table 18. Number of Awards and Grant Amount per Award for NIDRR-Funded Centers and Projects, by Type of Award: Fiscal Years 2008 and 2009 (Continued)**

NIDRR-Funded Centers and Projects*	Number of Awards FY 2008	Grant Amount (in thousands of dollars)	Number of Awards FY 2009	Grant Amount (in thousands of dollars)
<b>Model Systems</b>				
<b>Spinal Cord Injury</b>				
Continuations	14	\$6,779	14	\$6,493
New Awards	0	\$0	0	0
<b>Total</b>	<b>14</b>	<b>\$6,779</b>	<b>14</b>	<b>\$6,493</b>
<b>Traumatic Brain Injury</b>				
Continuations	14	\$6,715	18	\$8,404
New Awards	4	\$2,566	0	0
<b>Total</b>	<b>18</b>	<b>\$9,281</b>		
<b>Burn Injury</b>				
Continuations	5	\$1,750	5	\$1,450
New Awards	0	\$0	0	0
<b>Total</b>	<b>5</b>	<b>\$1,750</b>	<b>5</b>	<b>\$1,750</b>
<b>Outreach to Minority Institutions</b>				
	3	\$1,064	3	\$1,080
<b>TOTAL</b>	<b>235</b>	<b>\$97,255</b>	<b>230</b>	<b>\$99,904</b>

\* Abbreviations and full titles of NIDRR-funded centers and projects:

- RRTCs -----Rehabilitation Research and Training Centers
- RERCs -----Rehabilitation Engineering Research Centers
- ARRTs -----Advanced Rehabilitation Research Training Grants
- DRRPs -----Disability and Rehabilitation Research Projects
- DBTACs ----Disability and Business Technical Assistance Centers
- SBIRs -----Small Business Innovation Research Projects
- KTs-----Knowledge Translation
- FIPs-----Field Initiated Projects

Source: U. S. Department of Education, OSERS, NIDRR, 2009

# ADVOCACY AND ENFORCEMENT

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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 individuals 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.

Requirements under the *Rehabilitation 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 *Rehabilitation 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 federal 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 U.S. secretary of education.

Several federal agencies have been given enforcement authority to ensure that government agencies and private entities that receive federal assistance subscribe to and implement legislative provisions related to the employment of individuals with disabilities. These enforcement agencies review complaints, conduct investigations, conduct outreach and technical assistance activities to promote compliance, conduct public hearings, attempt to obtain voluntary compliance with civil rights laws, and pursue formal administrative and court enforcement where necessary. These agencies participate, when necessary, as *amicus curiae* in any United States court in civil actions. They also design appropriate and equitable remedies. Formal enforcement action may lead to the withholding of or suspension of federal funds.

## CLIENT ASSISTANCE PROGRAM

Authorized Under Section 112 of the *Rehabilitation Act*

The Client Assistance Program (CAP), through grants to the 50 states, District of Columbia, Puerto Rico, and U.S. territories, provides advocacy and legal representation to individuals in dispute with other programs, projects, or facilities funded under the *Rehabilitation Act*. 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 *Rehabilitation Act* and the rights afforded them under Title I of the *Americans with Disabilities Act (ADA)*. State VR agencies, and the other programs and projects funded under the *Rehabilitation Act*, must inform consumers about the services available from the CAP and how to contact the CAP. States must operate a CAP in order to receive other allotments under the *Rehabilitation Act*, including VR grant funds.

**Client Assistance Program  
FY 2009 Federal Funding:  
\$11,576,000**

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 *Rehabilitation 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, only a few “internal” CAPs (e.g., those housed within a state VR agency or other agency providing services under the act) remain.

Overall, in FY 2009, CAPs nationwide responded to 57,537 requests for information and provided extensive services to 6,936 individuals. Slightly more than 93 percent of those cases in which extensive services were provided involved applicants for or recipients of services from the VR program. In 96 percent of all cases issues were related to the delivery of VR services. These data also demonstrate that in 33 percent of the cases closed CAPs enabled the individuals to advocate for themselves through the explanation of policies; 19 percent resulted in the development or implementation of an IPE; and 17 percent of these cases resulted in the reestablishment of communication between the individuals and other parties. In addition, 66 percent of the cases requiring action by the CAP on behalf of the individual were resolved in the individual’s favor.

Examples of FY 2009 CAP activities include:

- In Illinois, a consumer has had several issues with VR in the past, some of which were resolved with CAP intervention, including a request for exception on a financial participation policy. The final issue dealt with the consumer’s vocational goal and necessity of obtaining her master’s degree. VR had argued that with her bachelor’s degree she was qualified to become a lab technician, even though she had always stated she wanted to become a forensic scientist. The CAP legal contractor successfully represented her in this appeal, and VR was ordered to

change her vocational goal to forensic scientist. Not only was she successful in completing her master's degree, but she was able to work as an intern in a lab during her last semester of school and was offered a full-time job as a forensic scientist in this same lab which then also assigned her a job teaching a class to FBI agents.

- In Arizona, CAP assisted a 41-year-old man with chemical hyperactivity syndrome, which is a genetic disorder similar to multiple chemical sensitivity disorder. The consumer was found eligible for VR services in July 2008. His employment goal was to become an elementary school teacher. He chose this goal because it not only matched his interests, strengths and abilities but also would accommodate his disability. In elementary education children rarely wear fragrances. There would be times of the day he could be outside, and the position had generous vacation times. His VR counselor began to question his employment goal and wanted him to submit to a psychological evaluation before she would develop his IPE even though he had already provided her with current doctor's statements and medical documentation on his disability. The counselor said a psychological evaluation was mandatory for all clients with his type of disability. Due to the counselor's insistence on a psychological evaluation, the client did not have an approved IPE by the date VR placed all clients without an IPE on a waiting list for services. The counselor also wanted to close our client's case for lack of cooperation.

CAP appealed VR's decision to place this client on the waiting list. CAP argued that the medical information provided by the client was sufficient to prove he could be successful in his chosen employment goal. Had the VR counselor accepted it, an IPE would have been developed and approved before the waiting list was implemented. VR administration agreed with CAP, and the counselor was instructed to write the client's IPE. At the meeting to develop the IPE the counselor then wanted the client to job shadow an elementary school teacher as part of his IPE. CAP and the client again disagreed with this requirement and said they would go to an administrative hearing if this was a requirement. CAP appealed to the unit supervisor, who overruled the counselor and the IPE was written without the job-shadowing requirement. The IPE was approved by the supervisor and district manager. The client is now enrolled in college to obtain his teaching degree. He attends a private college where he can do many of his classes online to avoid environmental exposures that affect his disability. Also he has been assigned a new VR counselor.

