

Workforce Development Council Meeting

Division of Vocational Rehabilitation Report

December 8, 2016

Submitted by Susan Foard

Council of State Administrators (CSAVR) Fall Conference – November 7-9, 2016

DVR Representation: Susan Foard, Assistant Administrator; Alison Lee, Hawaii Branch Administrator; Kimberly Wu, Staff Services Fiscal Officer; Lea Dias, Blind Branch Administrator

Overview of Federal Regulations on Pre-Employment Transition Services:

1. *Clarification of definition of Student with a Disability, (SWD)*
2. *Definition of Potentially Eligible SWD*
3. *Pre-Employment Transition Services*
 - a. *Services can be provided in a group setting or individualized setting. However, the VR agency must report each service provide to each person in the group setting.*
 - b. *Work-Based Learning Experiences: Excludes pre-apprenticeship training. Training stipends are permissible. Wages must be consistent and commensurate with the wages of other students without disabilities.*
 - c. *Workplace Readiness Training: example is a group orientation and mobility skill training. This service can take place on a workplace site.*
 - d. *Should not be used to determine if further VR services are needed or if the SWD will be successful in VR.*
 - e. *A state determines the amount of a training stipend by the “going rate” of another worker performing similar duties.*
4. *Allowable Costs*
5. *Pre-Employment Transition Services vs. Group Transition Services*
6. *Required Activities vs. Authorized Activities*
7. *Administrative Contract Costs for Pre-Employment Transition Services*
8. *Interagency Agreement between Local Educational Agency & VR*
9. *Fiscal Accountability*

Overview of Requirements under Section 511, Subminimum Wage

1. *Section 511 only applies to 14c licensed providers authorizing subminimum wages under the Fair Labor Standards Act.*
2. *Types of 14c Employers: Community Resource Program (CRP) work centers, hospital and residential care centers, business establishments that are not work centers or hospitals, and school-work programs.*
3. *Section 511 does not: change the rehabilitation act, promote subminimum wage employment, or eliminate sheltered work.*
4. *Section 511 does: require employers to review required documentation before paying an employee subminimum wages.*
5. *July 22, 2016 start date, even though WIOA was signed into law in July 2014.*
6. *Documentation: DVR must develop documentation process and comply with confidentiality.*

Federal Regulations on Employment Outcomes and Competitive Integrated Employment

1. Employment outcomes are either: Competitive Integrated Employment or Supported Employment.
2. Competitive Integrated Employment: 1. Integrated with employees without disabilities and 2. in a setting typically found in the community.

Overview and Discussion of Federal Regulations on Services to Businesses

1. Employer Engagement in Title I: fostering working relationships with businesses; enable employment opportunities in the community; expands scope of services VR can provide to employers.
2. Business Membership on the SRC: of the 15 minimum members, 4 representing business industry and labor (section 105b1Aiv of the Rehab Act and 34CFR 361.17b1vi. (25%)
3. Training and Services to Employers: educate and provide services to employers who have hired VR clients and those interested in hiring VR clients – e.g. disability awareness, requirements of American with Disabilities Act.
4. Services to Groups: Technical Assistance (TA) to businesses that are seeking to employ persons with disabilities, and establish develop improve Assistive Technology demonstration loan reutilization or financing programs under SGAT.

Overview and Discussion of Federal Regulations One-Stop Infrastructure Costs

1. How do one stop partners fund the operational costs of the One Stop Center?
 - a. Must agree to funding levels through an MOU
 - b. Pay an amount proportional to the relative benefit received
2. Infrastructure costs: non-personnel costs, facility rental costs, utility and maintenance costs, equipment, technology.
3. Other shared costs: initial intake, assessment of needs, referrals to other partners, business services.
4. Type of funds:
 - a. Cash: provided to the local workforce board either directly or interagency transfer
 - b. Non-cash contributions: contributed to meet the partners' proportionate share.
 - c. Third party in kind contributions: contributions of space, equipment, etc.
 - d. Infrastructure Funding Agreement (IFA)
5. Must not exceed 0.75 percent for FFY 2016 PY 2017/1 percent for FFY 2017 PY 2018 = approximately \$132,000

Supported Employment (SE)

1. Significant changes
 - a. Extending time frame for provision of SE services from 18 months to 24 months.
 - b. 10% State Match requirement
 - c. 50% reserve for youth
2. SE Fiscal Overview
 - a. Any reduction to the allotment will not reduce the reserve funds.
 - b. 10% state match including SE extended services
 - c. Not required to match above 50% if spending extra money on SE Youth
 - d. May not use more than 2.5% to pay for SE admin costs - can use VR 110 funds in excess of the 2.5%

WIOA Common Performance Reporting Update

1. On December 13, 2016, DVR is scheduled for a demonstration of Geographic Solutions, Inc. for WIOA reporting capabilities. Contact person is Deane Toler, Director of Marketing and Sales.
2. DVR and the Core Partners were not selected for the SARA project. SARA is a data system that collects the required data for performance reporting that is funded by the Rehabilitation Services Administration (RSA) through San Diego State University.