



U.S. DEPARTMENT OF EDUCATION

**RSA Monitoring Redesign Initiative  
Informational Booklet #2**



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Informational Booklet #2**

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

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Margaret Spellings

*Secretary*

**Office of Special Education and Rehabilitative Services**

John H. Hager

*Assistant Secretary*

**Rehabilitation Services Administration**

Edward Anthony

*Acting Commissioner*

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## **FOREWORD**

This informational booklet contains background materials regarding the Rehabilitation Services Administration (RSA) initiative to redesign its monitoring system. The booklet is intended to expand the knowledge and understanding of those individuals selected to participate in the RSA-sponsored monitoring conference that was held Aug. 24 and 25, 2005, and to inform other interested stakeholders of the progress being made in this important endeavor.

A primary objective of the monitoring redesign effort is to ensure that the new process not only meets federal goals and legislative requirements but also takes into account the needs and priorities of stakeholders of the public VR system, including state VR agencies, consumer and advocacy groups, community partners and providers, state rehabilitation councils and other relevant federal agencies. The objective of the August monitoring conference was to obtain input from these stakeholder groups on RSA's monitoring process.

This booklet contains basic information regarding 1) the legislative basis for RSA monitoring activities and 2) the recent RSA restructuring.



# REDESIGN OF THE REHABILITATION SERVICES ADMINISTRATION MONITORING AND PROGRAM IMPROVEMENT SYSTEM

## Overview

The U.S. Department of Education's Rehabilitation Services Administration (RSA) is undertaking a major initiative to substantially redesign its program monitoring and improvement system. The overriding goal is to improve vocational rehabilitation (VR) services and employment outcomes for individuals with disabilities through the development of a new monitoring system that involves key stakeholders, is performance-based and which establishes a state-level network of partners who assist in identifying improvements and who support the provision of resources and technical assistance necessary to achieve those improvements.

An important phase of this initiative is focused on obtaining the input, involvement and support of key stakeholder groups including state VR directors, consumer and advocacy groups, community partners and providers, state rehabilitation councils (SRCs), RSA staff and other interested federal agencies. To achieve this objective, a two-day monitoring conference was conducted in Washington, D.C., on Aug. 24 and 25, 2005. Approximately 200 individuals participated in the event, including federal representatives, national experts, state VR agencies, SRCs, consumer and advocacy groups, community partners and provider organizations and other key stakeholders.

The goal of the two-day conference was to obtain input on the issues, outcomes and focus areas that are important to RSA's stakeholders. RSA is implementing a new organizational structure that will include a division devoted to monitoring and program improvement. Staffed by individuals from this new division, state teams will make periodic on-site visits and carry out annual reviews consistent with the requirements of the *Rehabilitation Act of 1973*. The new organizational structure will identify those who will make up the state teams, the type of background information that RSA staff will use during their monitoring and review activities, and the way in which the results of these activities will be processed to assist state agencies improve their performance. The input generated by this conference is enabling RSA to understand the concerns and priorities its stakeholders assign to its new monitoring process.

The information contained in this booklet was designed to establish a common level of knowledge and understanding among those individuals who participated in the August conference. It has been organized into two categories of information, providing background information regarding the legislative mandate for RSA monitoring and program review activities and providing an overview of the RSA restructuring effort as it relates to monitoring.



# UNDERSTANDING THE LEGISLATIVE BASIS FOR ESTABLISHMENT OF THE STATE REHABILITATION COUNCIL

This portion of the informational booklet was designed to give conference attendees an overview of the role and responsibilities of the State Rehabilitation Council (SRC) and its relationship to the state VR program.