- In Florida, CAP was contacted by a South Florida young adult with a specific learning disability. This individual contacted CAP for assistance with appealing the decision of the division of vocational rehabilitation (DVR) regarding financial need participation, which would require her to pay for DVR services. VR evaluated the family income and determined that she had to contribute 80 percent towards her rehabilitation plan. She was appealing the decision because this was an undue hardship due to mitigating circumstances and if she did not

pay the cost share she would have to drop out of community college where she was studying to become a paralegal. CAP staff represented her at an administrative review hearing and provided evidence of her financial hardship, which resulted in approval to continue sponsoring her degree in paralegal studies in order to become employed. This successful appeal set a new precedent with VR where exceptions can be granted on the basis of financial hardship.

- In Maryland, a 48-year-old male with a back injury contacted CAP for assistance in gaining approval from VR for funding of a short-term training program to assist him in becoming employed as an auto insurance estimator. The individual had work experience in auto repair but could no longer physically perform the job duties. During his rehabilitation program he worked to pass his General Educational Development (GED) tests and take some short courses to help expand his employment potential. Over the course of a few years he repeatedly returned to a request for specific training in automotive estimating. VR felt the training was not necessary for employment in his field and offered him more intensive job or on-the-job training development as a compromise. He attempted to use these services without success. Two of the barriers in obtaining approval for the training he sought was that the training was out of state and it was not accredited or approved by a higher education commission type of entity. The consumer eventually requested an appeal hearing regarding the training denial. CAP provided legal representation, and the appeal was settled in the consumer's favor through formal mediation. The consumer then attended and completed auto estimating training and subsequently obtained employment in his chosen field.

## **PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS PROGRAM**

**Authorized Under Section 509 of the *Rehabilitation Act***

The Protection and Advocacy of Individual Rights (PAIR) program is a mandatory component of the protection and advocacy (P&A) system, established in each of the 50 states, District of Columbia, Puerto Rico, and U.S. territories. In addition, the PAIR program helps to fund a P&A system to serve the

American Indian consortium pursuant to Part C of the *Developmental 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 *Rehabilitation 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

**Protection and Advocacy of  
Individual Rights Program  
FY 2009 Federal Funding:  
\$ 17,101,000**

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 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 the outlying areas of Guam, American Samoa, the U.S. Virgin Islands and the Commonwealth of the Northern Marianas Islands, each of which receives \$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 2009, PAIR programs reported representing 15,629 individuals and responded to 43,435 requests for information or referral. Of the cases handled by PAIR programs in that year the greatest number of specified issues involved education (18 percent), government benefits and services (18 percent) and employment (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 2009, 55 out of the 57 PAIR programs (96 percent) reported that these activities resulted in changes in policies and practices benefiting individuals with disabilities.

Examples of FY 2009 PAIR activities include the following:

- South Dakota Advocacy Services was contacted by an employee who worked in a central warehouse hub of a farm retail company. The individual's primary duties at the warehouse were to assist in getting replacement orders from retail outlets of the company ready for shipment to the outlets. The work was time sensitive to get the products shipped based on a variety of transportation deadlines. The individual has diabetes and a heart condition and takes medications for those conditions. One side effect of the medication regimen is the need for frequent bathroom breaks. The individual's immediate supervisor began to systematically harass and publicly ridicule the individual for frequent breaks and would not agree to consider breaks to be a reasonable accommodation based on the

individual's disability. South Dakota Advocacy Services reviewed the individual's personnel file and engaged in correspondence with the company's attorney alleging prohibited workplace activities and discriminations. After a series of contacts, the individual reported a significant change in the supervisor's attitude, with breaks as necessary being tolerated by the supervisor and no retaliation experienced; the individual remains fully employed. This case led to a systemic change whereby the company recognized the need to reassess and redirect its policies regarding appropriately accommodating persons in the workplace.

- Colorado's protection and advocacy system represented two college students who were deaf and pursuing their bachelor's degrees and teaching certificates in special education. The public college determined that they would not recommend the students for licensure since they were deaf and could not perform all tasks necessary for a teacher in a classroom. The college did not believe that reasonable accommodations should be made. After filing a complaint with the U.S. Department of Education, the parties attended mediation and the college agreed that it would provide reasonable accommodations and would recommend these students and all future students for teacher licensure as long as they passed the course work and field work using reasonable accommodations.
- Disability Rights Network of Pennsylvania monitored the closing of a personal care facility that was under investigation for staffing violations. The facility was experiencing financial difficulty. Staff was not being paid and therefore not reporting to work consistently. The uncertainty of staffing made it necessary to relocate the individuals to alternative housing under an emergency order. Disability Rights Network of Pennsylvania worked on a team to inform individuals in the facility and their designated persons about their rights and monitored the safe relocation of all of the individuals.
- Disability Rights New Mexico (DRNM) represented a Native American boy with severe learning disabilities who was attending a pueblo-based middle school. He had a history of behavior problems and was suspended and placed at an alternative school. Another incident occurred and he was suspended from the alternative setting. At his manifestation determination hearing the school determined his behavior was not connected to his disability, but his obsessive defiant disorder was increasing. The school wanted to place him in homebound instruction. A DRNM advocate participated in a hearing and was able to get the student back at the alternative school during his suspension. When DRNM began communication with the alternative education teacher it became clear the administration was not following applicable specifics of the *Individuals with Disabilities Education Act* properly. DRNM advocated at a meeting in which a behavioral intervention plan was developed for the student, and the principal allowed the student to return to the regular middle school early in 2009.

## **EMPLOYMENT OF PEOPLE WITH DISABILITIES**

**Authorized Under Section 501 of the *Rehabilitation Act*  
Managed by the Equal Employment Opportunity Commission**

The *Rehabilitation Act* authorizes the 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, the 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. For more information, visit <http://www.eeoc.gov/eeoc>.

## **ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD**

**(Access Board)**

**Authorized Under Section 502 and Section 508 of the *Rehabilitation Act***

Section 502 of the *Rehabilitation 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 *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 *ABA* 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 *Rehabilitation 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 *Rehabilitation 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 *ABA*, *ADA* and the *Telecommunications Act of 1996* through the investigation of complaints. The Access Board conducts its investigations through the responsible federal agencies and strives for amicable resolution of complaints. For more information, visit <http://www.access-board.gov>.

## **ELECTRONIC AND INFORMATION TECHNOLOGY**

**Authorized Under Section 508 of the *Rehabilitation Act***

**Activities Conducted by the Assistive Technology Team, Office of the Chief Information Officer,  
U.S. Department of Education**

Section 508 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 are 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 *Rehabilitation 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 performance 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 websites.

The OCIO, in conjunction with the Access Board, 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. For more information, visit <http://www.ed.gov/about/offices/list/ocio/ocio.html>.

## **EMPLOYMENT UNDER FEDERAL CONTRACTS**

**Authorized Under Section 503 of the *Rehabilitation 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. For more information, visit <http://www.dol.gov/ofccp>.

## **NONDISCRIMINATION IN PROGRAMS THAT RECEIVE FEDERAL FINANCIAL ASSISTANCE**

**Authorized Under Section 504 of the *Rehabilitation Act*  
Enforced by the  
Civil Rights Division, U.S. Department of Justice, and the  
Office for Civil Rights, U.S. Department of Education**

Section 504 prohibits discrimination on the basis of disability by recipients of federal financial assistance. This provision of the *Rehabilitation 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 such an impairment or is regarded as having such an impairment. Major life activities include, but are not limited to, walking, seeing, hearing, speaking, breathing, learning, working, caring for one's self, and performing manual tasks.

The U.S. Department of Justice, Civil Rights Division (CRD), has overall responsibility for coordinating federal agencies' implementation and enforcement of Section 504 of the *Rehabilitation Act*.

Through its Office for Civil Rights (OCR), the Department enforces Section 504 with respect to state and local educational agencies and public and private elementary, secondary and postsecondary schools that receive federal financial assistance from the Department. In addition, OCR and CRD both have enforcement responsibilities under *ADA*. In the education context, OCR enforces Title II of *ADA*, which prohibits disability discrimination by state and local government entities, including public elementary, secondary, and postsecondary schools. CRD enforces Title III of the *ADA*, which prohibits disability discrimination by private entities in places of public accommodation, including private elementary, secondary, and postsecondary schools.

Examples of the types of discrimination prohibited by Section 504 and its implementing regulations include access to educational programs and facilities, improper denials of a

free appropriate public education for elementary and secondary students, and improper denials of academic adjustments and auxiliary aids and services to postsecondary students. Section 504, *ADA*, and their implementing regulations also prohibit employment discrimination and retaliation for filing, or participating in any manner in, an OCR complaint or proceeding or for advocating for a right protected by these laws.

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

**NATIONAL COUNCIL ON DISABILITY**  
**Authorized Under Section 400 of the *Rehabilitation 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 people with disabilities to achieve economic self-sufficiency, independent living, and inclusion and integration into all aspects of society. More specifically, 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 based on those evaluations to the president, the Congress, the secretary of education, the commissioner of RSA, the director of NIDRR, and officials of federal agencies.



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# **APPENDIX A**



# APPENDIX A

**Table A-1. Employment Outcomes (Evaluation Standard 1) of State VR<sup>a</sup> Agencies Serving the Blind and Visually Impaired, by Indicator and Jurisdiction: Fiscal Year 2009**

**Must Pass at Least Four of Six Indicators and Two of Three Primary Indicators<sup>b</sup>**

Agency <sup>c</sup>	Indicator 1.1: Change in Total Employment Outcomes After An IPE <sup>d</sup> (≥ 0)	Indicator 1.2: Percentage of Employment Outcomes After Services Under An IPE <sup>e</sup> (> 68.9%)	Indicator 1.3: Percentage of Employment Outcomes for All Individuals that Were Competitive Employment <sup>f</sup> (> 35.4%)	Indicator 1.4: Percentage of Competitive Employment Outcomes That Were for Individuals With Significant Disabilities <sup>g</sup> (> 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
Performance level criteria are shown in parentheses for each indicator.								
<b>Arkansas</b>	3	78.05	73.17	99.80	0.629	23.33	5	3
<b>Connecticut</b>	-24	84.73	83.26	100.00	0.661	20.62	4	3
<b>Delaware</b>	12	76.27	91.11	92.68	0.520	65.85	5	2
<b>Florida</b>	-25	58.87	96.46	99.93	0.654	36.07	4	3
<b>Idaho</b>	-35	69.23	92.59	99.20	0.790	30.40	5	3
<b>Iowa</b>	-37	77.29	92.42	100.00	0.853	17.44	4	3
<b>Kentucky</b>	-29	79.53	86.79	100.00	0.664	29.66	4	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: U.S. Department of Education, RSA, 2009a

**Table A-1. Employment Outcomes (Evaluation Standard 1) of State VR<sup>a</sup> Agencies Serving the Blind and Visually Impaired, by Indicator and Jurisdiction: Fiscal Year 2009 (Continued)**

Must Pass at Least Four of Six Indicators and Two of Three Primary Indicators<sup>b</sup>

Agency <sup>c</sup>	Indicator 1.1: Change in Total Employment Outcomes After An IPE <sup>d</sup> (≥ 0)	Indicator 1.2: Percentage of Employment Outcomes After Services Under An IPE <sup>e</sup> (> 68.9%)	Indicator 1.3: Percentage of Employment Outcomes for All Individuals that Were Competitive Employment <sup>f</sup> (> 35.4%)	Indicator 1.4: Percentage of Competitive Employment Outcomes That Were for Individuals With Significant Disabilities <sup>g</sup> (> 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
Performance level criteria are shown in parentheses for each indicator.								
Maine	-79	64.71	38.50	98.61	0.845	47.22	4	3
Massachusetts	27	64.91	54.31	100.00	0.723	22.03	4	3
Michigan	-119	52.89	79.95	99.68	0.613	29.52	3	3
Minnesota	-3	48.17	92.40	100.00	0.665	35.44	4	3
Missouri	10	79.73	87.38	100.00	0.669	30.82	6	3
Nebraska	-11	46.89	94.90	100.00	0.722	49.46	4	3
New Jersey	-24	69.13	94.57	99.63	0.555	40.56	4	2
New Mexico	3	46.63	100.00	100.00	0.975	63.33	5	3
New York	-307	69.80	73.33	98.64	0.579	37.87	4	2
North Carolina	-172	64.51	98.83	96.79	0.580	31.22	3	2
Oregon	-16	56.38	74.06	99.36	0.789	38.22	4	3
South Carolina	18	66.63	73.39	95.71	0.674	22.10	4	3
South Dakota	12	78.10	94.86	99.51	0.699	33.99	6	3
Texas	-33	70.12	89.23	99.88	0.576	32.91	4	2
Vermont	-26	72.91	68.92	98.04	0.718	25.49	4	3
Virginia	-27	59.63	94.05	98.19	0.630	42.77	4	3
Washington	-22	63.51	100.00	96.81	0.774	42.91	4	3

Source: U.S. Department of Education, RSA, 2009a

**Table A-2. Employment Outcomes (Evaluation Standard 1) of State VR<sup>a</sup> Agencies—General and Combined,<sup>b</sup> by Indicator and Jurisdiction: Fiscal Year 2009 (**