## Overview of Section 105—State Rehabilitation Council

Under Section 105 of the *Rehabilitation Act of 1973*, as amended, each state VR agency, except those who are independent commissions, as described in Section 101(a)(21)(A)(i) of the act, is required to establish an SRC. The role of the SRC is to review, analyze and advise the state VR agency with regard to the provision of vocational rehabilitation services and the performance of its responsibilities under Title I of the act. The SRC also is charged with working jointly with the state VR agency to develop a statewide needs assessment, set goals and priorities, report on program effectiveness, provide policy advice, identify impartial hearing officers, measure consumer satisfaction and develop and manage a resource plan for the council.

Furthermore, the SRC is required to coordinate its efforts with other key groups in the state, including the Statewide Independent Living Council (SILC), the *Individuals with Disabilities Education Act* (IDEA) advisory panel, the State Developmental Disabilities Council, the state mental health planning council and the State Workforce Investment Board.

Under Section 105, the composition of the SRC must include at a minimum the following:

- One representative of the Statewide Independent Living Council (SILC);
- One representative of a parent training and information center;
- One representative of the Client Assistance Program (CAP);
- One VR counselor;
- One representative of community rehabilitation program services providers;
- Four representatives of business, industry and labor;
- Representatives of disability advocacy groups representing a cross-section of individuals with physical, cognitive, sensory and mental disabilities; and representatives of individuals with disabilities who have difficulty representing themselves or are unable to represent themselves due to their disabilities;
- Current or former applicants for, or recipients of, VR services;
- One representative of the directors of projects providing services to American Indians under Section 121 of the act, when such projects are carried out in the state;
- One representative of the state agency responsible for the public education of students with disabilities;
- One representative of the State Workforce Investment Board; and
- The director of the State VR agency, who is an ex officio, non-voting member

A full extract of Section 105 as it appears in the act is included as Appendix A of this booklet.



## RSA DATA COLLECTION AND REPORTING ON THE STATE VR SERVICES PROGRAM

Section 101(a)(10) of the act requires RSA to collect and analyze a wide variety of data and information related to the performance of the public VR program. This information is contained in a number of forms that are completed by state grantees and submitted to RSA for input into the agency's management information system.

### Overview of Data Collecting and Reporting

Three forms in particular comprise the majority of data used by RSA in its program review and monitoring activities: the RSA-911, the RSA-2 and the RSA-113. The largest of these is the RSA-911, which collects information in more than 40 data elements, including demographic, disability, service received and earnings information for each individual that applies for VR services. The RSA-911 collects information on the individual from the point of application through case closure, with or without an employment outcome. It captures information on all individuals whose cases were closed during a particular fiscal year.

The RSA-2 collects program and financial information related to VR services provided in a particular fiscal year, capturing program expenditures, including basic support, supported employment and program income. The RSA-113 collects information related to state agency caseload from point of application to closure.

All formula grant program recipients are required to complete and submit Standard Form (SF) 269 to their grantor agency by the Education Department General Administrative Regulations (EDGAR). Consequently, all of the RSA formula grant program recipients complete and submit to RSA SF-269's, which contain information related to the status of grant outlays, program income as well as information regarding match and maintenance of effort.

In fiscal year 2000, RSA implemented Title I program evaluation standards and corresponding performance indicators to measure performance under the State VR Services Program. The standards and indicators are considered a crucial part of a comprehensive, integrated system of accountability for the State VR Services Program.

The standards and indicators are computed from the RSA-911 submittals from the 80 state VR agencies and were designed to shift the emphasis of RSA monitoring from compliance to performance as well as compliance.

To support this new emphasis on performance, RSA developed two sets of monitoring tables and a report card that focuses on a wide range of factors that might influence the performance of a state VR agency. One set of monitoring tables uses data from the RSA-911 and the other uses data from the RSA-2 and the RSA-113. The RSA-911 set of tables analyzes VR agencies employment status's disability groups, services provided, time-in-plan and other factors potentially affecting performance. The RSA-2 and RSA-113 set of tables look at performance factors such as rehabilitation and outcome rates, services provided to individuals and the breakdown of VR agency staffing. Both sets

of monitoring tables are voluminous—analyzing costs, earnings, disability types, services provided, expenditures, rehabilitation rates and other elements over a period of years.