**Must Pass at Least Four of the Six Indicators and Two of Three Primary Indicators<sup>c</sup>**

Agency	Indicator 1.1: Change in Total Employment Outcomes After An IPE <sup>d</sup> (≥ 0)	Indicator 1.2: Percentage of Employment Outcomes After Services Under An IPE <sup>e</sup> (≥ 55.8%)	Indicator 1.3: Percentage of Employment Outcomes for All Individuals That Were Competitive Employment <sup>f</sup> (≥ 72.6%)	Indicator 1.4: Percentage of Competitive Employment Outcomes That Were Individuals With Significant Disabilities <sup>g</sup> (≥ 62.4%)	Indicator 1.5: Ratio of Average VR Wage to Average State Wage <sup>h</sup> (≥ .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
<b>Performance level criteria are shown in parentheses for each indicator.</b>								
Alabama	-1,585	71.36	98.41	89.38	0.502	78.21	4	2
Alaska	-44	61.87	98.47	92.05	0.603	58.33	5	3
American Samoa	18	95.12	100.00	71.79	N/A	100.00	6	3
Arizona	-553	47.56	97.81	92.55	0.552	60.28	4	3
Arkansas	-86	56.95	99.92	84.40	0.636	51.50	4	3
California	-2,281	57.59	86.38	99.99	0.490	67.25	4	2
Colorado	-401	60.95	90.30	92.55	0.538	55.22	5	3

<sup>a</sup> VR – Vocational Rehabilitation

<sup>b</sup> 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.

<sup>c</sup> 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).

<sup>d</sup> 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.

<sup>e</sup> Percentage who have received employment outcomes after provision of VR services.

<sup>f</sup> 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.

<sup>g</sup> 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.

<sup>h</sup> 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: U.S. Department of Education, RSA 2009a

**Table A-2. Employment Outcomes (Evaluation Standard 1) of State VR<sup>a</sup> Agencies—General and Combined,<sup>b</sup> by Indicator and Jurisdiction: Fiscal Year 2009 (Continued)**

Must Pass at Least Four of the Six Indicators and Two of Three Primary Indicators<sup>c</sup>

Agency	Indicator 1.1: Change in Total Employment Outcomes After An IPE <sup>d</sup> (≥ 0)	Indicator 1.2: Percentage of Employment Outcomes After Services Under An IPE <sup>e</sup> (≥ 55.8%)	Indicator 1.3: Percentage of Employment Outcomes for All Individuals That Were Competitive Employment <sup>f</sup> (≥ 72.6%)	Indicator 1.4: Percentage of Competitive Employment Outcomes That Were Individuals With Significant Disabilities <sup>g</sup> (≥ 62.4%)	Indicator 1.5: Ratio of Average VR Wage to Average State Wage <sup>h</sup> (≥ .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
Performance level criteria are shown in parentheses for each indicator.								
Connecticut	-25	58.36	99.51	100.00	0.662	30.79	4	3
Delaware	-3	63.88	98.12	85.76	0.435	71.53	4	2
District of Columbia	-166	56.24	90.24	97.30	0.347	61.89	4	2
Florida	-6,000	45.74	99.31	76.10	0.582	48.37	3	3
Georgia	-366	58.71	94.00	75.40	0.459	74.09	4	2
Guam*	-21	0.00	0.00	0.00	N/A	0.00	1	1
Hawaii	-110	41.62	97.08	89.89	0.668	62.80	4	3
Idaho	-226	64.84	99.30	99.30	0.624	68.44	5	3
Illinois	-355	56.71	91.05	99.98	0.439	56.94	4	2
Indiana	-373	48.18	94.68	74.49	0.622	37.94	3	3
Iowa	118	61.82	97.48	95.74	0.643	63.34	6	3
Kansas	-219	55.42	97.12	94.73	0.532	52.56	3	3
Kentucky	-385	42.38	94.72	100.00	0.636	65.76	4	3
Louisiana	-362	47.66	98.43	84.11	0.707	49.14	3	3

\* RSA-911 data was not submitted from Guam

**Table A-2. Employment Outcomes (Evaluation Standard 1) of State VR<sup>a</sup> Agencies—General and Combined,<sup>b</sup> by Indicator and Jurisdiction: Fiscal Year 2009 (Continued)**

Must Pass at Least Four of the Six Indicators and Two of Three Primary Indicators<sup>c</sup>

Agency	Indicator 1.1: Change in Total Employment Outcomes After An IPE <sup>d</sup> (≥ 0)	Indicator 1.2: Percentage of Employment Outcomes After Services Under An IPE <sup>e</sup> (≥ 55.8%)	Indicator 1.3: Percentage of Employment Outcomes for All Individuals That Were Competitive Employment <sup>f</sup> (≥ 72.6%)	Indicator 1.4: Percentage of Competitive Employment Outcomes That Were Individuals With Significant Disabilities <sup>g</sup> (≥ 62.4%)	Indicator 1.5: Ratio of Average VR Wage to Average State Wage <sup>h</sup> (≥ .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
Performance level criteria are shown in parentheses for each indicator.								
Maine	-81	49.20	100.00	100.00	0.636	53.47	4	3
Maryland	19	66.45	91.42	100.00	0.441	65.32	5	2
Massachusetts	-411	49.19	97.00	99.97	0.466	57.17	3	2
Michigan	-610	51.61	96.88	95.30	0.637	58.17	4	3
Minnesota	-231	49.12	95.98	100.00	0.490	64.24	3	2
Mississippi	2	77.28	99.54	99.27	0.722	57.26	6	3
Missouri	-462	61.00	89.91	99.46	0.514	58.71	4	2
Montana	-114	56.47	95.37	83.20	0.660	57.74	5	3
Nebraska	25	60.85	99.74	100.00	0.574	61.89	6	3
Nevada	-159	57.17	99.00	95.29	0.554	67.15	5	3
New Hampshire	-118	55.89	94.73	92.62	0.545	54.46	5	3
New Jersey	-363	52.69	99.98	99.98	0.448	68.57	3	2
New Mexico	-147	55.24	97.99	94.72	0.655	49.74	3	3
New York	-1,085	52.77	94.37	98.34	0.382	61.07	3	2
North Carolina	-152	58.83	99.75	77.00	0.486	62.97	4	2
North Dakota	-110	68.07	98.49	85.79	0.671	55.95	5	3
Northern Mariana Islands	-73	57.38	65.71	78.26	N/A	8.70	3	2
Ohio	-2,136	54.79	97.39	100.00	0.688	39.50	3	3
Oklahoma	-557	54.31	90.05	90.14	0.619	67.39	4	3

**Table A-2. Employment Outcomes (Evaluation Standard 1) of State VR<sup>a</sup> Agencies—General and Combined,<sup>b</sup> by Indicator and Jurisdiction: Fiscal Year 2009 (Continued)**

Must Pass at Least Four of the Six Indicators and Two of Three Primary Indicators<sup>c</sup>

Agency	Indicator 1.1: Change in Total Employment Outcomes After An IPE <sup>d</sup> (≥ 0)	Indicator 1.2: Percentage of Employment Outcomes After Services Under An IPE <sup>e</sup> (≥ 55.8%)	Indicator 1.3: Percentage of Employment Outcomes for All Individuals That Were Competitive Employment <sup>f</sup> (≥ 72.6%)	Indicator 1.4: Percentage of Competitive Employment Outcomes That Were Individuals With Significant Disabilities <sup>g</sup> (≥ 62.4%)	Indicator 1.5: Ratio of Average VR Wage to Average State Wage <sup>h</sup> (≥ .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
Performance level criteria are shown in parentheses for each indicator.								
Oregon	-680	54.71	95.84	92.68	0.594	73.59	4	3
Pennsylvania	84	56.86	91.82	99.98	0.542	55.91	6	3
Puerto Rico	-91	73.08	94.46	82.78	0.705	88.00	5	3
Rhode Island	6	62.79	96.30	100.00	0.512	54.40	5	2
South Carolina	-406	54.83	99.44	96.81	0.585	66.96	4	3
South Dakota	-263	62.82	97.16	99.31	0.566	62.99	5	3
Tennessee	-578	54.90	88.35	94.83	0.538	59.38	4	3
Texas	137	56.67	98.89	82.10	0.510	53.36	5	2
Utah	-194	66.28	94.13	98.12	0.621	63.35	5	3
Vermont	-43	60.83	96.55	99.72	0.591	39.68	4	3
Virginia	-6	72.13	84.09	64.86	0.615	78.38	5	3
Virgin Islands	-798	52.26	91.44	99.35	0.419	50.43	2	2
Washington	47	55.38	98.67	98.52	0.511	53.75	4	2
West Virginia	94	68.99	83.56	92.18	0.685	61.47	6	3
Wisconsin	-958	41.67	96.91	96.62	0.596	40.50	3	3
Wyoming	6	65.46	98.72	87.64	0.595	61.93	6	3

**Table A-3. Equal Access to Service (Evaluation Standard 2) of State VR<sup>a</sup> Agencies Serving the Blind and Visually Impaired, by Indicator and Jurisdiction: Fiscal Year 2009**

Agency <sup>b</sup>	Indicator 2.1: Minority Service rate ratio ( $\geq .80$ ) <sup>c</sup>	Minorities Exiting the VR Program <sup>d</sup> <i>*Indicates fewer than 100 individuals from minority populations exiting program.</i>
Arkansas	0.900	180
Connecticut	0.940	39*
Delaware	0.893	28*
Florida	0.993	732
Idaho	0.586	21*
Iowa	0.697	17*
Kentucky	0.932	53*
Maine	0.948	9*
Massachusetts	0.898	107
Michigan	0.929	160
Minnesota	0.710	80*
Missouri	0.896	103
Nebraska	0.791	25*
New Jersey	0.920	373
New Mexico	0.829	83*
New York	0.872	295
North Carolina	0.854	580
Oregon	1.041	30*
South Carolina	0.966	290
South Dakota	0.802	43*
Texas	0.865	2,001
Vermont	0.561	2*
Virginia	1.085	248
Washington	0.913	77*

<sup>a</sup> VR — Vocational Rehabilitation

<sup>b</sup> Separate agencies in 24 states providing specialized services to blind and visually impaired persons.

<sup>c</sup> 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*, June 5, 2000 (34 CFR Part 361).

<sup>d</sup> Total number of individuals from minority populations exiting the VR program during the performance period.

Source: U.S. Department of Education, RSA 2009a

**Table A-4. Equal Access to Service (Evaluation Standard 2) of State VR<sup>a</sup> Agencies—  
General and Combined,<sup>b</sup> by Indicator and Jurisdiction:  
Fiscal Year 2009**

Agency	Indicator 2.1: Minority Service rate ratio ( $\geq .80$ ) <sup>c</sup>	Minorities Exiting the VR Program <sup>d</sup> <i>*Indicates fewer than 100 individuals from minority populations exiting program.</i>
Alabama	0.977	4,617
Alaska	0.876	647
American Samoa	N/A	50*
Arizona	0.841	1,933
Arkansas	0.844	2,432
California	1.023	17,678
Colorado	0.947	2,156
Connecticut	0.822	1,179
Delaware	0.959	1,306
District of Columbia	0.895	1,626
Florida	0.927	10,932
Georgia	1.002	6,614
Guam*	N/A	0*
Hawaii	1.033	1,204
Idaho	0.926	765
Illinois	0.811	7,289
Indiana	0.823	2,672
Iowa	0.786	841
Kansas	0.837	1,724
Kentucky	0.854	3,303
Louisiana	0.829	4,013
Maine	0.857	182
Maryland	0.890	4,283
Massachusetts	0.900	3,353
Michigan	0.863	6,811
Minnesota	0.868	2,123
Mississippi	0.809	3,981
Missouri	0.849	4,196

\* The comparison ratios for American Samoa and Guam could not be computed as only minorities were served; ratios are based upon computations of minority and non-minority applicants.

<sup>a</sup> VR — Vocational Rehabilitation

<sup>b</sup> 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.

<sup>c</sup> 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* June 5, 2000 (34 CFR Part 361).

**Table A-4. Equal Access to Service (Evaluation Standard 2) of State VR<sup>a</sup> Agencies—  
General and Combined,<sup>b</sup> by Indicator and Jurisdiction:  
Fiscal Year 2009 (Continued)**

Agency	Indicator 2.1: Minority Service rate ratio ( $\geq .80$ ) <sup>c</sup>	Minorities Exiting the VR Program <sup>d</sup> <i>*Indicates fewer than 100 individuals from minority populations exiting program.</i>
Montana	0.871	595
Nebraska	0.802	839
Nevada	0.869	1,276
New Hampshire	0.874	152
New Jersey	0.924	7,166
New Mexico	0.875	3,343
New York	0.867	18,484
North Carolina	0.988	10,834
North Dakota	0.810	416
Northern Mariana Islands	0.467	168
Ohio	0.747	7,019
Oklahoma	0.891	2,133
Oregon	0.955	1,113
Pennsylvania	0.849	5,822
Puerto Rico	0.632	8,157
Rhode Island	0.847	614
South Carolina	0.992	11,190
South Dakota	0.812	468
Tennessee	0.823	2,926
Texas	0.969	19,276
Utah	0.921	1,704
Vermont	0.901	168
Virginia	0.698	105
Virgin Islands	1.005	4,159
Washington	0.934	2,800
West Virginia	0.847	329
Wisconsin	0.692	4,609
Wyoming	0.825	282