Concurrent with the design of the monitoring tables, RSA implemented a “report card,” which is also used in performance monitoring. It is also quite large, encompassing 95 data measures. Unlike the monitoring tables, the report card information is restricted to one year’s data. The report card and monitoring tables are compiled when the databases from which they are derived is complete and have passed all edit checks.

A complete listing of RSA standard forms and reports is provided on the following page.

## **RSA Standard Forms and Reports Related to VR Monitoring**

### **SF-269: Financial Status Report**

- Reports status of grant outlays and program income.
- Monitoring uses—Not used in any monitoring reports but required by EDGAR.

### **RSA-911: Case Service Report**

- Case service database for 80 state VR agencies.
- Monitoring uses—RSA Annual Report, Standards and Indicators, monitoring tables, report card and various ad hoc queries.

### **RSA-2: Program and Cost Report**

- Reports on program expenditures, including basic support, supported employment and program income.
- Monitoring uses—RSA Annual report, monitoring reports, report card and various ad hoc queries.

### **RSA-113: Quarterly Cumulative Caseload Data Report**

- Reports agency caseload information from application to closure.
- Monitoring uses—RSA Annual report, monitoring reports, report card and various ad hoc queries.

### **RSA-722: Due Process Report**

- Reports on types of legal action against VR agencies.
- Monitoring uses—Reports used on an individual basis for monitoring.



## **APPENDIX A**



## Section 105—State Rehabilitation Council

### (a) Establishment

#### (1) In general

Except as provided in Section 101(a)(21)(A)(i), to be eligible to receive financial assistance under this title a state shall establish a State Rehabilitation Council (referred to in this section as the “council”) in accordance with this section.

#### (2) Separate agency for individuals who are blind

A state that designates a state agency to administer the part of the state plan under which vocational rehabilitation services are provided for individuals who are blind under Section 101(a)(2)(A)(i) may establish a separate council in accordance with this section to perform the duties of such a council with respect to such state agency.

### (b) Composition and Appointment

#### (1) Composition

##### (A) In general

Except in the case of a separate council established under Subsection (a)(2), the council shall be composed of—

(i) at least one representative of the Statewide Independent Living Council established under Section 705, which representative may be the chairperson or other designee of the council;

(ii) at least one representative of a parent training and information center established pursuant to Section 671 of the *Individuals with Disabilities Education Act*;

(iii) at least one representative of the Client Assistance Program established under Section 112;

(iv) at least one qualified vocational rehabilitation counselor, with knowledge of and experience with vocational rehabilitation programs, who shall serve as an ex officio, nonvoting member of the council if the counselor is an employee of the designated state agency;

(v) at least one representative of community rehabilitation program service providers;

(vi) four representatives of business, industry and labor;

(vii) representatives of disability advocacy groups representing a cross section of—

(I) individuals with physical, cognitive, sensory and mental disabilities; and

(II) individuals’ representatives of individuals with disabilities who have difficulty in representing themselves or are unable due to their disabilities to represent themselves;

- (viii) current or former applicants for, or recipients of, vocational rehabilitation services;
- (ix) in a state in which one or more projects are carried out under Section 121, at least one representative of the directors of the projects;
- (x) at least one representative of the state education agency responsible for the public education of students with disabilities who are eligible to receive services under this title and Part B of the *Individuals with Disabilities Education Act*; and
- (xi) at least one representative of the state Workforce Investment Board.