# **APPENDIX B**



# APPENDIX B

**Table B. Grant Awards to State VR<sup>a</sup> Agencies and Number and Percentage of Individuals With Disabilities Employed, by Type of Disability and Jurisdiction: Fiscal Years 2008 and 2009**

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes <sup>b</sup> and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities <sup>c</sup> and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities <sup>d</sup>
<b>U.S. Total</b>	2009	2,938,522,000	180,539	168,794	93.49
	2008	2,839,151,000	205,023	189,389	92.37
	Percentage Change	3.5	-14.68	-11.87	
<b>Total—General and Combined Agencies<sup>e</sup></b>	2009	2,704,630,639	174,521	162,838	93.31
	2008	2,615,842,683	198,352	182,796	92.16
	Percentage Change	3.39	-13.01	-11.92	
<b>Total—Agencies for the Blind<sup>f</sup></b>	2009	233,891,361	6,018	5,956	98.97
	2008	223,308,317	6,671	6,591	98.80
	Percentage Change	4.74	-10.79	-10.63	
<b>General and Combined Agencies</b>					
<b>Alabama</b>	2009	61,049,994	5,969	5,342	89.50
	2008	57,286,047	7,554	6,716	88.91
	Percentage Change	6.57	-21.98	-21.98	
<b>Alaska</b>	2009	10,195,073	524	483	92.18
	2008	9,474,966	568	492	86.62
	Percentage Change	7.60	-8.75	-2.83	

<sup>a</sup> VR — Vocational Rehabilitation.

<sup>b</sup> Total number of individuals with disabilities exiting the VR program securing employment during current performance period.

<sup>c</sup> 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.

<sup>d</sup> Percentage =  $\frac{\text{Employment outcomes of individuals with significant disabilities}}{\text{Total employment outcomes}}$

<sup>e</sup> 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.

<sup>f</sup> Separate agencies in 24 states providing specialized services to blind and visually impaired persons.

Source: U.S. Department of Education, RSA 2009a

**Table B. Grant Awards to State VR<sup>a</sup> Agencies and Number and Percentage of Individuals With Disabilities Employed, by Type of Disability and Jurisdiction: Fiscal Years 2008 and 2009 (Continued)**

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes <sup>b</sup> and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities <sup>c</sup> and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities <sup>d</sup>
<b>American Samoa</b>	2009	738,967	39	28	71.79
	2008	928,801	21	20	95.24
	Percentage Change	-21.44	85.71	40.00	
<b>Arizona</b>	2009	61,333,265	1,372	1,272	92.71
	2008	57,950,200	1,925	1,780	92.47
	Percentage Change	5.84	-29.73	-29.54	
<b>Arkansas</b>	2009	34,588,350	2,361	1,993	84.41
	2008	31,894,611	2,447	1,944	79.44
	Percentage Change	8.45	-4.51	2.52	
<b>California</b>	2009	284,801,269	11,605	11,604	99.99
	2008	276,152,015	13,886	13,874	99.91
	Percentage Change	3.13	-17.43	-17.36	
<b>Colorado</b>	2009	37,762,655	2,216	2,060	92.96
	2008	36,083,923	2,617	2,466	94.23
	Percentage Change	4.65	-16.32	-17.46	
<b>Connecticut</b>	2009	20,062,903	1,420	1,420	100.00
	2008	17,164,145	1,445	1,445	100.00
	Percentage Change	16.89	-2.73	-2.73	
<b>Delaware</b>	2009	9,559,490	902	775	85.92
	2008	8,055,322	905	745	98.32
	Percentage Change	18.67	-1.33	4.03	
<b>District of Columbia</b>	2009	12,989,280	410	395	96.34
	2008	12,641,236	576	534	92.71
	Percentage Change	2.75	-29.82	-27.03	

**Table B. Grant Awards to State VR<sup>a</sup> Agencies and Number and Percentage of Individuals With Disabilities Employed, by Type of Disability and Jurisdiction: Fiscal Years 2008 and 2009 (Continued)**

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes <sup>b</sup> and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities <sup>c</sup> and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities <sup>d</sup>
<b>Florida</b>	2009	131,857,463	6,411	4,883	76.17
	2008	130,459,426	12,411	8,478	68.31
	Percentage Change	1.07	-49.34	-43.40	
<b>Georgia</b>	2009	76,490,231	4,302	3,281	76.27
	2008	91,919,444	4,668	3,754	80.42
	Percentage Change	-17.79	-8.84	-13.60	
<b>Guam</b>	2009	2,992,531	33	33	100.00
	2008	2,052,208	21	20	95.24
	Percentage Change	45.82	57.14	65.00	
<b>Hawaii</b>	2009	12,882,243	479	431	89.98
	2008	11,052,823	589	501	85.06
	Percentage Change	16.55	-19.68	-14.97	
<b>Idaho</b>	2009	14,038,955	1,857	1,844	99.30
	2008	13,995,167	2,083	2,061	98.94
	Percentage Change	0.31	-11.85	-11.53	
<b>Illinois</b>	2009	113,449,013	5,285	5,284	99.98
	2008	105,461,896	5,640	5,640	100.00
	Percentage Change	7.57	-7.29	-7.31	
<b>Indiana</b>	2009	68,785,415	4,020	3,038	75.57
	2008	66,660,094	4,393	3,491	79.47
	Percentage Change	3.19	-9.49	-13.98	
<b>Iowa</b>	2009	25,100,540	2,264	2,170	95.85
	2008	25,236,088	2,146	2,060	95.99
	Percentage Change	-1.54	5.50	5.34	

**Table B. Grant Awards to State VR<sup>a</sup> Agencies and Number and Percentage of Individuals With Disabilities Employed, by Type of Disability and Jurisdiction: Fiscal Years 2008 and 2009 (Continued)**

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes <sup>b</sup> and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities <sup>c</sup> and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities <sup>d</sup>
<b>Kansas</b>	2009	27,795,281	1,426	1,353	94.88
	2008	26,929,144	1,645	1,626	98.84
	Percentage Change	3.22	-14.31	-17.79	
<b>Kentucky</b>	2009	45,983,564	4,564	4,564	100.00
	2008	44,499,061	4,949	4,947	99.96
	Percentage Change	3.34	-8.78	-8.74	
<b>Louisiana</b>	2009	33,085,896	2,353	1,980	84.15
	2008	43,077,993	2,715	1,866	68.73
	Percentage Change	-24.20	-14.33	6.11	
<b>Maine</b>	2009	12,674,780	649	649	100.00
	2008	12,310,887	730	730	100.00
	Percentage Change	2.96	-12.10	-12.10	
<b>Maryland</b>	2009	45,611,435	2,309	2,309	100.00
	2008	39,639,603	2,290	2,290	100.00
	Percentage Change	15.07	0.83	0.83	
<b>Massachusetts</b>	2009	44,792,657	3,035	3,034	99.97
	2008	38,941,864	3,446	3,443	99.91
	Percentage Change	15.02	-12.93	-12.88	
<b>Michigan</b>	2009	84,958,843	6,933	6,606	95.28
	2008	82,935,361	7,543	7,023	93.11
	Percentage Change	2.44	-9.09	-6.94	
<b>Minnesota</b>	2009	36,476,785	2,389	2,389	100.00
	2008	34,861,749	2,620	2,620	100.00
	Percentage Change	4.63	-9.82	-9.82	

**Table B. Grant Awards to State VR<sup>a</sup> Agencies and Number and Percentage of Individuals With Disabilities Employed, by Type of Disability and Jurisdiction: Fiscal Years 2008 and 2009 (Continued)**

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes <sup>b</sup> and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities <sup>c</sup> and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities <sup>d</sup>
<b>Mississippi</b>	2009	43,469,871	4,555	4,522	99.28
	2008	41,647,036	4,553	4,359	95.74
	Percentage Change	4.38	0.04	3.74	
<b>Missouri</b>	2009	56,457,769	3,903	3,884	99.51
	2008	54,093,697	4,365	4,329	99.18
	Percentage Change	4.37	-11.58	-11.28	
<b>Montana</b>	2009	11,750,000	799	670	83.85
	2008	11,071,300	913	749	82.04
	Percentage Change	6.13	-13.49	-11.55	
<b>Nebraska</b>	2009	15,614,705	1,568	1,568	100.00
	2008	15,038,535	1,543	1,543	100.00
	Percentage Change	3.83	1.62	1.62	
<b>Nevada</b>	2009	10,236,604	901	859	95.34
	2008	16,280,179	1,060	1,010	95.28
	Percentage Change	-38.12	-16.00	-15.95	
<b>New Hampshire</b>	2009	12,157,592	1,101	1,022	92.82
	2008	10,754,717	1,219	1,166	95.65
	Percentage Change	13.04	-10.68	-13.35	
<b>New Jersey</b>	2009	47,174,340	4,022	4,021	99.98
	2008	43,697,706	4,385	4,385	100.00
	Percentage Change	7.96	-9.28	-9.30	
<b>New Mexico</b>	2009	19,148,360	1,545	1,463	94.69
	2008	18,488,163	1,692	1,612	95.27
	Percentage Change	3.57	-9.69	-10.24	

**Table B. Grant Awards to State VR<sup>a</sup> Agencies and Number and Percentage of Individuals With Disabilities Employed, by Type of Disability and Jurisdiction: Fiscal Years 2008 and 2009 (Continued)**

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes <sup>b</sup> and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities <sup>c</sup> and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities <sup>d</sup>
<b>New York</b>	2009	131,640,440	12,151	11,942	98.28
	2008	123,775,314	13,236	13,016	98.34
	Percentage Change	6.35	-9.20	-9.25	
<b>North Carolina</b>	2009	81,120,197	6,290	4,845	77.03
	2008	77,498,837	6,442	4,209	76.09
	Percentage Change	4.67	-3.36	15.11	
<b>North Dakota</b>	2009	9,795,073	793	682	86.00
	2008	9,463,837	903	772	85.49
	Percentage Change	3.50	-13.18	-12.66	
<b>Northern Marianas</b>	2009	1,226,979	35	24	68.57
	2008	1,159,806	108	34	31.48
	Percentage Change	5.79	-68.59	-30.41	
<b>Ohio</b>	2009	121,443,769	7,520	7,520	100.00
	2008	118,727,629	9,656	9,655	99.99
	Percentage Change	2.29	-23.12	-23.11	
<b>Oklahoma</b>	2009	42,098,298	1,689	1,537	91.00
	2008	41,092,320	2,246	2,022	90.03
	Percentage Change	2.45	-25.80	-24.99	
<b>Oregon</b>	2009	39,388,669	1,924	1,784	92.72
	2008	30,962,460	2,604	2,361	90.67
	Percentage Change	27.21	-27.11	-25.44	
<b>Pennsylvania</b>	2009	124,249,697	9,305	9,303	99.98
	2008	123,532,053	9,221	9,216	99.95
	Percentage Change	0.58	0.91	0.94	

**Table B. Grant Awards to State VR<sup>a</sup> Agencies and Number and Percentage of Individuals With Disabilities Employed, by Type of Disability and Jurisdiction: Fiscal Years 2008 and 2009 (Continued)**

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes <sup>b</sup> and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities <sup>c</sup> and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities <sup>d</sup>
Puerto Rico	2009	73,125,960	2,435	2,022	83.04
	2008	71,531,013	2,526	2,055	81.35
	Percentage Change	2.23	-4.60	-2.61	
Rhode Island	2009	10,704,195	756	756	100.00
	2008	10,427,658	750	750	100.00
	Percentage Change	2.65	0.80	0.80	
South Carolina	2009	47,069,376	8,257	7,994	96.81
	2008	44,245,007	8,663	8,441	97.44
	Percentage Change	6.38	-5.69	-6.30	
South Dakota	2009	8,036,058	598	594	99.33
	2008	7,583,216	861	843	97.91
	Percentage Change	5.97	-31.55	-30.54	
Tennessee	2009	68,343,348	1,906	1,817	95.33
	2008	65,575,720	2,484	2,336	94.04
	Percentage Change	4.22	-24.27	-23.22	
Texas	2009	181,990,127	11,861	9,750	82.20
	2008	174,573,163	11,724	9,782	83.44
	Percentage Change	4.25	1.17	-1.33	
Utah	2009	31,788,834	3,116	3,058	98.14
	2008	28,030,439	3,310	3,251	98.22
	Percentage Change	13.41	-6.86	-6.94	
Vermont	2009	9,119,664	1,480	1,476	99.73
	2008	8,338,745	1,523	1,510	99.15
	Percentage Change	9.36	-3.82	-3.25	

**Table B. Grant Awards to State VR<sup>a</sup> Agencies and Number and Percentage of Individuals With Disabilities Employed, by Type of Disability and Jurisdiction: Fiscal Years 2008 and 2009 (Continued)**