(B) Separate council

In the case of a separate council established under Subsection (a)(2), the council shall be composed of—

- (i) at least one representative described in Subparagraph (A)(i);
- (ii) at least one representative described in Subparagraph (A)(ii);
- (iii) at least one representative described in Subparagraph (A)(iii);
- (iv) at least one vocational rehabilitation counselor described in subparagraph (A)(iv), who shall serve as described in such subparagraph;
- (v) at least one representative described in Subparagraph (A)(v);
- (vi) four representatives described in Subparagraph (A)(vi);
- (vii) at least one representative of a disability advocacy group representing individuals who are blind;
- (viii) at least one individual's representative, of an individual who—
  - (I) is an individual who is blind and has multiple disabilities; and
  - (II) has difficulty in representing himself or herself or is unable due to disabilities to represent himself or herself;
- (ix) applicants or recipients described in Subparagraph (A)(viii);
- (x) in a state described in Subparagraph (A)(ix), at least one representative described in such subparagraph;
- (xi) at least one representative described in Subparagraph (A)(x); and
- (xii) at least one representative described in Subparagraph (A)(xi).

(C) Exception

In the case of a separate council established under Subsection (a)(2), any council that is required by state law, as in effect on the date of enactment of the *Rehabilitation Act Amendments of 1992*, to have fewer than 15 members shall be deemed to be in compliance with Subparagraph (B) if the council—

(i) meets the requirements of Subparagraph (B), other than the requirements of clauses (vi) and (ix) of such subparagraph; and

(ii) includes at least—

(I) one representative described in Subparagraph (B)(vi); and

(II) one applicant or recipient described in Subparagraph (B)(ix).

(2) Ex officio member

The director of the designated state unit shall be an ex officio, nonvoting member of the council.

(3) Appointment

Members of the council shall be appointed by the governor or, in the case of a state that, under state law, vests authority for the administration of the activities carried out under this act in an entity other than the governor (such as one or more houses of the state legislature or an independent board), the chief officer of that entity. The appointing authority shall select members after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities and organizations interested in individuals with disabilities. In selecting members, the appointing authority shall consider, to the greatest extent practicable, the extent to which minority populations are represented on the council.

(4) Qualifications

(A) In general

A majority of council members shall be persons who are—

(i) individuals with disabilities described in Section 7(20)(B); and

(ii) not employed by the designated state unit.

(B) Separate council

In the case of a separate council established under Subsection (a)(2), a majority of council members shall be persons who are—

(i) blind; and

(ii) not employed by the designated state unit.

(5) Chairperson

## (A) In general

Except as provided in Subparagraph (B), the council shall select a chairperson from among the membership of the council.

## (B) Designation by chief executive officer

In states in which the chief executive officer does not have veto power pursuant to state law, the appointing authority described in Paragraph (3) shall designate a member of the council to serve as the chairperson of the council or shall require the council to so designate such a member.

## (6) Terms of appointment

## (A) Length of term

Each member of the council shall serve for a term of not more than three years, except that—

(i) a member appointed to fill a vacancy occurring prior to the expiration of the term for which a predecessor was appointed, shall be appointed for the remainder of such term; and

(ii) the terms of service of the members initially appointed shall be (as specified by the appointing authority described in Paragraph (3)) for such fewer number of years as will provide for the expiration of terms on a staggered basis.

## (B) Number of terms

No member of the council, other than a representative described in Clause (iii) or (ix) of Paragraph (1)(A), or Clause (iii) or (x) of Paragraph (1)(B), may serve more than two consecutive full terms.

## (7) Vacancies

## (A) In general

Except as provided in Subparagraph (B), any vacancy occurring in the membership of the council shall be filled in the same manner as the original appointment. The vacancy shall not affect the power of the remaining members to execute the duties of the council.

## (B) Delegation

The appointing authority described in Paragraph (3) may delegate the authority to fill such a vacancy to the remaining members of the council after making the original appointment.

## (c) Functions of council

The council shall, after consulting with the state Workforce Investment Board—

- (1) review, analyze and advise the designated state unit regarding the performance of the responsibilities of the unit under this title, particularly responsibilities relating to—
  - (A) eligibility (including order of selection);
  - (B) the extent, scope and effectiveness of services provided; and
  - (C) functions performed by state agencies that affect or that potentially affect the ability of individuals with disabilities in achieving employment outcomes under this title;
- (2) in partnership with the designated state unit—
  - (A) develop, agree to and review state goals and priorities in accordance with Section 101(a)(15)(C); and
  - (B) evaluate the effectiveness of the vocational rehabilitation program and submit reports of progress to the commissioner in accordance with Section 101(a)(15)(E);
- (3) advise the designated state agency and the designated state unit regarding activities authorized to be carried out under this title, and assist in the preparation of the state plan and amendments to the plan, applications, reports, needs assessments and evaluations required by this title;
- (4) to the extent feasible, conduct a review and analysis of the effectiveness of, and consumer satisfaction with—
  - (A) the functions performed by the designated state agency;
  - (B) vocational rehabilitation services provided by state agencies and other public and private entities responsible for providing vocational rehabilitation services to individuals with disabilities under this act; and
  - (C) employment outcomes achieved by eligible individuals receiving services under this title, including the availability of health and other employment benefits in connection with such employment outcomes;
- (5) prepare and submit an annual report to the governor and the commissioner on the status of vocational rehabilitation programs operated within the state, and make the report available to the public;
- (6) to avoid duplication of efforts and enhance the number of individuals served, coordinate activities with the activities of other councils within the state, including the Statewide Independent Living Council established under Section 705, the advisory panel established under Section 612(a)(20) of the *Individuals with Disabilities Education Act*, the State Council on Developmental Disabilities established under Section 125 of the *Developmental Disabilities Assistance and Bill of Rights Act of 2000*, the state mental health planning council established under Section 1914(a) of the *Public Health Service Act* (42 U.S.C. 300x-4(a)) and the state Workforce Investment Board;

(7) provide for coordination and the establishment of working relationships between the designated state agency and the Statewide Independent Living Council and centers for independent living within the state; and

(8) perform such other functions, consistent with the purpose of this title, as the State Rehabilitation Council determines to be appropriate, that are comparable to the other functions performed by the council.

(d) Resources

(1) Plan

The council shall prepare, in conjunction with the designated state unit, a plan for the provision of such resources, including such staff and other personnel, as may be necessary and sufficient to carry out the functions of the council under this section. The resource plan shall, to the maximum extent possible, rely on the use of resources in existence during the period of implementation of the plan.

(2) Resolution of Disagreements

To the extent that there is a disagreement between the council and the designated state unit in regard to the resources necessary to carry out the functions of the council as set forth in this section, the disagreement shall be resolved by the governor consistent with Paragraph (1).

(3) Supervision and Evaluation

Each council shall, consistent with state law, supervise and evaluate such staff and other personnel as may be necessary to carry out its functions under this section.

(4) Personnel Conflict of Interest

While assisting the council in carrying out its duties, staff and other personnel shall not be assigned duties by the designated state unit or any other agency or office of the state that would create a conflict of interest.

(e) Conflict of Interest

No member of the council shall cast a vote on any matter that would provide direct financial benefit to the member or otherwise give the appearance of a conflict of interest under state law.

(f) Meetings

The council shall convene at least four meetings a year in such places as it determines to be necessary to conduct council business and conduct such forums or hearings as the council considers appropriate. The meetings, hearings and forums shall be publicly announced. The meetings shall be open and accessible to the general public unless there is a valid reason for an executive session.

(g) Compensation and Expenses

The council may use funds allocated to the council by the designated state unit under this title (except for funds appropriated to carry out the Client Assistance Program under Section 112 and funds reserved pursuant to Section 110(c) to carry out Part C) to reimburse members of the council for reasonable and necessary expenses of attending council meetings and performing council duties (including child care and personal assistance services), and to pay compensation to a member of the council, if such member is not employed or must forfeit wages from other employment, for each day the member is engaged in performing the duties of the council.

(h) Hearings and Forums

The council is authorized to hold such hearings and forums as the council may determine to be necessary to carry out the duties of the council.



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