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes <sup>b</sup> and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities <sup>c</sup> and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities <sup>d</sup>
Virgin Islands	2009	1,982,000	44	29	65.91
	2008	1,974,343	50	43	86.00
	Percentage Change	0.39	-13.00	-33.56	
Virginia	2009	58,408,579	3,214	3,195	99.41
	2008	55,139,739	4,012	3,952	98.50
	Percentage Change	5.93	-20.89	-20.15	
Washington	2009	45,200,145	2,404	2,369	98.54
	2008	43,456,631	2,357	2,345	99.49
	Percentage Change	4.01	1.99	1.02	
West Virginia	2009	25,912,097	1,867	1,733	92.82
	2008	25,312,666	1,773	1,649	93.01
	Percentage Change	2.37	5.30	5.09	
Wisconsin	2009	57,088,852	2,683	2,593	96.65
	2008	55,648,242	3,641	3,524	96.79
	Percentage Change	2.59	-27.31	-27.42	
Wyoming	2009	8,832,163	705	619	87.80
	2008	9,058,438	699	618	88.41
	Percentage Change	-3.50	0.86	0.16	
<b>Blind Agencies</b>					
Arkansas	2009	4,943,866	350	349	99.71
	2008	4,351,859	347	347	100.00
	Percentage Change	13.60	0.86	0.58	
Connecticut	2009	3,274,730	103	103	100.00
	2008	2,992,067	130	130	100.00
	Percentage Change	9.45	-21.77	-21.77	

**Table B. Grant Awards to State VR<sup>a</sup> Agencies and Number and Percentage of Individuals With Disabilities Employed, by Type of Disability and Jurisdiction: Fiscal Years 2008 and 2009 (Continued)**

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes <sup>b</sup> and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities <sup>c</sup> and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities <sup>d</sup>
<b>Delaware</b>	2009	1,523,723	25	24	96.00
	2008	1,421,424	20	18	90.00
	Percentage Change	7.20	25.00	33.33	
<b>Florida</b>	2009	27,006,950	685	685	100.00
	2008	25,983,486	729	728	99.86
	Percentage Change	3.94	-7.04	-6.91	
<b>Idaho</b>	2009	1,998,420	56	56	100.00
	2008	1,908,456	79	78	98.73
	Percentage Change	4.71	-30.11	-29.21	
<b>Iowa</b>	2009	6,973,036	87	87	100.00
	2008	6,816,185	124	124	100.00
	Percentage Change	2.30	-30.84	-30.84	
<b>Kentucky</b>	2009	7,485,697	348	348	100.00
	2008	7,244,033	394	394	100.00
	Percentage Change	3.34	-12.68	-12.68	
<b>Maine</b>	2009	3,127,588	105	104	99.05
	2008	2,795,752	82	82	100.00
	Percentage Change	11.87	28.05	26.83	
<b>Massachusetts</b>	2009	8,389,632	218	218	100.00
	2008	6,871,057	200	200	100.00
	Percentage Change	22.10	9.00	9.00	
<b>Michigan</b>	2009	14,992,737	166	166	100.00
	2008	14,602,124	228	227	99.56
	Percentage Change	2.68	-28.19	-27.87	

**Table B. Grant Awards to State VR<sup>a</sup> Agencies and Number and Percentage of Individuals With Disabilities Employed, by Type of Disability and Jurisdiction: Fiscal Years 2008 and 2009 (Continued)**

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes <sup>b</sup> and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities <sup>c</sup> and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities <sup>d</sup>
<b>Minnesota</b>	2009	8,267,505	78	78	100.00
	2008	8,262,335	93	93	100.00
	Percentage Change	0.06	-17.13	-17.13	
<b>Missouri</b>	2009	8,325,798	266	266	100.00
	2008	8,064,876	265	265	100.00
	Percentage Change	3.24	0.38	0.38	
<b>Nebraska</b>	2009	3,397,520	46	46	100.00
	2008	2,762,436	52	52	100.00
	Percentage Change	22.99	-12.54	-12.54	
<b>New Jersey</b>	2009	11,893,585	279	279	100.00
	2008	11,569,337	292	290	99.32
	Percentage Change	2.80	-5.45	-4.79	
<b>New Mexico</b>	2009	4,846,560	45	45	100.00
	2008	4,245,963	45	45	100.00
	Percentage Change	14.15	0.00	0.00	
<b>New York</b>	2009	24,398,054	358	349	97.49
	2008	24,499,995	643	601	93.47
	Percentage Change	-1.42	-45.32	-42.93	
<b>North Carolina</b>	2009	16,029,740	528	497	94.13
	2008	15,314,142	668	661	98.95
	Percentage Change	4.67	-21.96	-25.81	
<b>Oregon</b>	2009	4,594,682	97	95	97.94
	2008	4,420,190	115	115	100.00
	Percentage Change	3.95	-16.65	-18.39	

**Table B. Grant Awards to State VR<sup>a</sup> Agencies and Number and Percentage of Individuals With Disabilities Employed, by Type of Disability and Jurisdiction: Fiscal Years 2008 and 2009 (Continued)**

Agency	Fiscal Year and Percentage Change	Amount of Grant Award (\$) and Percentage Change	Total Employment Outcomes <sup>b</sup> and Percentage Change	Employment Outcomes of Individuals With Significant Disabilities <sup>c</sup> and Percentage Change	Percentage of Individuals With Employment Outcomes Who Have Significant Disabilities <sup>d</sup>
<b>South Carolina</b>	2009	6,883,930	319	314	98.43
	2008	6,595,512	316	301	95.25
	Percentage Change	4.37	0.95	4.32	
<b>South Dakota</b>	2009	1,984,015	112	112	100.00
	2008	1,895,983	102	101	99.02
	Percentage Change	4.64	9.80	10.89	
<b>Texas</b>	2009	45,497,532	1,352	1,350	99.85
	2008	43,643,418	1,359	1,358	99.93
	Percentage Change	4.25	-1.52	-1.59	
<b>Vermont</b>	2009	1,225,409	75	74	98.67
	2008	1,137,079	73	72	98.63
	Percentage Change	7.77	2.74	2.78	
<b>Virginia</b>	2009	8,854,156	170	165	97.06
	2008	8,241,791	183	182	99.45
	Percentage Change	7.43	-8.10	-10.34	
<b>Washington</b>	2009	7,976,496	150	146	97.33
	2008	7,668,817	132	127	96.21
	Percentage Change	4.01	13.64	14.96	



# **APPENDIX C**



# APPENDIX C

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

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### **(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 (C), (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 or 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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